2020-2021 Annual Disclosure
Student Right-To-Know and Campus Security (Clery Act)
Annual Security Report
Sex and Gender Based Misconduct Response and Prevention Report
Alcohol & Substance Abuse Policy
Student Rights under FERPA
(The Family Educational Rights and Privacy Act)

This document includes information for:

Raleigh

September 30th, 2020
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Campus Watch

It’s your campus – Protect it!

A truly safe campus can only be achieved through the cooperation of students, faculty, and staff. As a member of the DeVry University community, it is your responsibility to report a crime, suspicious activity, or other emergencies on campus to the appropriate school official. Should you become a witness to or victim of a crime, immediately report the incident to local law enforcement officials, the Student Services office, or to the Incident Commander. All crimes will be investigated and when appropriate, brought to the attention of the Student Services office for disciplinary hearing.

Purpose of the Annual Disclosure Report

DeVry University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act. The full text of this document can also be found on the Student Consumer Information page (https://www.devry.edu/compliance/student-consumer-info.html) or by visiting your local Student Central office. This report was prepared with the assistance of local law enforcement agencies. Campus crime, arrest, and referral statistics include those that were report to local law enforcement and campus faculty and staff. This data may also include crimes that have occurred in private residences or businesses adjacent to the campus.

Reporting Crimes and Emergencies

When making your report of an incident you will be asked to provide the following information:

1. Description of the incident.
2. Date, Time, and Location of the incident.
3. Description of the persons or vehicles involved in the incident.
4. Detail regarding who was notified about the incident.

Upon receipt of this report DeVry University will determine the appropriate response, which could include disciplinary action against the offender(s), notification to local law enforcement, notification to the campus community, or other public safety alternatives deemed appropriate given the circumstances. Please note that your identity may not be confidential when reporting an incident. DeVry University does not have procedures for voluntary, confidential reporting of crimes.

Once each semester, DeVry University will contact the Wake County and Raleigh City police departments and property management to monitor and record crimes that occur within the designated area surrounding the campus that have been reported to the local police.

All Emergencies – Dial 911

Annual Security Report

DeVry University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the SIREN notification system, 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.

The Incident Commander will determine if there is a significant emergency or dangerous situation and what segment of the campus community will need to receive a notification.

DeVry University will:

- Test emergency response and evacuation procedures on an annual basis.
- Document each test, including the date, time, and whether it was announced or unannounced.
• Publicize emergency response and evacuation procedures in conjunction with at least one test per calendar year.

**SIREN Emergency Alert System**

In the event of an emergency or a potentially dangerous threat to the campus or center arises, students, faculty, and staff will receive timely notification via the SIREN system, on campus flyers, and/or email announcements. This includes any Clery Act crimes that are reported to the campus IC (Dr. Regina Campbell) or local police and are considered to represent a serious or continuing threat to students, faculty, and staff. Please make sure to keep contact information up to date in SIREN through the student portal at [https://learn.devry.edu/](https://learn.devry.edu/) for students and the DeVry University Staff Portal at [https://dvu.okta.com/](https://dvu.okta.com/) for faculty and staff.

**Area Police and Fire Non-Emergency Numbers:**

<table>
<thead>
<tr>
<th>County/City</th>
<th>Police</th>
<th>Fire and Paramedic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wake/Raleigh</td>
<td>919-831-6311</td>
<td>(919) 996-6115</td>
</tr>
</tbody>
</table>

**Campus Access, Facility Security, and Law Enforcement**

**Raleigh Campus**

The Facilities department maintains the building and grounds with a concern for safety and security. Facilities staff inspect the facility regularly, promptly make repairs affecting safety and security hazards, and respond to reports of potential safety and security hazards such as broken windows, locks, etc. Students, faculty, and staff can assist the Facilities staff by calling (919) 463-1380 to report concerns. Additionally, the Facilities Manager routinely inspects the grounds and building to review lighting and other environmental concerns for safety.

There are fire alarms and pull stations throughout the facility that should be used only in the event of an emergency. If an emergency requires evacuation, there are signs clearly posted throughout the building indicating the best routes for evacuation.

The building is generally open from 7:00 AM to 6:00 PM Monday through Friday. When the building is closed, it is locked and monitored by a security company. Access to classrooms and laboratories is limited to those enrolled in the courses meeting there. Access to on- and off-campus activities is limited to actively enrolled students and their guests. Students are responsible for the behavior of their guests at all times at campus-arranged events. DeVry University reserves the right to require that DeVry University identification cards be presented for admittance to certain locations and events. DeVry University may also require students to register their guests with Student Services prior to attendance. Student, faculty, and staff identification cards should be worn at all times.

The on-duty security officer serves as an escort and on-campus security 24 hours a day, seven days a week. The security officer must be called to respond to emergencies and can be contacted at (919) 636-2935. The security officer has the authority to ask questions and request identification at any time. Criminal incidents will be referred to local law enforcement.

All crime victims and witnesses are strongly encouraged to report incidents to both campus security and local police. Prompt reporting will ensure timely warning notices to the campus community and timely disclosure of crime statistics.

Students living in off-campus student housing facilities should check with the apartment landlord for specific safety and security measures at their complex. Although most complexes provide keys for individuals and restrict access to apartments, the level of additional security varies from complex to complex. Crimes committed at off-campus housing should be immediately reported to the police department with jurisdiction over the complex and as soon as reasonably possible to the Student Services office.
The campus security department maintains a policy concerning the monitoring and recording, through local police departments, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities.

Raleigh Center

The center is located in a public office building. This building has its own security and maintenance staff that must adhere to strict regulations of various city ordinances and routine inspections (i.e. Fire Department). The center lists the hours it is accessible on the student bulletin board. Admittance to the center during off hours must be arranged with the Center Dean in conjunction with the building manager. Access to classroom facilities and computer laboratories is limited to those enrolled in courses.

Important Emergency Contact Information for Each Location

<table>
<thead>
<tr>
<th>Location Address &amp; Phone</th>
<th>Building Phone #</th>
<th>Fire Dept. Phone #</th>
<th>Police Dept. Phone #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raleigh Center 555 Fayetteville Street Suite 300 Raleigh, NC 27560</td>
<td>919-463-1380</td>
<td>911</td>
<td>911</td>
</tr>
<tr>
<td>After hours emergency #</td>
<td>911</td>
<td>911</td>
<td>911</td>
</tr>
</tbody>
</table>

Safety and Security

CAMPUS CRIME STATISTICS ARE INCLUDED AT THE END OF THIS DOCUMENT

Campus safety and security is the shared responsibility of students, faculty, and staff. To enhance student, faculty and staff awareness of their responsibility for personal safety, various information and services, including but not limited to, the following are provided throughout the year:

- Pamphlets on personal safety.
- Emergency safety information.
- Optional renter’s insurance information for housing students.
- Safety/security displays in the library and/or student services office.
- Use of institution publications as a forum for personal safety topics.
- Institution inspections to consider security precautions.
- Escort services provided by on-duty security officer.

Safety and Security Tips

Personal

- Stay alert and tuned in to your surroundings.
- Communicate that you are calm, confident, and know where you going.
- Stay away from isolated areas.
- Stay on the part of sidewalks furthest away from shrubs, dark doorways, and alleys.
- Walk with a companion whenever possible.
- Check the back seat before getting into a car. Keep doors locked while driving.
- Don’t overload yourself with packages or wear shoes or clothing that restricts movement.
- Avoid displaying large amounts of cash or jewelry.
- Carry a purse close to your body. Carry a wallet in an inside coat or front trouser pocket.
- If you think someone is following you, abruptly switch directions and walk toward an open store, restaurant or lighted home.
- Don’t hitchhike or pick up hitchhikers.
• Park in well-lighted areas.
• Avoid isolated bus stops at times when few other people are around.
• Do not reveal your name, phone number, or address to strangers.
• Never admit that you are alone or that you will be away from home.
• Keep an eye on neighbors’ homes or apartments while they are away and have them do the same for you.
• Keep your local police department’s phone number next to your phone.

Residence

• Keep doors locked at all times.
• Draw shades and curtains whether or not you are at home.
• Keep money and jewelry locked in a safe place.
• Leave a light on while you are away or use a timer.
• Secure sliding glass doors with commercially available locks or a rigid wooden dowel in the track.
• Don’t hide spare keys in mailboxes, planters, or under doormats.
• Make a record of your valuables and keep it in a safe spot.
• Don’t leave a note that says you are not in.
• Never prop doors open.
• Keep ladders and tools in a locked area.
• Have someone cut your lawn while you’re on vacation.

Vehicle

• Always lock your car and remove the keys. Make sure the windows are closed.
• Lock all valuables in the trunk.
• Never leave an ID tag on your key ring.
• Leave only the ignition key with parking attendants.
• Park in well-lit areas.

Office

• Keep your purse, wallet, and other valuable items with you at all time or locked in a drawer or closet.
• Never keep keys lying out.
• Never leave change or cash on the desk or in a top drawer.
• Notify security personnel of any suspicious persons or vehicles.
• Lock doors when working after normal hours.
• Report any broken or flickering lights, and doors that don’t lock properly.

Sex and Gender Based Misconduct Response and Prevention Policy

This policy applies to complaints or reports of alleged sex and/or gender-based misconduct. DeVry University (“DVU”) expressly prohibits sex and/or gender-based misconduct which includes sexual harassment, sexual assault, rape, domestic violence, dating violence, stalking, sexual exploitation, and gender-based harassment. Any acts that meet this policy’s definitions of sex and/or gender-based misconduct are a violation of DVU’s policy, and potentially applicable state and federal law. DVU is committed to fostering an environment where any alleged violation of this policy is promptly reported and complaints are resolved in a fair and timely manner.

Creating a safe environment is the responsibility of all members of the community. Regardless of the definitions provided below, anyone who believes they are a victim of sex and/or gender-based misconduct should report the incident as soon as possible to the Title IX Coordinator (see “Coordinator” under “Definitions” below for contact information) or the campus complaint administrator in addition to seeking immediate medical and/or safety assistance.
This policy applies to all members of the DVU community, and includes, but is not exclusive to faculty, staff, students, DVU visitors, volunteers, vendors, and persons related to, receiving or seeking to receive services, or otherwise pursuing studies with the organization. It also applies, as appropriate, to any alleged act of sex and/or gender-based misconduct that adversely impacts the DVU community, whether those acts occur on or off campus.

Definitions

“Clery Act” refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46. The Clery Act requires that institutions annually disclose certain crimes which have occurred within a geography that includes campus buildings and adjacent locations. Annual disclosures are released on or by the 1st day of October each year.

“Code of Conduct applicable to students” refers to the policy titled “Code of Conduct” which is accessible in the student handbook. It outlines students’ rights and responsibilities, as well as the process by which action may be taken against a student for Code violations.

“Colleague Code of Conduct” refers to the “DVU Code of Conduct and Ethics” (Commons Portal>Quick Links>Policy Central) which is applicable to colleagues at all DVU locations and offices and outlines colleagues’ rights and responsibilities.

“Colleague complaint procedure” is the vehicle by which colleagues can bring to the administration’s attention any complaint relating to their experience with DVU or a member of the DVU community. It is the mechanism for investigating and trying to resolve complaints raised by colleagues and can be found in the Commons Portal> Quick Links > Policy Central.

“Complaint administrator” is a DVU colleague responsible for conducting an investigation when a complaint of sex and/or gender-based misconduct is raised. To find the complaint administrator at any given location or for a particular complaint, consult the location’s student handbook, student services/student affairs department, or the Title IX Coordinator.

“Conduct administrator” is an official authorized to administer disciplinary proceedings for respondents who may have violated the Code of Conduct applicable to students. A conduct administrator may serve as the sole member or as a participant in the conduct panel. Nothing shall prevent DVU from authorizing the same conduct administrator to impose sanctions in all cases at a single or multiple locations.

“Conduct panel” means any person or persons authorized by the conduct administrator to determine whether a respondent has violated the Code of Conduct applicable to students and to determine appropriate sanctions.

“Consent” is a voluntary, conscious, affirmative agreement to engage in a specific sexual act. Consent can only exist free from intimidation, force, threat of force or coercion. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but voluntary, conscious, affirmative consent to any sexual activity is equivalent to “no” for purposes of this policy. While the legal definition of consent varies by jurisdiction (See “Related Information” for link to consent statutes by state), the following general rules apply when assessing whether consent has been/was given.

- Consent can never be assumed.
- Consent cannot be implied from either the lack of explicit consent or the lack of explicit dissent.
- Where there is use of threat, force or restraint by the accused, the lack of verbal or physical resistance or the submission by the victim does not constitute consent.
- The manner of dress of the victim does not constitute consent.
- Past consent to sexual contact and/or a shared sexual history does not imply consent to future sexual contact.
- Consent to sexual activity with one person does not constitute consent to sexual activity with another person.
- A person who initially consents to sexual contact including penetration may withdraw continued
consent at any time during the course of that interaction. When consent is withdrawn or can no longer be given, engagement in sexual activity must stop.

- Consent to some form of sexual activity cannot automatically be taken as consent to any other form of sexual activity.
- A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following: the person is incapacitated due to use or influence of alcohol or drugs; the person is asleep or unconscious; the person is under age; or the person is incapacitated due to a mental disability.
- Consent is required regardless of whether the person initiating sexual activity is under the influence of drugs and/or alcohol.
- A power differential between people engaged in a sexual act presumes the inability to consent for the less powerful person (e.g. the student in a student-colleague interaction; the supervisee in a direct report-supervisor interaction).

“Coordinator” refers to the Title IX Coordinator. Paul Herbst, Title IX Coordinator (TitleIX@devry.edu or 630-960-8019) is responsible for overseeing compliance with all aspects of this policy and designated to receive and monitor resolution for all Title IX reports.

“CRC” refers to the Coaching Resource Center which is available to managers to assist in addressing colleague relations concerns including complaints about colleague or vendor conduct.

“Dating violence” means sex or gender-based violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a dating relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a dating partner.

“Domestic violence” refers to sex or gender-based violence committed by either a current or former spouse of the victim; a person with whom the victim shares a child in common; a person who is or has cohabited with the victim as a spouse; a person similarly situated to a spouse of the victim under the jurisdictional domestic or family violence laws; or any other person against a victim who is protected from that person's acts under the jurisdictional domestic or family violence laws. Based on jurisdictional definitions, domestic violence may constitute a felony or misdemeanor crime. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a domestic relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a domestic partner.

“DVU” means DeVry University and its Keller Graduate School of Management.

“FERPA” means the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99. FERPA sets certain limits on the disclosure of student records. This policy is designed to work in tandem with FERPA, and nothing in this policy is intended to require or encourage non-compliance with FERPA.

“Gender-based misconduct” refers to unwelcome conduct, including harassment, of an unacceptable nature based on actual or perceived biological sex including behaviors based on gender identity, expression and nonconformity with gender stereotypes.

“Member of the DVU community” includes students, faculty members or staff, and any other individuals associated with DVU. The conduct administrator or complaint administrator shall determine a person's status in a particular situation.

“Notice” refers to any information regardless of whether it is direct, indirect, partial or complete received by a colleague that indicates possible sex or gender-based misconduct. When notice is received, colleagues are required to inform the Title IX Coordinator or their supervisor who in turn must make a report to the Title IX Coordinator.
“One-up manager” is a colleague’s manager’s manager. It is the person responsible for receiving a colleague’s complaint when his/her direct manager is implicated in that complaint.

“Policy” is defined as a general administrative or operational direction with broad application throughout DVU.

“Rape” is any 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 and/or by force. Rape may involve strangers or people who know one another (e.g. friend, classmate, relative, spouse or co-worker). In these instances, rape is often referred to as “acquaintance rape.” Rape is a crime regardless of a relationship or lack thereof between individuals.

“Sexual assault” is non-consensual sexual contact defined as physical contact of a sexual nature against the victim’s will or without the victim’s consent. It includes any intentional sexual touching, however slight, by direct physical contact or by use of any object, by a person upon another person, without consent and/or by force. Rape is a severe form of sexual assault.

“Sexual contact” means the deliberate touching of a person's intimate body parts (including lips, genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause self-touching by another person of intimate body parts.

“Sexual exploitation” occurs when a person takes non-consensual or abusive sexual advantage of another for the advantage or benefit of themselves or any other person that is not the person being exploited by the behaviors. Examples include but are not limited to: invasion of sexual privacy; prostitution; non-consensual recording of nudity or sexual activity; voyeurism; knowingly exposing someone to an STI, STD or HIV; intentional exposure of genitals in non-consensual circumstances; and sex- based stalking or bullying.

“Sexual harassment” refers to unwelcomed sex or gender-based advances, requests for favors or other verbal, written, online and/or physical conduct. Sexual harassment occurs when a person is the recipient of conduct of a sexual nature where: (1) Submission to, or toleration of, such conduct is made either explicitly or implicitly a term or condition of the student’s education or colleague’s employment; or (2) Submission to or rejection of such conduct by an individual is used as the basis for academic decisions about the student or professional decisions about the colleague; or (3) Such conduct is sufficiently severe or persistently pervasive and objectively offensive thereby having the purpose or effect of unreasonably interfering with a person’s ability to participate in or benefit from DVU’s educational, employment, social or other related programs.

“Sex and gender-based misconduct” is a broad term used to refer to all conduct prohibited by this policy. This encompasses sexual harassment, gender-based harassment, dating violence, domestic violence, rape, sexual assault, sexual exploitation and stalking. Sex and gender-based misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sex and gender-based misconduct can be committed by any person regardless of sex, gender or sexual orientation of the victim or perpetrator.

“Stalking” is a course of behavior directed at a specific person that would cause a reasonable person to feel fear for personal safety, or repetitive, menacing pursuit, following, harassing and/or interfering with the peace and/or safety of another.

“Student complaint procedure” is the vehicle by which students can bring to DVU’s attention any complaint relating to their experience with DVU or a member of the DVU community. It is the mechanism for investigating and attempting to resolve complaints raised by students. The student complaint procedure can be found in the student handbook (http://www.devry.edu/current-students/current-students-student-handbooks.html).

“Speak Up” refers to Speak Up, a reporting system managed by a third party vendor (EthicsPoint), which encourages members of the DVU community to come forward with questions or concerns, including allegations of sex and/or gender-based misconduct. Reports can be made anonymously or reporters can provide their name and contact information. Colleagues are expected to ask legal, compliance and ethics questions and
report suspected wrongdoing. Colleagues and students can utilize the SpeakUp program by contacting the third party contractor EthicsPoint by phone at 1-844-703-9374 or on-line at www.devry.ethicspoint.com.

“Title IX” is a federal law which prohibits sex and gender discrimination in U.S. education. Under Title IX, sex and gender-based misconduct are forms of discrimination that require investigation and appropriate remediation when students, colleagues, or other members of the educational institution’s community are impacted. Title IX is enforced by the U.S. Department of Education.

“VAWA” refers to the Violence Against Women Act, 34 CFR Part 668. VAWA supports community resources for victims of rape, sexual assault, stalking, dating violence and domestic violence and articulates expectations regarding the management of related concerns when a report is made to representatives of U.S. colleges and universities.

Prevention and Awareness
Acts that are deemed to fall within the scope of this policy are violations of the Codes of Conduct, as well as the expectations of members of the DVU community. These acts may also be crimes. In an effort to increase the likelihood of intervention and reduce the risk of sex and/or gender-based misconduct from occurring among its students and colleagues, DVU is committed to providing primary and ongoing awareness and prevention programming.

Primary and ongoing awareness and prevention programs will cover the continuum of issues contemplated by this policy. Themes will include situational awareness and prevention strategies such as bystander intervention and other forms of risk reduction. While bystander intervention specifically refers to the safe and effective ways in which third parties can intervene to thwart sex and/or gender-based misconduct, risk reduction also encompasses various strategies to eliminate or reduce risk of harm by avoiding or removing oneself from situations that are dangerous or uncomfortable.

Awareness programs are events that occur online or in person that request active engagement of community members. It is the expectation and responsibility of each member of the DVU community to participate in programming which will assist with ongoing prevention efforts, as well as effective and efficient identification and response when sex and/or gender-based misconduct does occur.

Primary prevention and awareness programming will include a comprehensive online education platform intended for viewing by all colleagues and students, as well as student-facing vendors if necessary and appropriate. The program will be completed by:

- New students and transfer students: within three weeks of formal enrollment
- Returning and continuing students who did not take the training as a new or transfer student: no later than the first day of classes for the semester when they are scheduled to return or continue
- Colleagues by the date stated in email notification.
- Specific vendors as identified and by the date stated in email notification

Access to the primary prevention program and its contents will be ongoing throughout the participant’s relationship with DVU. Members of the DVU community are encouraged to visit this resource regularly for personal, professional and academic purposes.

Ongoing prevention and awareness campaigns are public service announcements and campaigns, as well as messages and activities integrated into the day-to-day fabric of the academic community. These initiatives are intended to reinforce increased awareness regarding sex and/or gender-based misconduct and prevention strategies throughout the year. DVU will continually seek formal and informal ways to incorporate additional awareness and prevention strategies, e.g., active and passive educational campaigns such as social norms poster campaigns, newsletter articles, presentations and volunteerism with local community resource agencies. When additional ongoing education is provided, the organizer will report that event, activity, or effort to the Title IX Coordinator for recordkeeping and quality assurance purposes. Toolkits including ideas and resources that support ongoing efforts and are related to the primary prevention and awareness programming will be made available to any campus upon request.
Additional training will be delivered to colleagues responsible for responding to reports of sex and/or gender-based misconduct, including but not limited to complaint administrators, conduct administrators, conduct panelists, and appeal reviewers. These colleagues should complete the primary prevention and awareness programming described above, as well as remote or live training and/or consultation with the Title IX Coordinator before and during management of an allegation within the scope of this policy.

Reporting
Victims may file a formal complaint with a designated local campus administrator or through the Title IX Coordinator.

Barbara Bickett
Director, Regulatory Affairs
DeVry University
630-515-5852
Barbara.Bickett@devry.edu

Paul Herbst
Title IX Coordinator
ADA/504 Coordinator
630-960-8019
TitleIX@devry.edu

Reports can also be made by victims, third parties or bystanders with the option to remain anonymous through the SpeakUp program at (844)703-9374 or on-line at www.devry.ethicspoint.com. Initial response to electronic reports will occur within 12 hours of initial receipt.

If a victim wishes to access local community agencies and/or law enforcement for support or to make a report, DVU will assist the victim in making these contacts. Direct assistance, though limited, remains available when reports are made anonymously through SpeakUp. Anyone may make a report regarding any information pertaining to violations of this policy.

All DVU colleagues (faculty, staff, administrators, and student workers) who are not otherwise identified in this policy or through institutional addenda as confidential resources are required to immediately provide any information received about any actual or suspected sex and/or gender-based misconduct impacting the DVU community to appropriate officials with some very narrow exceptions discussed elsewhere in this policy (see “Confidentiality”). Regardless of how notice is received, reports may prompt a need for DVU to investigate.

Any individual wishing to discuss a situation within the scope of this policy without triggering an immediate investigation should seek referral to mental health counseling services. Students may seek support through ASPIRE at 1-888-470-1531 or via info@myASPIReonline.com and colleagues may seek support through UnitedHealthcare’s Colleague Assistance Program which is accessible through the colleague portal and at 1-866-248-4096. General hotline and other resource information can be found at the end of this policy and focused support services can be obtained through consultation with student services/student affairs, the CRC, local human resources, or the Title IX Coordinator.

Individuals experiencing misconduct in violation of this policy are also always are free to notify the U.S. Department of Education:

Office of Civil Rights (OCR) - Headquarters 400 Maryland Avenue, SW
Washington DC 20202-1100
Customer Service Hotline #: (800) 421-3481
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr
Regional Offices: http://www2.ed.gov/about/offices/list/ocr/addresses.html

Support and Resources
The DVU official who receives notification of alleged sexual and/or gender-based misconduct will offer appropriate support or refer the victim directly to immediate assistance. Assistance may initially require supported access to local medical, mental health, legal or law enforcement resources and could include academic accommodations, changes in housing for the victim or a respondent student, changes in working
situations and other arrangements as may be appropriate and available (such as limiting orders, campus escorts, transportation assistance, or targeted interventions). No victim is required to take advantage of these services and resources, but DVU provides them in the hope of offering help and supporting minimal disruption to access to academic programming or the workplace. If circumstances related to an incident change over time, these and other supportive accommodation options may be revisited. DVU may also provide referrals to counseling services, at the victim’s option, including but not limited to the confidential colleague and student support services outlined above (See “Reporting”). Local resource lists can also be found through Student Central and/or Student Services. A brief list of national and international referral sites can be found at the end of this policy.

**Disciplinary Review and Action**

Acts of sex and/or gender-based misconduct are subject to disciplinary action. Disciplinary action is not intended to determine criminal responsibility. Rather it is intended to identify and respond to violations of DVU policy and community standards. Separate and distinct disciplinary action may also be considered in instances of retaliation against those who, in good faith, report or disclose an alleged violation of the comprehensive policy, file complaint, or otherwise participate in the complaint resolution procedure. Failure by a respondent to adhere to interim protective measures will be considered a form of retaliation or an extension of the initial allegations.

When the victim chooses, or DVU believes it is necessary, a prompt, fair and impartial investigation will be initiated. In the event that a victim requests that an investigation not occur, their request will be honored when possible and unless DVU determines in good faith that failure to investigate creates a potential risk of harm to the reporting individual or other members of the community. Factors used to determine whether to adhere to such a request include, but are not limited to whether: the accused has a history of violent behavior or is a repeat offender; the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior; there is an increased risk that the accused will commit additional acts of violence; the accused is alleged to have used a weapon or force; the reporting individual is a minor; DVU possesses other means to obtain evidence; and/or available information reveals a pattern of perpetration by a specific person, at a given location, or by a particular group.

If allegations of colleague misconduct are substantiated to the preponderance of evidence standard through the investigation, colleague discipline may be imposed. The colleague complaint procedure, which details the investigation and resolution processes and prohibited colleague conduct, can accessed through the Commons Portal under Quick Link >Policy Central.

The Title IX Coordinator will monitor the investigation and resolution of reports of sex and/or gender-based misconduct and facilitate compliance with this policy. Furthermore, the Title IX Coordinator will work with campus administration to identify and initiate strategies intended to remedy the effects on the victim and the DVU community to the extent practicable and reasonable to prevent the recurrence of similar misconduct.

Privacy of the records specific to sex and/or gender-based misconduct investigations is maintained in accordance with applicable law, including FERPA. Any public release of information to comply with the timely warning provisions of the Clery Act will not include the names of victims or information that could easily lead to a victim’s identification. In appropriate instances, pertinent interim actions and the results of disciplinary hearings regarding the alleged perpetrator of misconduct will be disclosed to the alleged victim and/or complainant. Confidentiality will be maintained whenever possible, however DVU reserves the right to exercise discretion and disclose details of an incident or allegation to assure community safety or the safety of an individual.

It is DVU’s policy to hold perpetrators of sex and/or gender-based misconduct accountable for their actions through appropriate student conduct or personnel procedures, and by working with community agencies and law enforcement as appropriate. DVU’s internal review processes shall run concurrently with any criminal justice investigation and proceeding, except for temporary delays as requested by external entities while law enforcement gathers evidence. Temporary delays should not last more than ten days except when law enforcement specifically requests and justifies a longer delay.
Internal mediation between the alleged victim and respondent will not be used to resolve an allegation of sexual misconduct.

Prior sexual history with persons other than the other party in a judicial or conduct process, as well as any mental health diagnosis and/or treatment will be excluded from student conduct hearings at the student’s preference. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the stage of a review process that determines sanction.

Investigation and response to allegations of sex or gender-based misconduct will include the following, without limitation: trauma informed assistance to the victim/survivor as appropriate; an interview with the victim/survivor; identifying and locating witnesses; contacting and interviewing the respondent; cooperating with law enforcement. In any complaint of sex or gender-based misconduct, the person bringing the accusation and the responding party are both entitled to the same opportunities for notice of any meeting they are required to or are eligible to attend, of the specific rule, rules or laws alleged to have been violated and in what manner, and the sanction or sanctions that may be imposed on the respondent based upon the outcome of the judicial or conduct process, as well as a support person or advisor of their choice throughout the process, consistent with any guidelines set forth applicable to students or colleagues. Once complete, the parties will be informed, in writing, of the outcome. Notice to both parties will include a written statement detailing the factual findings supporting the determination and the rationale for the sanction/discipline (if any) to the degree possible and always when the sanction/discipline is directly relevant to that individual. Delivery of this outcome will not be unduly delayed to either party, and should occur in the same form and format and as near to simultaneously as possible.

Sanctions for student misconduct
Appropriate disciplinary sanctions for substantiated violations of this policy by students, up to and including expulsion, will be imposed in accordance with the Code of Conduct applicable to students found in the Student Handbook (http://www.devry.edu/current-students/current-students-student-handbooks.html). The full list of available sanctions is provided in the Code of Conduct applicable to students. This policy statement is not intended to replace or substitute for the Code of Conduct applicable to students. This policy is a supplement to the community standards that the Code of Conduct applicable to students sets forth. Alleged violations of this policy will be referred to the applicable complaint administrator and/or conduct administrator for appropriate review. All parties in a student conduct proceeding will be informed at the same time and in the same manner of any final determinations, as well as DVU’s appeal process, and their rights to request an appeal. Should any change in outcome occur prior to finalization (e.g., a re-hearing ordered upon appeal), all parties will be informed at the same time and in the same manner, and will be notified when the results of the conduct process is finalized. In addition, violations of this policy may trigger application of sanctions to a student imposed under local, state, or federal law.

Sanctions for colleague misconduct
Alleged violations of this policy by colleagues will be referred to the CRC for appropriate review. Disciplinary sanctions for a colleague’s violation of this policy may include written reprimand, warning, probation, suspension, housing suspension, housing expulsion, limiting order, change in job assignment, office relocation, reduction of awards under the management incentive plan, or termination of employment or contract, and will be imposed in accordance with applicable DVU policies and procedures. DVU reserves the right to impose further and/or different sanctions appropriate to an individual situation. In addition, violations of this policy may trigger application of sanctions to a colleague imposed under local, state, or federal law.

Reporting by colleagues to external authorities
Colleagues who are made aware of a possible violation of this policy are required to contact their manager or one-up manager and also the Title IX Coordinator. Colleagues can also submit named or anonymous reports of sexual and/or gender-based misconduct by utilizing the DVU “Speak Up” hotline at www.devry.ethicspoint.com. Colleagues should contact the Title IX Coordinator with any questions about whether a report to law enforcement is appropriate. Nothing in this policy prohibits a student or colleague from reporting a crime directly to local authorities.
Disciplinary procedures are independent of any and all procedures and proceedings under local, state, or federal criminal or civil law. In all cases, DVU reserves the right to refer cases for parallel criminal prosecution or to pursue sanctions regardless of criminal prosecution. Violations of this policy by a visitor, volunteer, vendor, agents, or other third parties affiliated with DVU may also result in the termination of pre-existing or future relationships.

**Victim/Survivor’s Rights**

DVU will take interim steps to protect victims of sex and gender-based misconduct and maintain a positive learning and working environment by minimizing or eliminating contact between a complainant and a respondent and providing reasonable academic, employment, and administrative accommodations in accordance with the Clery Act and Title IX. Students who are victims of sex and/or gender-based misconduct may request a change in their academic arrangements by contacting student services, the Title IX Coordinator, or local leadership. Colleagues who are victims of sex and/or gender-based misconduct may request a change in their employment arrangements by contacting their one-up manager, the CRC, the Title IX Coordinator, or local leadership.

Victim/Survivor’s rights include:

1. The right to notify or not notify law enforcement, and to request and receive assistance from DVU in making a report if desired.
2. The right to summary information on all available response options, such as complaint resolution procedures, including the necessary steps and potential consequences of each option whether or not a formal report is made to the institution.
3. The right to be free from undue coercion from DVU to pursue or not pursue any course of action.
4. The right to be informed of the institution's role regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a civil, criminal, or tribal court (when applicable).
5. The right to request and receive information on how to make a confidential report for the purposes of tracking campus crime without otherwise divulging details that would require or permit DVU to investigate and respond (when the incident has not yet been reported to a colleague required to notify the Title IX Coordinator).
6. The right to contact information for the Title IX Coordinator, available confidential advisors, community-based resources (sexual assault crisis centers or other appropriate support services), campus security and/or local law enforcement.
7. The right to be fully informed of any applicable disciplinary conduct process and procedures.
8. The same rights as the accused to attend and have a support person of their choice and/or witnesses present at student conduct hearings and any meetings leading up to such a hearing.
9. The right to be informed of the outcome of any student or colleague conduct process involving alleged sex or gender-based misconduct regardless of participation in the process leading to that outcome. In the case of student conduct proceedings, victims have the right to appeal the outcome.
10. The right to request interim protective measures and accommodations including a change in academic, employment, on-campus living, transportation or other arrangements after the alleged sex or gender-based misconduct and to be informed of the reasonably available options for those changes.
11. The right to obtain and have enforced a campus-issued limiting instruction or no contact order or a court issued order of protection or no contact order.
12. The right to be informed about DVU's ability to provide assistance, upon request, in accessing and navigating campus and/or community resources for health, mental health, advocacy, and/or other services for survivors of sexual assault, relationship violence and other forms of sexual misconduct.
13. The right to be free from any suggestion that they are at fault or should have acted in a different manner to avoid reported sex or gender-based misconduct.
14. The right to not be required to describe the incident to more representatives than absolutely necessary for proper investigation and response and under no circumstances will a victim be required to repeat details of the incident to secure appropriate accommodations.
The right to make an impact statement during the point in any conduct review process where the decision maker is prepared to deliberate on appropriate sanctions.

For all colleagues: In the event that a violation of this policy is reported to you, the victim should be provided with the above-listed options and a copy of this policy. For more specific instructions on how to properly comply with this policy, please consult the Title IX Coordinator.

Amnesty for Victims and Witnesses
DVU encourages the reporting of sex and gender-based misconduct by victims and witnesses who are sometimes hesitant to report to DVU officials or participate in the resolution processes because of concern that they may be accused of policy violations, such as underage drinking or drug use at the time of the incident. It is in the best interest of the community that victims and witnesses come forward to share what they know regarding violations of this policy. To encourage reporting, victims and witnesses may be provided with educational options, rather than punitive sanctions, for minor policy violations.

Similarly, DVU encourages direct assistance to those in need as a result of sex or gender-based misconduct. In instances where minor policy violations are revealed as a result of a person providing assistance to a victim, policy violations should not be overlooked, however the DVU may provide educational options, rather than punitive sanctions, to those who offer their assistance.

Retaliation
DVU prohibits retaliation against anyone who reports an incident of sex and gender-based misconduct or any person who assists or participates in a proceeding, investigation or hearing relating to such allegations. Any allegation of retaliation related to the investigation or resolution of a sex or gender-based misconduct allegation will be treated as an independent Title IX complaint requiring consideration of appropriate reparative interim action, as well as investigation and resolution as described in this policy.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. All complaints of retaliation should be reported in accordance with DVU’s complaint procedures. If DVU’s procedures would result in students or colleagues being required to submit a complaint to the person whom they believe is retaliating, students or colleagues may submit the retaliation complaint directly to the Title IX Coordinator, or to the campus or location leader or one-up manager, who should also inform the Title IX Coordinator.

Submission of a good-faith complaint or report of sexual or gender-based misconduct will not adversely affect the complainant’s future academic or work environment. DVU will discipline or take other appropriate action against anyone who retaliates against any person who reports an incident of alleged sexual or gender-based misconduct or who retaliates against any person who assists or participates in a proceeding, investigation or hearing related to such allegations.

Confidentiality
DVU wishes to create an environment in which individuals feel free to discuss concerns and make complaints. DVU understands that complainants, witnesses, and others involved in the investigation process may be concerned about the confidentiality of the information they are sharing. In some cases, however, DVU may be obligated to take action when it becomes aware of information relating to a complaint.

Confidentiality in cases of sex and/or gender-based misconduct will be maintained to the extent permissible by law and consistent with DVU’s obligations in investigating complaints. Once an individual discloses identifying information to DVU through the processes described above and in the applicable complaint procedures, that person will be considered to have filed a complaint with DVU. While the confidentiality of information received, the privacy of individuals involved, and compliance with the wishes of the complainant or witnesses cannot be guaranteed, they will be respected to the extent possible and appropriate.

Confidential Resources
The availability of confidential resources permits discussion of an incident without triggering an immediate report to the Title IX Coordinator and institutional or organizational response, both of which may result in or
require that the reporter or impacted party being identified. Confidential resources also permit exploration of reporting options and possible consequences before filing a formal report. State or profession specific mandatory reporting laws related to certain types of concerns (i.e. child sexual abuse), may still trigger a requirement for a confidential resource to report an incident to identified enforcement agencies.

If students or colleagues wish to speak with someone who can assure confidentiality, they are encouraged to access counseling services available by referral through DVU’s third party provider, ASPIRE, at 888.470.1531 or myaspireonline.com (for students) or Guidance Resources at 877-623-3879 (for colleagues). Additional confidential resources may be available on or off campus and vary by location. (See your institution’s student handbook or your campus-specific website).

Risk and Reduction Tips
Responsibility for sexual misconduct rests with those who commit such acts. Risk reduction tips are not intended to blame the victim. There are precautions we all can take which may limit our exposure to situations which may result in non-consensual sexual acts.

- Communicate limits/ boundaries and respect the limits/ boundaries of others.
- Clearly and firmly say “No” to a sexual aggressor.
- If possible, leave the physical presence of a sexual aggressor or otherwise violently aggressive person.
- If someone is nearby, ask for help.
- Take responsibility for your alcohol/ drug use. Acknowledge that alcohol/ drugs lower sexual inhibitions and may make you vulnerable to someone who sees an impaired person as a sexual opportunity.
- Do not take advantage of someone’s intoxication or altered state even if alcohol or drugs were consumed willingly.
- If you choose to share intimate images, pictures, videos or content with others, even those you trust, be clear about your expectations regarding how the information may be used, shared or disseminated. If such information is shared with you, do not share it with others.
- Take care of friends and ask that they take care of you.
- As a sexual initiator, clearly communicate your intentions and give your sexual partner the opportunity to clearly communicate the same.
- Do not make assumptions about consent, sexual availability, sexual attraction, how far an interaction can go, or about physical and/or mental ability to consent.
- Remember that consent should be affirmative and continuous. If there is any question or ambiguity, you should proceed as if you do not have consent.
- Consider mixed messages from a partner to be an indication that sexual conduct should stop so that better communication can occur.
- Recognize the potential for a sexual partner to feel intimidated or coerced by you as a result of a power advantage, your gender, your demeanor or your physical presence. Do not use or abuse that power.

Bystander Intervention Strategies
Intervention by classmates, colleagues and others within proximity to the precursors or signs of possible sexual assault, sexual exploitation, dating violence, domestic violence or stalking can significantly impact the course of an interaction between a latent perpetrator and victim. Bystanders may also encourage friends, classmates and colleagues who are already experiencing victimization to seek assistance sooner than they may have without encouragement, support, or acknowledgement.

Community members are encouraged to recognize warning signs and to consider possible methods of interference in various scenarios before opportunities to intervene arise. By planning ahead, we all maximize the likelihood of being empowered to take safe actions to either prevent sexual misconduct or offer paths to eliminate ongoing victimization.

When a member of the DVU community observes threatening, coercive, forceful, aggressive or harassing behavior, it is important to assess the situation to determine the best possible course of action for all
concerned. Some forms of intervention are direct, while others will be less apparent to the perpetrator or others within range of the interaction. Examples include but are not limited to:

- Making up an excuse to get someone out of a dangerous situation.
- Stepping in to change the course of an interaction.
- Warning potential or perceived perpetrators that their actions may lead to severe consequences.
- Refusing to leave the company of a potential victim despite efforts by an aggressor or pursuer to get the potential victim alone.
- Remaining on the scene of observed misconduct and offering to make a statement or act as a witness subsequent to intervention by security, administration or the police.
- Taking steps to reduce alcohol or drug consumption within a potentially dangerous social situation.
- Calling and cooperating with security, administration, the police or others to assist with intervention and accountability.
- Expressing concern or offering resources when you notice someone with unexplained or frequent injuries.
- Refusing to consider sex and/or gender-based misconduct a personal or private matter between the victim and the perpetrator.

Procedures to Follow After a Sexual Misconduct Incident

Victims of any sexual misconduct that might constitute a crime, including domestic violence, dating violence, sexual assault, stalking, and rape (including acquaintance rape) that impacts the DVU community have the option and are encouraged to contact local law enforcement authorities.

Whenever possible, victims should report a violation of this policy as soon as possible and preserve evidence as may be necessary to prove that domestic violence, dating violence, sexual assault, or stalking occurred, or to obtain a protection order. Victims of sexual assault or rape are strongly encouraged to report the incident as described in this policy to deter future assaults and to ensure that victims receive the services they need.

Steps should be taken to help deal with physical and emotional trauma associated with the violation. Recommended steps include:

1. Go to a safe place; go somewhere to get emotional support.
2. Consider reporting the incident to the police. If requested, DVU will assist with notification.
3. Report the misconduct to the student central manager, conduct administrator, complaint administrator, one-up manager, campus incident commander, local DVU leadership, Title IX Coordinator, or the CRC.
4. For your safety and well-being, immediate medical attention is encouraged. Being examined as soon as possible, ideally within 120 hours, is important especially in the case of rape and other forms of sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that, if at all possible, you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before that exam. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care. Additionally, you are encouraged to gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. Secure them in a clean paper bag or clean sheet.
5. Even after the immediate crisis has passed, consider seeking professional counseling and the support of local and specialized support agencies such as sexual assault recovery centers and domestic violence safe houses. This can help to recover from psychological effects and provide a safe environment for recovery.
6. Contact the student central manager, academic advising team lead (for online), conduct administrator, complaint administrator, one-up manager, Title IX coordinator, or the CRC if you need assistance with DVU related concerns, such as implementing no-contact orders or other protective measures. DVU may also liaise with local authorities to assist an individual who wishes to obtain protective or restraining orders.
Victims are not required to report an incident to law enforcement authorities, but campus authorities will assist victims who wish to do so. Anyone with knowledge about a sexual assault or other sex or gender-based misconduct is encouraged to report it immediately to the Title IX Coordinator in order to permit a coordinated report to the applicable law enforcement authorities when appropriate. Nothing in this policy prohibits a student or colleague from reporting a crime directly to local authorities.

Please refer to the “Related Information” section of this document for a link to local resources for advice and assistance to victims.

**Resources for Victims of Sexual Misconduct**

- **National Sexual Assault Hotline**
  1-800-656-HOPE (4673)
  https://rain.org

- **National Suicide prevention Hotline**
  1-800-273-TALK (8255)
  https://suicidepreventionlifeline.org

- **National Domestic Violence Hotline**
  1-800-799-7233
  (TTY) 1-800-787-3224
  http://thehotline.org

- **Americans Overseas Domestic Violence Crisis Center**
  1-866-USWOMEN (International Toll Free)
  crisis@866uswomen.org

- **National Network to End Domestic Violence**
  https://nnedv.org
  https://womenslaw.org/ [Legal information and resources]

- **National Stalking Resource Center**
  https://victimsocrime.org

- **National Teen Dating Abuse Helpline**
  1-866-331-9474
  1-866-331-8453 (TTY)
  https://loveisrespect.org

- **U.S. Embassy**
  https://USEmbassy.gov

- **School and College Organization for Prevention Educators**
  Consent Statutes Listed by State:
  https://wearescope.org/resources/consent-statutes/#list

- **The White House Task Force to Protect Students from Sexual Assault**
  https://NotAlone.Gov

**State Domestic Violence Coalition Resources**

North Carolina Coalition Against Domestic Violence
3710 University Drive, Suite 140
Durham, NC 27707
Phone: 919-956-9124
Toll Free: 888-232-9124
Website: http://nccadv.org

**State Sexual Assault Coalition Resources**

North Carolina Coalition Against Sexual Assault
811 Spring Forest Road, Suite 900
Raleigh, NC 27609
Phone: 919-871-1015
Toll Free: 888-737-2272
Website: http://www.nccasa.org
Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act requires sex offenders already required to register in a State to provide notice, as required under State Law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. The act requires that state procedures ensure this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems. These changes became effective two years after enactment of the law (2002).

This act amends the Higher Education Act of 1965 to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. This change takes effect two years after enactment (2002).

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

Convicted sex offenders or sexual predators attending or employed at an institution of higher education in Illinois are required to comply with The Illinois Sex Offender Registration ACT. The act requires sex offenders/predators to register in person with the public safety or security director of the institution of higher education at which he or she is employed or attends. Please contact the appropriate Illinois Incident Commander to register.

Illinois requires an institution that contracts with a school district to provide educational service to K-12 students to collect fingerprints of any colleagues who will have regular contact with the K-12 students. This process is maintained by Human Resources.

To check registered sex offenders in a state see the State Offender Registry List section.

STATE SEXUAL OFFENDER REGISTRY LIST

**ALABAMA**  
Website: [https://app.alea.gov/Community/wfSexOffenderSearch.aspx](https://app.alea.gov/Community/wfSexOffenderSearch.aspx)  
Phone Number: 334-353-1172

**ALASKA**  
Website: [https://dps.alaska.gov/SORWeb/](https://dps.alaska.gov/SORWeb/)  
Phone Number: 907-269-0396 or 1 800-658-8892 (outside Anchorage in Alaska)

**ARIZONA**  
Website: [https://www.azdps.gov/services/public/offender](https://www.azdps.gov/services/public/offender)  
Phone Number: 602-223-2000

**ARKANSAS**  
Website: [https://www.ark.org/offender-search/index.php](https://www.ark.org/offender-search/index.php)  
Phone Number: 501-682-2222

**CALIFORNIA**  
Website: [http://www.meganslaw.ca.gov/](http://www.meganslaw.ca.gov/)  
Phone Number: 916-227-4974

**COLORADO**  
Website: [https://www.colorado.gov/apps/cdps/sor/](https://www.colorado.gov/apps/cdps/sor/)  
Phone Number: 303-239-4222

**CONNECTICUT**  
Phone Number: 860-685-8060

**DELAWARE**
Website: https://sexoffender.dsp.delaware.gov/
Phone Number: 302-739-5882

DISTRICT OF COLUMBIA
Website: http://sexoffender.dc.gov/
Phone Number: 202-727-4407

FLORIDA
Website: https://offender.fdle.state.fl.us/offender/sops/offenderSearch.jsf
Phone Number: 888-357-7332

GEORGIA
Website: http://state.sor.gbi.ga.gov/sort_public/SearchOffender.aspx
Email Link: http://state.sor.gbi.ga.gov/sort_public/ContactUs.aspx

HAWAII
Website: http://sexoffenders.ehawaii.gov/sexoffender/welcome.html
Phone Number: 808-587-3350

IDAHO
Website: http://www.isp.idaho.gov/sor_id/
Phone Number: 208-884-7305

ILLINOIS
Website: http://www.isp.state.il.us/sor/
Phone Number: 217-785-0653

INDIANA
Website: http://www.icrimewatch.net/indiana.php
Phone Number: 800-622-4779

IOWA
Website: http://www.iowasexoffender.com/
Phone Number: 515-725-6050

KANSAS
Website: http://www.accesskansas.org/kbi/ro.shtml
Phone Number: 785-296-8200

KENTUCKY
Website: http://kspSOR.state.ky.us/
Phone Number: 202-227-8700

LOUISIANA
Website: http://www.lsp.org/socpr/default.html
Phone Number: 800-858-0551

MAINE
Website: http://sor.informe.org/cgi-bin/sor/index.pl
Phone Number: 207-624-7270

MARYLAND
Website: http://www.socem.info/
Phone Number: 410-339-5000

MASSACHUSETTS
Website: http://www.mass.gov/eopss/agencies/sorb/
Phone Number: 978-740-6400

MICHIGAN
Website: http://www.communitynotification.com/cap_main.php?office=55242/
Phone Number: 517-241-1806

MINNESOTA
Website: https://coms.doc.state.mn.us/PublicViewer/
Phone Number: 651-361-7340
**MISSISSIPPI**
Website: [http://state.sor.dps.ms.gov/](http://state.sor.dps.ms.gov/)
Phone Number: 601-987-1540
**MISSOURI**
Website: [http://www.mshp.dps.mo.gov/CJ38/search.jsp](http://www.mshp.dps.mo.gov/CJ38/search.jsp)
Phone Number: 888-767-6747
**MONTANA**
Website: [https://app.doj.mt.gov/apps/svow/](https://app.doj.mt.gov/apps/svow/)
Phone Number: 406-444-7068
**NEBRASKA**
Website: [https://sor.nebraska.gov/](https://sor.nebraska.gov/)
Phone Number: 402-471-8647
**NEVADA**
Website: [http://www.nvsexoffenders.gov/](http://www.nvsexoffenders.gov/)
Phone Number: 775-684-6262
**NEW HAMPSHIRE**
Website: [http://business.nh.gov/NSOR/search.aspx](http://business.nh.gov/NSOR/search.aspx)
Phone Number: 800-735-2964
**NEW JERSEY**
Phone Number: 609-882-2000
**NEW MEXICO**
Website: [http://sheriffalerts.com/cap_office_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlvbi5jb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA=](http://sheriffalerts.com/cap_office_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlvbi5jb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA=)
Phone Number: 505-827-9297
**NEW YORK**
Website: [http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp)
Phone Number: 800-262-3257
**NORTH CAROLINA**
Website: [http://sexoffender.ncsbi.gov/](http://sexoffender.ncsbi.gov/)
Email Link: [http://sexoffender.ncsbi.gov/contact.aspx](http://sexoffender.ncsbi.gov/contact.aspx)
**NORTH DAKOTA**
Website: [http://www.sexoffender.nd.gov/](http://www.sexoffender.nd.gov/)
Phone Number: 701-328-2210
**OHIO**
Phone Number: 866-406-4534
**OKLAHOMA**
Website: [https://sors.doc.state.ok.us/svor/f?p=119:5:0::NO](https://sors.doc.state.ok.us/svor/f?p=119:5:0::NO)
Email Address: osor@doc.state.ok.us
**OREGON**
Website: [http://sexoffenders.oregon.gov/](http://sexoffenders.oregon.gov/)
Phone Number: 503-934-1258
** PENNSYLVANIA**
Website: [http://www.pameganslaw.state.pa.us/](http://www.pameganslaw.state.pa.us/)
Phone Number: 866-771-3170
**PUERTO RICO**
Alcohol and Substance Abuse Policy

DeVry University expects all members of its community; students, faculty, and staff, to be familiar with and to abide by applicable state, federal, and local laws regarding alcohol and drugs. DeVry University forbids the use, possession, distribution, or sale of drugs, except permitted substances when taken under a doctor’s prescription and consistent with a doctor’s instructions. DeVry University specifically prohibits the use, possession, distribution, or sale of medical marijuana on its premises or at any DeVry University sponsored event. The unauthorized possession, distribution, sale, or consumption of alcoholic beverages anywhere on DeVry University property or at DeVry University sponsored events is also forbidden. Violation of state, federal, or other local regulations with respect to illegal drugs or alcohol are subject to both criminal prosecution and

**Drug Free Schools & Communities Act**

**Educational Guidelines Pertaining to Drug Free Schools & Communities Act**

DeVry University expects all members of its community including students, faculty and staff, to be familiar with and to abide by applicable state, federal and local laws regarding alcohol and drugs. Students are also responsible for knowing school regulations concerning alcohol use on campus. DeVry University forbids the unauthorized use, possession, distribution, or sale of drugs or alcohol by a student anywhere on DeVry University property. Violation of these laws or regulations may subject a student to both criminal prosecution and campus disciplinary action.

Use of illicit drugs and abuse of prescription drugs pose a serious threat to mental and physical health. Alcohol is a drug. Its use in even the smallest may be harmful to some people, and when used to excess, alcohol is harmful to everyone. For this reason, responsible drinking is essential and is expected of those who choose to drink.

**Substance**

**Alcohol (at .08 Blood Alcohol Concentration & Above)**

Impaired motor abilities; reduced judgment; sleepiness; increased sexual desire but reduced ability to perform; nausea, vomiting; liver disorders-alcohol hepatitis, alcoholic cirrhosis; cancer of the-tongue, mouth, throat, esophagus, liver, breast; fetal alcohol syndrome (most common symptom is intellectual disabilities).

**Cannabis, Marijuana, Hash/Hash Oil, THC**

Diminished-short term memory, motivation & cognition, coordination & concentration, oral communication, reaction time; anxiety & panic reactions; carcinogenic elements in smoke; damaged lungs & respiratory system.

**Cocaine (includes Crack Cocaine)**

Increased likelihood of risk taking; seizures; sleeplessness; paranoid; irregular heartbeat; can cause sudden death by stroke or heart failure, even in young users; cocaine psychosis (paranoia & hallucinations); ulceration of mucous membranes in the nose; sexual dysfunction; during pregnancy can cause severe physical & emotional problems in babies.

**Depressants, Tranquilizers, Barbiturates, Methaqualone**

Dangerous effects when mixed with alcohol; calmness & relaxed muscles; slurred speech, staggering gait, loss of motor coordination; altered perceptions; respiratory depression which can result in coma or death; disruption of normal sleep cycle; during pregnancy-birth defects, brain tumors in children; tolerance develops severe withdrawal symptoms; physical & psychological dependence.

**Psychedelics, LSD, Mescaline, Psilocybin, Phencyclidine (PCP), MDMA (Ecstasy), MDA**

Distorted sense of distance, space and time; blockage of pain sensations; nausea, vomiting & diarrhea; severe mood disorders, panic, depression, anxiety; greater suggestibility & feelings of invulnerability; unpredictable reactions if drugs are “cut” with impurities; tolerance after (3-4 daily doses—higher doses are required to produce same effects).

**Narcotics, Opium, Morphine, Codeine, Thebaine, Heroin, Methadone, Darvon, Demerol**

Feeling of euphoria followed by drowsiness; nausea & vomiting; respiratory depression; central nervous system depression; use of unsterile needles promotes the spread of blood borne pathogens (HIV/AIDS, Hepatitis B, Endocarditis); women dependent on opiates have multiple pregnancy complications-spontaneous abortions, still births, anemia, and diabetes.
Federal law penalizes the unlawful manufacturing, distribution, use, sale, and possession of controlled substances. The penalties vary based on many factors, including the type and amount of the drug involved, and whether there is intent to distribute. Federal law sets penalties for first offenses ranging from less than one year to life imprisonment and/or fines up to $10 million. Penalties may include forfeiture of property, including vehicles used to possess, transport, or conceal a controlled substance; the denial of professional licenses or Federal benefits, such as student loans, grants, and contracts; successful completion of a drug treatment program; community service; and ineligibility to receive or purchase a firearm. Federal law holds that any person who distributes, possesses with intent to distribute, or manufactures a controlled substance on or within one thousand feet of an education facility is subject to a doubling of the applicable maximum punishments and fines. See the Federal Controlled Substances Act at 21 USC 800.

NORTH CAROLINA

http://ncga.stated.nc.us
http://ncga.nc.us?EnactedLegislation/Statues/pdf/ByArticles/chapter_90?Article_5.pdf

In addition to the Federal laws, the State of North Carolina has its own laws dealing with controlled substances.

(a) Except as authorized by this Article, it is unlawful for any person:
(1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver, a controlled substance;
(2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance;
(3) To possess a controlled substance.

(b) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(1) with respect to:
(1) A controlled substance classified in Schedule I or II shall be punished as a Class H felon, except as follows: (i) the sale of a controlled substance classified in Schedule I or II shall be punished as a Class G felony, and (ii) the manufacture of methamphetamine shall be punished as provided by subdivision (1a) of this subsection.
(1a) The manufacture of methamphetamine shall be punished as a Class C felony unless the offense was one of the following: packaging or repackaging methamphetamine, or labeling or relabeling the methamphetamine container. The offense of packaging or repackaging methamphetamine, or labeling or relabeling the methamphetamine container shall be punished as a Class H felony.
(2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class I felon, except that the sale of a controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class H felon. The transfer of less than 5 grams of marijuana or less than 2.5 grams of a synthetic cannabinoid or any mixture containing such substance for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).

(c) Any person who violates G.S. 90-95(a) (2) shall be punished as a Class I felon.

(d) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a) (3) with respect to:
(1) A controlled substance classified in Schedule I shall be punished as a Class I felony. However, if the controlled substance is MDPV and the quantity of the MDPV is 1 gram or less, the violation shall be punishable as a Class 1 misdemeanor.
(2) A controlled substance classified in Schedule II, III, or IV shall be guilty of a Class 1 misdemeanor. If the controlled substance exceeds four tablets, capsules, or other dosage units or equivalent quantity of hydromorphone or if the quantity of the controlled substance, or combination of the controlled substances, exceeds one hundred tablets, capsules or other dosage units, or equivalent quantity, the violation shall be punishable as a Class I felony. If the controlled substance is methamphetamine, amphetamine, phencyclidine, or cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation of coca leaves, or any salt, isomer, salts of isomers, compound, derivative or preparation...
thereof which is chemically equivalent or identical with any of these substances (except deccananized coca leaves or any extraction of coca leaves which does not contain cocaine or ecgonine), the violation shall be punishable as a Class I felony.

(3) A controlled substance classified in Schedule V shall be guilty of a Class 2 misdemeanor; 

(4) A controlled substance classified in Schedule VI shall be guilty of a Class 3 misdemeanor, but any sentence of imprisonment imposed must be suspended and the judge may not require at the time of sentencing that the defendant serve a period of imprisonment as a special condition of probation. If the quantity of the controlled substance exceeds one-half of an ounce (avoirdupois) of marijuana, 7 grams of a synthetic cannabinoid or any mixture containing such substance, or one-twentieth of an ounce (avoirdupois) of the extracted resin of marijuana, commonly known as hashish, the violation shall be punishable as a Class 1 misdemeanor. If the quantity of the controlled substance exceeds one and one-half ounces (avoirdupois) of marijuana, 21 grams of a synthetic cannabinoid or any mixture containing such substance, or three-twentieths of an ounce (avoirdupois) of the extracted resin of marijuana, commonly known as hashish, or if the controlled substance consists of any quantity of synthetic tetrahydrocannabinols or tetrahydrocannabinols isolated from the resin of marijuana, the violation shall be punishable as a Class I felony.

(d1) Except as authorized by this Article, it is unlawful for any person to:

a. Possess an immediate precursor chemical with intent to manufacture a controlled substance; or

b. Possess or distribute an immediate precursor chemical knowing, or having reasonable cause to believe, that the immediate precursor chemical will be used to manufacture a controlled substance; or

c. Possess a pseudoephedrine product if the person has a prior conviction for the possession of methamphetamine, possession with the intent to sell or deliver methamphetamine, sell or deliver methamphetamine, trafficking methamphetamine, possession of an immediate precursor chemical, or manufacture of methamphetamine. The prior conviction may be from any jurisdiction within the United States.

Except where the conduct is covered under subdivision (2) of this subsection, any person who violates this subdivision shall be punished as a Class H felon.

(2) Except as authorized by this Article, it is unlawful for any person to:

a. Possess an immediate precursor chemical with intent to manufacture methamphetamine; or

b. Possess or distribute an immediate precursor chemical knowing, or having reasonable cause to believe, that the immediate precursor chemical will be used to manufacture methamphetamine.

Any person who violates this subdivision shall be punished as a Class F felon.

(d2) The immediate precursor chemicals to which subsection (d1) of this section applies are those immediate precursor chemicals designated by the Commission pursuant to its authority under G.S. 90-88, and the following (until otherwise specified by the Commission):

1. Acetic anhydride.
2. Acetone.
3a. Ammonium nitrate.
3b. Ammonium sulfate.
3. Anhydrous ammonia.
4. Anthranilic acid.
5. Benzyl chloride.
7. 2-Butanone (Methyl Ethyl Ketone).
8. Chloroephedrine.
10. D-lysergic acid.
11. Ephedrine.
12. Ergonovine maleate.
13a. Ether based starting fluids.
15. Ethyl Malonate.
17. Gamma-butyrolactone.
18. Hydrochloric Acid. (Muriatic Acid).
19. Iodine.
20. Isosafrole.
21. Sources of lithium metal.
(22) Malonic acid.
(23) Methylamine.
(24) Methyl Isobutyl Ketone.
(25) N-acetylanthranilic acid.
(26) N-ethylephedrine.
(27) N-ethylpseudoephedrine.
(28) N-methylephedrine.
(29) N-methylpseudoephedrine.
(30) Norpseudoephedrine.
(30a) Petroleum based organic solvents such as camping fuels and lighter fluids.
(31) Phenyl-2-propane.
(32) Phenylacetic acid.
(33) Phenylpropanolamine.
(34) Piperidine.
(35) Piperonal.
(36) Propionic anhydride.
(37) Pseudoephedrine.
(38) Pyrrolidine.
(39) Red phosphorous.
(40) Safrole.
(40a) Sodium hydroxide (Lye).
(41) Sources of sodium metal.
(42) Sulfuric Acid.
(43) Tetrachloroethylene.
(44) Thionylchloride.
(45) Toluene.

(e) The prescribed punishment and degree of any offense under this Article shall be subject to the following conditions, but the punishment for an offense may be increased only by the maximum authorized under any one of the applicable conditions:

(1), (2) Repealed by Session Laws 1979, c. 760, s. 5.
(3) If any person commits a Class 1 misdemeanor under this Article and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be punished as a Class I felon. The prior conviction used to raise the current offense to a Class I felony shall not be used to calculate the prior record level.
(4) If any person commits a Class 2 misdemeanor, and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be guilty of a Class 1 misdemeanor. The prior conviction used to raise the current offense to a Class 1 misdemeanor shall not be used to calculate the prior conviction level.
(5) Any person 18 years of age or over who violates G.S. 90-95(a)(1) by selling or delivering a controlled substance to a person under 16 years of age but more than 13 years of age or a pregnant female shall be punished as a Class D felon. Any person 18 years of age or over who violates G.S. 90-95(a)(1) by selling or delivering a controlled substance to a person who is 13 years of age or younger shall be punished as a Class C felon. Mistake of age is not a defense to a prosecution under this section. It shall not be a defense that the defendant did not know that the recipient was pregnant.
(6) For the purpose of increasing punishment under G.S. 90-95(e)(3) and (e)(4), previous convictions for offenses shall be counted by the number of separate trials at which final convictions were obtained and not by the number of charges at a single trial.
(7) If any person commits an offense under this Article for which the prescribed punishment requires that any sentence of imprisonment be suspended, and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be guilty of a Class 1 misdemeanor.
(8) Any person 21 years of age or older who commits an offense under G.S. 90-95(a)(1) on property used for a child care center, or for an elementary or secondary school or within 1,000 feet of the boundary of real property used for a child care center, or for an elementary or secondary school shall be punished as a Class E felon. For purposes of this subdivision, the transfer of less than five grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1). For purposes of this subdivision, a child care center is as defined in G.S. 110-86(3)a., and that is licensed by the Secretary of the Department of Health and Human Services.
(9) Any person who violates G.S. 90-95(a)(3) on the premises of a penal institution or local confinement facility shall be guilty of a Class H felony.
(10) Any person 21 years of age or older who commits an offense under G.S. 90-95(a)(1) on property that is a public park or within 1,000 feet of the boundary of real property that is a public park shall be punished as a Class E felon. For purposes of this subdivision, the transfer of less than five grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).

(f) Any person convicted of an offense or offenses under this Article who is sentenced to an active term of imprisonment that is less than the maximum active term that could have been imposed may, in addition, be sentenced to a term of special probation. Except as indicated in this subsection, the administration of special probation shall be the same as probation. The conditions of special probation shall be fixed in the same manner as probation, and the conditions may include requirements for rehabilitation treatment. Special probation shall follow the active sentence. No term of special probation shall exceed five years. Special probation may be revoked in the same manner as probation; upon revocation, the original term of imprisonment may be increased by no more than the difference between the active term of imprisonment actually served and the maximum active term that could have been imposed at trial for the offense or offenses for which the person was convicted, and the resulting term of imprisonment need not be diminished by the time spent on special probation.

(g) Whenever matter is submitted to the North Carolina State Crime Laboratory, the Charlotte, North Carolina, Police Department Laboratory or to the Toxicology Laboratory, Reynolds Health Center, Winston-Salem for chemical analysis to determine if the matter is or contains a controlled substance, the report of that analysis certified to upon a form approved by the Attorney General by the person performing the analysis shall be admissible without further authentication and without the testimony of the analyst in all proceedings in the district court and superior court divisions of the General Court of Justice as evidence of the identity, nature, and quantity of the matter analyzed. Provided, however, the provisions of this subsection may be utilized by the State only if:

1. The State notifies the defendant at least 15 business days before the proceeding at which the report would be used of its intention to introduce the report into evidence under this subsection and provides a copy of the report to the defendant, and
2. The defendant fails to file a written objection with the court, with a copy to the State, at least five business days before the proceeding that the defendant objects to the introduction of the report into evidence.

If the defendant's attorney of record, or the defendant if that person has no attorney, fails to file a written objection as provided in this subsection, then the objection shall be deemed waived and the report shall be admitted into evidence without the testimony of the analyst. Upon filing a timely objection, the admissibility of the report shall be determined and governed by the appropriate rules of evidence.

Nothing in this subsection precludes the right of any party to call any witness or to introduce any evidence supporting or contradicting the evidence contained in the report.

(g1) Procedure for establishing chain of custody without calling unnecessary witnesses. -

1. For the purpose of establishing the chain of physical custody or control of evidence consisting of or containing a substance tested or analyzed to determine whether it is a controlled substance, a statement signed by each successive person in the chain of custody that the person delivered it to the other person indicated on or about the date stated is prima facie evidence that the person had custody and made the delivery as stated, without the necessity of a personal appearance in court by the person signing the statement.
2. The statement shall contain a sufficient description of the material or its container so as to distinguish it as the particular item in question and shall state that the material was delivered in essentially the same condition as received. The statement may be placed on the same document as the report provided for in subsection (g) of this section.
3. The provisions of this subsection may be utilized by the State only if:
   a. The State notifies the defendant at least 15 days before trial of its intention to introduce the statement into evidence under this subsection and provides the defendant with a copy of the statement, and
   b. The defendant fails to notify the State at least five days before trial that the defendant objects to the introduction of the statement into evidence.

If the defendant's attorney of record, or the defendant if that person has no attorney, fails to file a written objection as provided in this subsection, then the objection shall be deemed waived and the statement shall be admitted into evidence without the necessity of a personal appearance by the person signing the statement. Upon filing a timely objection, the admissibility of the report shall be determined and governed by the appropriate rules of evidence.

4. Nothing in this subsection precludes the right of any party to call any witness or to introduce any evidence supporting or contradicting the evidence contained in the statement.

(h) Notwithstanding any other provision of law, the following provisions apply except as otherwise provided in this Article.

1. Any person who sells, manufactures, delivers, transports, or possesses in excess of 10 pounds (avoirdupois) of marijuana shall be guilty of a felony which felony shall be known as “trafficking in marijuana” and if the quantity of such substance involved:
a. Is in excess of 10 pounds, but less than 50 pounds, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25 months and a maximum term of 39 months in the State's prison and shall be fined not less than five thousand dollars ($5,000);
b. Is 50 pounds or more, but less than 2,000 pounds, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars ($25,000);
c. Is 2,000 pounds or more, but less than 10,000 pounds, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);
d. Is 10,000 pounds or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars ($200,000).

(1a) For the purpose of this subsection, a "dosage unit" shall consist of 3 grams of synthetic cannabinoid or any mixture containing such substance. Any person who sells, manufactures, delivers, transports, or possesses in excess of 50 dosage units of a synthetic cannabinoid or any mixture containing such substance, shall be guilty of a felony, which felony shall be known as "trafficking in synthetic cannabinoids," and if the quantity of such substance involved:

a. Is in excess of 50 dosage units, but less than 250 dosage units, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25 months and a maximum term of 39 months in the State's prison and shall be fined not less than five thousand dollars ($5,000);
b. Is 250 dosage units or more, but less than 1250 dosage units, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars ($25,000);
c. Is 1250 dosage units or more, but less than 3750 dosage units, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);
d. Is 3750 dosage units or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars ($200,000).

(2) Any person who sells, manufactures, delivers, transports, or possesses 1,000 tablets, capsules or other dosage units, or the equivalent quantity, or more of methaqualone, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as "trafficking in methaqualone" and if the quantity of such substance or mixture involved:

a. Is 1,000 or more dosage units, or equivalent quantity, but less than 5,000 dosage units, or equivalent quantity, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars ($25,000);
b. Is 5,000 or more dosage units, or equivalent quantity, but less than 10,000 dosage units, or equivalent quantity, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);
c. Is 10,000 or more dosage units, or equivalent quantity, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars ($200,000).

(3) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or any coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation of coca leaves, and any salt, isomer, salts of isomers, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances (except decocainized coca leaves or any extraction of coca leaves which does not contain cocaine) or any mixture containing such substances, shall be guilty of a felony, which felony shall be known as "trafficking in cocaine" and if the quantity of such substance or mixture involved:

a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);
b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than one hundred thousand dollars ($100,000);

c. Is 400 grams or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State’s prison and shall be fined at least two hundred fifty thousand dollars ($250,000).

(3a) Repealed by Session Laws 1999-370, s. 1, effective December 1, 1999.

(3b) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of methamphetamine or any mixture containing such substance shall be guilty of a felony which felony shall be known as "trafficking in methamphetamine" and if the quantity of such substance or mixture involved:

a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State’s prison and shall be fined not less than fifty thousand dollars ($50,000);

b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State’s prison and shall be fined not less than one hundred thousand dollars ($100,000);

c. Is 400 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State’s prison and shall be fined at least two hundred fifty thousand dollars ($250,000).

(3c) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of methamphetamine or any mixture containing such substance shall be guilty of a felony, which felony shall be known as "trafficking in methamphetamine," and if the quantity of such substance or mixture involved:

a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25 months and a maximum term of 39 months in the State's prison and shall be fined not less than five thousand dollars ($5,000);

b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State’s prison and shall be fined not less than twenty-five thousand dollars ($25,000);

c. Is 400 grams or more, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State’s prison and shall be fined at least one hundred thousand dollars ($100,000).

(3d) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of MDPV or any mixture containing such substance shall be guilty of a felony, which felony shall be known as "trafficking in MDPV," and if the quantity of such substance or mixture involved:

a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);

b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined not less than one hundred thousand dollars ($100,000);

c. Is 400 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined at least two hundred fifty thousand dollars ($250,000).

(3e) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of mephedrone or any mixture containing such substance shall be guilty of a felony, which felony shall be known as "trafficking in mephedrone," and if the quantity of such substance or mixture involved:

a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State’s prison and shall be fined not less than fifty thousand dollars ($50,000);

b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State’s prison and shall be fined not less than one hundred thousand dollars ($100,000);

c. Is 400 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State’s prison and shall be fined at least two hundred fifty thousand dollars ($250,000).
(4) Any person who sells, manufactures, delivers, transports, or possesses four grams or more of opium or opiate, or any salt, compound, derivative, or preparation of opium or opiate (except apomorphine, nalbuphine, analoxone and naltrexone and their respective salts), including heroin, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as "trafficking in opium or heroin" and if the quantity of such controlled substance or mixture involved:
   a. Is four grams or more, but less than 14 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);
   b. Is 14 grams or more, but less than 28 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined not less than one hundred thousand dollars ($100,000);
   c. Is 28 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined not less than five hundred thousand dollars ($500,000).

(4a) Any person who sells, manufactures, delivers, transports, or possesses 100 tablets, capsules, or other dosage units, or the equivalent quantity, or more, of Lysergic Acid Diethylamide, or any mixture containing such substance, shall be guilty of a felony, which felony shall be known as "trafficking in Lysergic Acid Diethylamide". If the quantity of such substance or mixture involved:
   a. Is 100 or more dosage units, or equivalent quantity, but less than 500 dosage units, or equivalent quantity, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars ($25,000);
   b. Is 500 or more dosage units, or equivalent quantity, but less than 1,000 dosage units, or equivalent quantity, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);
   c. Is 1,000 or more dosage units, or equivalent quantity, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars ($200,000).

(4b) Any person who sells, manufactures, delivers, transports, or possesses 100 or more tablets, capsules, or other dosage units, or 28 grams or more of 3,4-methylenedioxyamphetamine (MDA), including its salts, isomers, and salts of isomers, or 3,4-methylenedioxyxymethamphetamine (MDMA), including its salts, isomers, and salts of isomers, or any mixture containing such substances, shall be guilty of a felony, which felony shall be known as "trafficking in MDADMA." If the quantity of the substance or mixture involved:
   a. Is 100 or more tablets, capsules, or other dosage units, or 28 grams or more, but less than 200 grams, the person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars ($25,000);
   b. Is 500 or more tablets, capsules, or other dosage units, or 200 grams or more, but less than 400 grams, the person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars ($50,000);
   c. Is 1,000 or more tablets, capsules, or other dosage units, or 400 grams or more, the person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred fifty thousand dollars ($250,000).

(5) Except as provided in this subdivision, a person being sentenced under this subsection may not receive a suspended sentence or be placed on probation. The sentencing judge may reduce the fine, or impose a prison term less than the applicable minimum prison term provided by this subsection, or suspend the prison term imposed and place a person on probation when such person has, to the best of his knowledge, provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, co-conspirators, or principals if the sentencing judge enters in the record a finding that the person to be sentenced has rendered such substantial assistance.

(6) Sentences imposed pursuant to this subsection shall run consecutively with and shall commence at the expiration of any sentence being served by the person sentenced hereunder.

(i) The penalties provided in subsection (h) of this section shall also apply to any person who is convicted of conspiracy to commit any of the offenses described in subsection (h) of this section.
Local Prohibitions on Drug Paraphernalia: Several Maryland jurisdictions have their own laws prohibiting the sale, display, distribution, or possession with intent to sell, of drug paraphernalia.

(a) As used in this Article, "drug paraphernalia" means all equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Controlled Substances Act, including planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, and concealing controlled substances and injecting, ingesting, inhaling, or otherwise introducing controlled substances into the human body. "Drug paraphernalia" includes, but is not limited to, the following:
(1) Kits for planting, propagating, cultivating, growing, or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived;
(2) Kits for manufacturing, compounding, converting, producing, processing, or preparing controlled substances;
(3) Isomerization devices for increasing the potency of any species of plant which is a controlled substance;
(4) Testing equipment for identifying, or analyzing the strength, effectiveness, or purity of controlled substances;
(5) Scales and balances for weighing or measuring controlled substances;
(6) Diluents and adulterants, such as quinine, hydrochloride, mannitol, mannite, dextrose, and lactose for mixing with controlled substances;
(7) Separation gins and sifters for removing twigs and seeds from, or otherwise cleaning or refining, marijuana;
(8) Blenders, bowls, containers, spoons, and mixing devices for compounding controlled substances;
(9) Capsules, balloons, envelopes and other containers for packaging small quantities of controlled substances;
(10) Containers and other objects for storing or concealing controlled substances;
(11) Hypodermic syringes, needles, and other objects for parenterally injecting controlled substances into the body;
(12) Objects for ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the body, such as:
   a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
   b. Water pipes;
   c. Carburetion tubes and devices;
   d. Smoking and carburetion masks;
   e. Objects, commonly called roach clips, for holding burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
   f. Miniature cocaine spoons and cocaine vials;
   g. Chamber pipes;
   h. Carburetor pipes;
   i. Electric pipes;
   j. Air-driven pipes;
   k. Chillums;
   l. Bongs;
   m. Ice pipes or chillers.
(b) The following, along with all other relevant evidence, may be considered in determining whether an object is drug paraphernalia:
(1) Statements by the owner or anyone in control of the object concerning its use;
(2) Prior convictions of the owner or other person in control of the object for violations of controlled substances law;
(3) The proximity of the object to a violation of the Controlled Substances Act;
(4) The proximity of the object to a controlled substance;
(5) The existence of any residue of a controlled substance on the object;
(6) The proximity of the object to other drug paraphernalia;
(7) Instructions provided with the object concerning its use;
(8) Descriptive materials accompanying the object explaining or depicting its use;
(9) Advertising concerning its use;
(10) The manner in which the object is displayed for sale;
(11) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a seller of tobacco products or agricultural supplies;
(12) Possible legitimate uses of the object in the community;
(13) Expert testimony concerning its use;
(14) The intent of the owner or other person in control of the object to deliver it to persons whom he knows or reasonably should know intend to use the object to facilitate violations of the Controlled Substances Act. (1981, c. 500, s. 1.)

§ 90-113.22. Possession of drug paraphernalia.
(a) It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance other than marijuana which it would be unlawful to possess, or to inject,
ingest, inhale, or otherwise introduce into the body a controlled substance other than marijuana which it would be unlawful to possess.
(b) Violation of this section is a Class 1 misdemeanor.
(c) Prior to searching a person, a person's premises, or a person's vehicle, an officer may ask the person whether the person is in possession of a hypodermic needle or other sharp object that may cut or puncture the officer or whether such a hypodermic needle or other sharp object is on the premises or in the vehicle to be searched. If there is a hypodermic needle or other sharp object on the person, on the person's premises, or on the person's vehicle and the person alerts the officer of that fact prior to the search, the person shall not be charged with or prosecuted for possession of drug paraphernalia for the needle or sharp object, or for residual amounts of a controlled substance contained in the needle or sharp object. The exemption under this subsection does not apply to any other drug paraphernalia that may be present and found during the search. For purposes of this subsection, the term "officer" includes "criminal justice officers" as defined in G.S. 17C-2(3) and a "justice officer" as defined in G.S. 17E-2(3). (1981, c. 500, s. 1; 1993, c. 539, s. 624; 1994, Ex. Sess., c. 24, s. 14(c); 2013-147, s. 1; 2014-119, s. 3(a); 2015-284, s. 2.)
§ 90-113.22A. Possession of marijuana drug paraphernalia.
(a) It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal marijuana or to inject, ingest, inhale, or otherwise introduce marijuana into the body.
(b) A violation of this section is a Class 3 misdemeanor. A violation of this section shall be a lesser included offense of G.S. 90-113.22. (2014-119, s. 3(b).)
§ 90-113.23. Manufacture or delivery of drug paraphernalia.
(a) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia knowing that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance which it would be unlawful to possess, or that it will be used to inject, ingest, inhale, or otherwise introduce into the body a controlled substance which it would be unlawful to possess.
(b) Delivery, possession with intent to deliver, or manufacture with intent to deliver, of each separate and distinct item of drug paraphernalia is a separate offense.
(c) Violation of this section is a Class 1 misdemeanor. However, delivery of drug paraphernalia by a person over 18 years of age to someone under 18 years of age who is at least three years younger than the defendant shall be punishable as a Class I felony. (1981, c. 500, s. 1; c. 903, s. 1; 1993, c. 539, s. 625; 1994, Ex. Sess., c. 24, s. 14(c).)
(a) It is unlawful for any person to purchase or otherwise procure an advertisement in any newspaper, magazine, handbill, or other publication, or purchase or otherwise procure an advertisement on a billboard, sign, or other outdoor display, when he knows that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia described in this Article.
(b) Violation of this section is a Class 2 misdemeanor. (1981, c. 500, s. 1; c. 903, s. 1; 1993, c. 539, s. 626; 1994, Ex. Sess., c. 24, s. 14(c).)
§ 90-113.25. Reserved for future codification purposes.
§ 90-113.27. Needle and hypodermic syringe exchange programs authorized; limited immunity.
(a) Any governmental or nongovernmental organization, including a local or district health department or an organization that promotes scientifically proven ways of mitigating health risks associated with drug use and other high-risk behaviors, may establish and operate a needle and hypodermic syringe exchange program. The objectives of the program shall be to do all of the following:
(1) Reduce the spread of HIV, AIDS, viral hepatitits, and other bloodborne diseases in this State.
(2) Reduce needle stick injuries to law enforcement officers and other emergency personnel.
(3) Encourage individuals who inject drugs to enroll in evidence-based treatment.
(b) Programs established pursuant to this section shall offer all of the following:
(1) Disposal of used needles and hypodermic syringes.
(2) Needles, hypodermic syringes, and other injection supplies at no cost and in quantities sufficient to ensure that needles, hypodermic syringes, and other injection supplies are not shared or reused. No public funds may be used to purchase needles, hypodermic syringes, or other injection supplies.
(3) Reasonable and adequate security of program sites, equipment, and personnel. Written plans for security shall be provided to the police and sheriff's offices with jurisdiction in the program location and shall be updated annually.
(4) Educational materials on all of the following:
   a. Overdose prevention.
   b. The prevention of HIV, AIDS, and viral hepatitis transmission.
   c. Drug abuse prevention.
   d. Treatment for mental illness, including treatment referrals.
   e. Treatment for substance abuse, including referrals for medication assisted treatment.
(5) Access to naloxone kits that contain naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose, or referrals to programs that provide access to naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose.

(6) For each individual requesting services, personal consultations from a program employee or volunteer concerning mental health or addiction treatment as appropriate.

(c) Notwithstanding any provision of the Controlled Substances Act in Article 5 of Chapter 90 of the General Statutes or any other law, no employee, volunteer, or participant of a program established pursuant to this section shall be charged with or prosecuted for possession of any of the following:

(1) Needles, hypodermic syringes, or other injection supplies obtained from or returned to a program established pursuant to this section.

(2) Residual amounts of a controlled substance contained in a used needle, used hypodermic syringe, or used injection supplies obtained from or returned to a program established pursuant to this section.

The limited immunity provided in this subsection shall apply only if the person claiming immunity provides written verification that a needle, syringe, or other injection supplies were obtained from a needle and hypodermic syringe exchange program established pursuant to this section. In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer who, acting on good faith, arrests or charges a person who is thereafter determined to be entitled to immunity from prosecution under this section shall not be subject to civil liability for the arrest or filing of charges.

(d) Prior to commencing operations of a program established pursuant to this section, the governmental or nongovernmental organization shall report to the North Carolina Department of Health and Human Services, Division of Public Health, all of the following information:

(1) The legal name of the organization or agency operating the program.

(2) The areas and populations to be served by the program.

(3) The methods by which the program will meet the requirements of subsection (b) of this section.

(e) Not later than one year after commencing operations of a program established pursuant to this section, and every 12 months thereafter, each organization operating such a program shall report the following information to the North Carolina Department of Health and Human Services, Division of Public Health:

(1) The number of individuals served by the program.

(2) The number of needles, hypodermic syringes, and needle injection supplies dispensed by the program and returned to the program.

(3) The number of naloxone kits distributed by the program.

(4) The number and type of treatment referrals provided to individuals served by the program, including a separate report of the number of individuals referred to programs that provide access to naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose. (2016-88, s. 4.)

§ 90-113.28: Reserved for future codification purposes.

§ 90-113.29: Reserved for future codification purposes.

Alcohol: Drinking alcoholic beverages is prohibited on public property under North Carolina State law and under many county and local codes within North Carolina.

§ 18B-300. Purchase, possession and consumption of malt beverages and unfortified wine.

(a) Generally. – Except as otherwise provided in this Chapter, the purchase, consumption, and possession of malt beverages and unfortified wine by individuals 21 years old and older for their own use is permitted without restriction.

(a1) Consumption on Premises During Time of Permit Revocation or Suspension. – It shall be unlawful to consume or for a permittee or his agent or employee to allow the consumption of malt beverages or unfortified wine on the premises of any business during the period of time that any on-premises permit issued to the business authorizing the sale and consumption of malt beverages or unfortified wine has been suspended or revoked by the Commission. The prohibition in this subsection does not apply to the premises upon which the business was located at the time the permit was suspended or revoked if the business ceases to operate in that location and the owner of the property is not the permittee, provided that the permittee is not engaged in any other business or other activity on the premises during the period of suspension or revocation.

(b) Consumption at Off-Premises Establishment. – It shall be unlawful to consume or for a permittee to allow the consumption of, malt beverages or unfortified wine on any premises having only an off-premises permit for the kind of alcoholic beverage being consumed.

(c) Local Ordinance. – A city or county may by ordinance:

(1) Regulate or prohibit the consumption of malt beverages and unfortified wine on the public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county;

(2) Regulate or prohibit the possession of open containers of malt beverages and unfortified wine on public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county; and

(3) Regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events.
For the purposes of this subsection, an open container means a container whose seal has been broken or a container other than the manufacturer’s unopened original container. As provided by G.S. 18B-102(a), possession or consumption of alcoholic beverages is unlawful except as authorized by the ABC law. (1939, c. 158, s. 503; 1971, c. 872, s. 1; 1973, c. 1452, ss. 1-3; 1977, c. 176, ss. 2, 3; c. 693; 1979, c. 19, s. 2; c. 445, s. 4; c. 893, s. 11; 1981, c. 412, s. 2; 1983, c. 435, s. 32; 1985, c. 141, s. 1; 1995, c. 144, s. 1; c. 366, s. 2; 2001-79, s. 1; 2013-392, s. 1.)

§ 18B-301. Possession and consumption of fortified wine and spirituous liquor.

(a) Possession at Home. – It shall be lawful, without an ABC permit, for any person at least 21 years old to possess for lawful purposes any amount of fortified wine and spirituous liquor at his home or a temporary residence, such as a hotel room.

(b) Possession on Other Property. – It shall be lawful, without an ABC permit, for a person to possess for his personal use and the use of his guests not more than eight liters of fortified wine or spirituous liquor, or eight liters of the two combined, at the following places:

1. The residence of any other person with that person’s consent;
2. Any other property not primarily used for commercial purposes and not open to the public at the time the alcoholic beverage is possessed, if the owner or other person in charge of the property consents to that possession and consumption;
3. An establishment with a brown-bagging permit as defined in G.S. 18B-1001(7).

(c) Special Occasions. – It shall be lawful for a person to possess, without a permit and not for sale, any amount of fortified wine or spirituous liquor for a private party, private reception, or private special occasion, at the following places:

1. His home or a temporary residence, such as a hotel room;
2. Any other property not primarily used for commercial purposes, which is under his exclusive control and supervision, and which is not open to the public during the event;
3. The licensed premises of any business for which the Commission has issued a special occasions permit under G.S. 18B-1001(8), if he is the host of that private function and has the permission of the permittee.

(d) Consumption. – It shall be lawful for a person to consume fortified wine and spirituous liquor in any place where it is lawful for him to possess those alcoholic beverages under subsections (a) through (c).

(e) Incident to Sale. – It shall be lawful to possess fortified wine and spirituous liquor at any place, such as an ABC store, where possession is a necessary incident to lawful sale. Consumption at such a place shall be unlawful unless the establishment has a permit authorizing consumption on the premises as well as sale.

(f) Unlawful Possession or Use. – As illustration, but not limitation, of the general prohibition stated in G.S. 18B-102(a), it shall be unlawful for:

1. Any person to consume fortified wine, spirituous liquor, or mixed beverages or to offer such beverages to another person:
   a. On the premises of an ABC store, or
   b. Upon any property used or occupied by a local board, or
   c. On any public road, street, highway, or sidewalk.
2. Any person to display publicly at an athletic contest fortified wine, spirituous liquor, or mixed beverages;
3. Any person to permit any fortified wine, spirituous liquor, or mixed beverages to be possessed or consumed upon any premises not authorized by this Chapter;
4. Any person to possess or consume any fortified wine, spirituous liquor, or mixed beverages upon any premises where such possession or consumption is not authorized by law, or where the person has been forbidden to possess or consume that beverage by the owner or other person in charge of the premises;
5. Any person to possess on any of the premises described in subsections (a) through (c) a greater amount of fortified wine or spirituous liquor than authorized by this Chapter;
6. Any permittee, other than a mixed beverage or culinary permittee, to possess spirituous liquor or mixed beverages on his licensed premises.

(7) Any person to possess on his person or consume malt beverages or unfortified wine upon any property owned or leased by a local board of education and used by the local board of education for school purposes. Provided, however, the prohibition in G.S. 18B-102(a) and this subdivision shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1977, 2nd Sess., c. 1138, ss. 8-12, 18; 1979, c. 384, s. 3; c. 609, s. 2; c. 718; c. 893, s. 10; 1981, c. 412, s. 2; c. 747, s. 39; 1983, c. 917, s. 1; 1985, c. 566, s. 1, c. 459, s. 1; 1993, c. 508, s. 1; 1995, c. 372, s. 1.)
(1) A person less than 21 years old to purchase, to attempt to purchase, or to possess malt beverages or unfortified wine; or
(2) A person less than 21 years old to purchase, to attempt to purchase, or to possess fortified wine, spirituous liquor, or mixed beverages; or
(3) A person less than 21 years old to consume any alcoholic beverage.

(c) Aider and Abettor.

(1) By Underage Person. – Any person who is under the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 2 misdemeanor.
(2) By Person over Lawful Age. – Any person who is over the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 1 misdemeanor.

(d) Defense. – It shall be a defense to a violation of subsection (a) of this section if the seller:
(1) Shows that the purchaser produced a driver's license, a special identification card issued under G.S. 20-37.7, a military identification card, or a passport, showing his age to be at least the required age for purchase and bearing a physical description of the person named on the card reasonably describing the purchaser; or
(2) Produces evidence of other facts that reasonably indicated at the time of sale that the purchaser was at least the required age.

(3) Shows that at the time of purchase, the purchaser utilized a biometric identification system that demonstrated (i) the purchaser's age to be at least the required age for the purchase and (ii) the purchaser had previously registered with the seller or seller's agent a driver's license, a special identification card issued under G.S. 20-37.7, a military identification card, or a passport showing the purchaser's date of birth and bearing a physical description of the person named on the document.

(e) Fraudulent Use of Identification. – It shall be unlawful for any person to enter or attempt to enter a place where alcoholic beverages are sold or consumed, or to obtain or attempt to obtain alcoholic beverages, or to obtain or attempt to obtain permission to purchase alcoholic beverages, in violation of subsection (b) of this section, by using or attempting to use any of the following:
(1) A fraudulent or altered drivers license.
(2) A fraudulent or altered identification document other than a drivers license.
(3) A drivers license issued to another person.
(4) An identification document other than a drivers license issued to another person.
(5) Any other form or means of identification that indicates or symbolizes that the person is not prohibited from purchasing or possessing alcoholic beverages under this section.

(f) Allowing Use of Identification. – It shall be unlawful for any person to permit the use of the person's driver's license or any other form of identification of any kind issued or given to the person by any other person who violates or attempts to violate subsection (b) of this section.

(g) Conviction Report Sent to Division of Motor Vehicles. – The court shall file a conviction report with the Division of Motor Vehicles indicating the name of the person convicted and any other information requested by the Division if the person is convicted of any of the following:
(1) A violation of subsection (e) or (f) of this section.
(2) A violation of subsection (c) of this section.
(3) A violation of subsection (b) of this section, if the violation occurred while the person was purchasing or attempting to purchase an alcoholic beverage.
(4) A violation of subsection (a1) of this section.

Upon receipt of a conviction report, the Division shall revoke the person's license as required by G.S. 20-17.3.

(h) Handling in Course of Employment. – Nothing in this section shall be construed to prohibit an underage person from selling, transporting, possessing or dispensing alcoholic beverages in the course of employment, if the employment of the person for that purpose is lawful under applicable youth employment statutes and Commission rules.

(i) Purchase, Possession, or Consumption by 19 or 20-Year Old. – A violation of subdivision (b)(1) or (b)(3) of this section by a person who is 19 or 20 years old is a Class 3 misdemeanor.

(j) Notwithstanding any other provisions of law, a law enforcement officer may require any person the officer has probable cause to believe is under age 21 and has consumed alcohol to submit to an alcohol screening test using a device approved by the Department of Health and Human Services. The results of any screening device administered in accordance with the rules of the Department of Health and Human Services shall be admissible in any court or administrative proceeding.

(k) Notwithstanding the provisions in this section, it shall not be unlawful for a person less than 21 years old to consume unfortified wine or fortified wine during participation in an exempted activity under G.S. 18B-103(4), (8), or (11). (1933, c. 216, s. 8; 1959, c. 745, s. 1; 1967, c. 222, s. 3; 1969, c. 998; 1971, c. 872, s. 1; 1973, c. 27; 1977, 2nd Sess., c. 1138, s. 1; 1979, c. 683, s. 2; 1981, c. 412, s. 2; c. 747, ss. 40, 41; 1983, c. 435, ss. 32, 35; c. 740, ss. 1, 2; Ex. Sess., c. 5; 1985, c. 141, ss. 2-3; 1993, c. 539, s. 311; 1994, Ex. Sess., c. 24, s. 14(c); 1999-406, s. 7; 2001-461, ss. 2, 3; 2001-487, s. 42(b); 2005-350, s. 6(a); 2006-253, s. 26; 2007-537, s. 1; 2015-264, s. 7.)

§ 18B-302.1. Penalties for certain offenses related to underage persons.
(a) A violation of G.S. 18B-302(a) or (a1) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, if the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least two hundred fifty dollars ($250.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars ($500.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15A-1343(b1)(6).

(b) A violation of G.S. 18B-302(c)(2) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, if the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars ($500.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least one thousand dollars ($1,000) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15A-1343(b1)(6).

(c) In addition to the punishments imposed under this section, the court may impose the provisions of G.S. 18B-202 and of G.S. 18B-503, 18B-504, and 18B-505. (1999-433, s. 1; 2007-537, s. 2.)

§ 18B-302.2. Medical treatment; limited immunity.
(a) Limited Immunity for Samaritan. – Notwithstanding any other provision of law, a person under the age of 21 shall not be prosecuted for a violation of G.S. 18B-302 for the possession or consumption of alcoholic beverages if all of the following requirements and conditions are met:
(1) The person sought medical assistance for an individual experiencing an alcohol-related overdose by contacting the 911 system, a law enforcement officer, or emergency medical services personnel.
(2) The person provided his or her own name to the 911 system or to a law enforcement officer upon arrival.
(3) Repealed by Session Laws 2015-94, s. 2, effective August 1, 2015, and applicable to offenses committed on or after that date.
(4) The person did not seek the medical assistance during the course of the execution of an arrest warrant, search warrant, or other lawful search.
(5) The evidence for prosecution of a violation of G.S. 18B-302 for the possession or consumption of alcoholic beverages was obtained as a result of the person seeking medical assistance for the alcohol-related overdose.

(b) Limited Immunity for Overdose Victim. – The immunity described in subsection (a) of this section shall extend to the person who needed medical assistance if the requirements in subdivisions (1), (1a), (4), and (5) of subsection (a) are satisfied.

(c) Probation or Release. – A person shall not be subject to arrest or revocation of pretrial release, probation, parole, or post-release if the arrest or revocation is based on an offense for which the person is immune from prosecution under subsection (a) or (b) of this section. The arrest of a person for an offense for which subsection (a) or (b) of this section may provide the person with immunity will not itself be deemed to be a commission of a new criminal offense in violation of a condition of the person's pretrial release, condition of probation, or condition of parole or post-release.

(d) Civil Liability for Arrest or Charges. – In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer who, acting in good faith, arrests or charges a person who is thereafter determined to be entitled to immunity under this section shall not be subject to civil liability for the arrest or filing of charges. (2013-23, s. 3; 2015-94, s. 2.)

§ 18B-303. Amounts of alcoholic beverages that may be purchased.
(a) Purchases Allowed. – Without a permit, a person may purchase at one time:
(1) Not more than 80 liters of malt beverages, except draft malt beverages in kegs for off-premises consumption. For purchase of a keg or kegs of malt beverages for off-premises consumption, the permit required by G.S. 18B-403.1(a) must first be obtained;
(2) Not more than 50 liters of unfortified wine;
(3) Not more than 5 liters of either fortified wine or spirituous liquor, or five liters of the two combined.

(b) Unlawful Purchase. – Except as provided in subsection (c) and in Article 11, it shall be unlawful for any person to purchase, or for any person to sell, an amount of alcoholic beverages greater than that stated in subsection (a).

(c) Greater Amounts. – Amounts of alcoholic beverages greater than those listed in subdivisions (a)(3) and (a)(4) may be purchased with a purchase-transportation permit under G.S. 18B-403. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1977, 2nd Sess., c. 1138, ss. 8-12, 18; 1979, c. 384, s. 3; c. 609, s. 2; c. 718; c. 893, s. 10; 1981, c. 412, s. 2; 1989, c. 553, s. 1; 1993, c. 508, s. 2; 2001-262, s. 5; 2006-253, s. 3.2.)
§ 18B-304. Sale and possession for sale.
(a) Offense. – It shall be unlawful for any person to sell any alcoholic beverage, or possess any alcoholic beverage for sale, without first obtaining the applicable ABC permit and revenue licenses.
(b) Prima Facie Evidence. – Possession of the following amounts of alcoholic beverages, without a permit authorizing that possession, shall be prima facie evidence that the possessor is possessing those alcoholic beverages for sale:
(1) More than 80 liters of malt beverages, other than draft malt beverages in kegs;
(2) More than eight liters of spirituous liquor; or
(3) Any amount of nontaxpaid alcoholic beverages. (1913, c. 44, s. 2; 1915, c. 97, s. 8; 1923, c. 1, ss. 2, 6, 10; C.S., ss. 3379, 3411(b), (f), (j); 1937, c. 49, ss. 13, 15; 1945, c. 635; 1949, c. 1251, s. 2; 1951, c. 850; 1955, c. 560; 1957, c. 984; c. 1235, s. 1; 1963, c. 932; 1967, c. 222, ss. 4, 6; 1969, c. 789; 1971, c. 872, s. 1; 1975, c. 654, s. 4; 1977, c. 176, ss. 1-3; 1981, c. 412, s. 2; c. 747, s. 42; 1989, c. 553, s. 2; 1993, c. 508, s. 3.)

§ 18B-305. Other prohibited sales.
(a) Sale to Intoxicated Person. – It shall be unlawful for a permittee or his employee or for an ABC store employee to knowingly sell or give alcoholic beverages to any person who is intoxicated.
(b) Discretion for Seller. – Any person authorized to sell alcoholic beverages under this Chapter may, in his discretion, refuse to sell to anyone. It shall be unlawful for any person to knowingly buy alcoholic beverages for someone who has been refused the right to purchase under this subsection.
(c) Notwithstanding subsection (b) of this section, no permittee may refuse to sell alcoholic beverages to a person solely based on that person's race, religion, color, national origin, sex, or disability. (1937, c. 49, ss. 11, 15; c. 411; 1971, c. 872, s. 1; 1977, 2nd Sess., c. 1138, s. 5; 1981, c. 412, s. 2; 1999-462, s. 5.)

§ 18B-306. Making wines and malt beverages for private use.
An individual may make, possess, and transport native wines and malt beverages for his own use and for the use of his family and guests. Native wines shall be made principally from honey, grapes, or other fruit or grain grown in this State, or from wine kits containing honey, grapes, or other fruit or grain concentrates, and shall have only that alcoholic content produced by natural fermentation. Malt beverages may be made by use of malt beverage kits containing grain extracts or concentrates. Wine kits and malt beverage kits may be sold in this State. No ABC permit is required to make beverages pursuant to this section. (1971, c. 872, s. 1; 1973, c. 1218; 1981, c. 412, s. 2; 1995-462, s. 5.)

(a) Offenses. – It shall be unlawful for any person, except as authorized by this Chapter, to:
(1) Sell or possess equipment or ingredients intended for use in the manufacture of any alcoholic beverage, except equipment and ingredients provided under a Brew on Premises permit or a Winemaking on Premises permit; or
(2) Knowingly allow real or personal property owned or possessed by him to be used by another person for the manufacture of any alcoholic beverage, except pursuant to a Brew on Premises permit or a Winemaking on Premises permit.
(b) Unlawful Manufacturing. – Except as provided in G.S. 18B-306, it shall be unlawful for any person to manufacture any alcoholic beverage, except at an establishment with a Brew on Premises permit or a Winemaking on Premises permit, without first obtaining the applicable ABC permit and revenue licenses.
(c) Second Offense of Manufacturing. – A second offense of unlawful manufacturing of alcoholic beverage shall be a Class I felony. (1905, c. 498, s. 2; Rev., s. 3533; 1923, c. 1, ss. 4, 6, 26; C.S., ss. 3407, 3411(d), (f), (z); 1937, c. 49, s. 13; 1945, c. 635; 1951, c. 850; 1955, c. 560; 1957, c. 984; c. 1235, s. 1; 1969, c. 789; 1971, c. 872, s. 1; 1979, c. 699, s. 1; 1981, c. 412, s. 2; c. 747, s. 44; 1997-467, s. 1; 2006-222, s. 2.2; 2006-227, s. 2.)

§ 18B-308. Sale and consumption at bingo games.
It shall be unlawful to sell or consume, or for the owner or other person in charge of the premises to allow the sale or consumption of, any alcoholic beverage in any room while a raffle or bingo game is being conducted in that room under Part 2 of Article 37 of Chapter 14 of the General Statutes. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 21, c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1977, 2nd Sess., c. 1138, ss. 8-12, 18; 1979, c. 384, s. 3; c. 609, s. 2; c. 718; c. 893, s. 10; 1981, c. 412, s. 2; 1983, c. 896, s. 4.)

§ 18B-309. Alcoholic beverage sales in Urban Redevelopment Areas.
(a) A food business as defined in G.S. 18B-1000(3), a retail business as defined in G.S. 18B-1000(7), or an eating establishment as defined in G.S. 18B-1000(2) that holds an ABC permit under this Chapter and is located in a part of a city that has been designated as an Urban Redevelopment Area under Article 22 of Chapter 160A of the General Statutes shall not have alcoholic beverage sales in excess of fifty percent (50%) of the business's total annual sales. The city council, or its designee, shall file a certified copy of the official action and original documents, including a map or similar information, designating the area as an Urban Redevelopment Area. The Commission shall make this information available to any permittee who makes a request for this information to the Commission.
(b) Upon request of a city, the Commission shall investigate the total annual alcohol sales and total sales of a business as defined in this section. The Commission shall report the results of such an investigation to the city council, and the report shall contain only the percentage of annual alcohol sales in proportion to the business's total annual sales. A city may request an investigation of a particular business by the Commission only once in each calendar year. These audits may be conducted by the Commission only upon the request of the city council.
(c) Businesses covered by this section shall maintain full and accurate monthly records of their finances, separately indicating each of the following:
(1) Amounts expended by the business for the purchase of alcoholic beverages and the quantity of alcoholic beverages purchased;
(2) Amounts collected from the sale of alcoholic beverages sold; and
(3) Amounts collected from the sale of food, nonalcoholic beverages, and all other items sold by the business. Records of purchases of alcoholic beverages and sales of alcoholic beverages shall be filed separate and apart from all other records maintained on the premises, and all records related to alcoholic beverages, including original invoices, shall be maintained on the premises for three years and shall be open for inspection and audit pursuant to G.S. 18B-502.
(1999-322, s. 1; 2001-515, s. 3(a).)
§§ 18B-310 through 18B-399. Reserved for future codification purposes.

School Sanctions*

(Applied to All Categories of Substances)

The following are prohibited under the Code of Conduct applicable to Students:

- Use, possession, or distribution of narcotic or other controlled substances, except as expressly permitted by law, or being under the influence of such substances.
- Use, possession, or distribution of alcoholic beverages, except as expressly permitted by law and DeVry University regulation; or public intoxication.

The sanctions listed below may be imposed upon any covered person found to have violated the Code of Conduct. The listing of the sanctions should not be construed to imply that covered persons are entitled to progressive discipline. The sanctions may be used in any order and/or combination that the University deems appropriate for the conduct in question.

A. Warning-A verbal or written notice that the respondent has not met the University's conduct expectations.
B. Probation-A written reprimand with stated conditions in effect for a designated period of time, including the probability of more severe disciplinary sanctions if the respondent does not comply with University policies or otherwise does not meet the University’s conduct expectations during the probationary period.
C. Restitution-Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
D. DeVry Suspension-Separation of the respondent from the University for a defined period of time, after which the respondent may be eligible to return. Conditions for readmission may be specified.
E. DeVry Expulsion-Permanent separation of the respondent from all University locations.
F. Suspension of Services-Ineligibility to receive specific serves or all DeVry services for a specified period of time, after which the respondent may regain eligibility. Conditions to regain access to services may be specified.
G. Ineligibility for Services-Permanent ineligibility to receive specified or all DeVry University services.
H. Limiting Order-Restriction on a respondent’s permission to be in the same proximity as the complainant and/or others, with the parameters of the restriction to be defined by the University (e.g., for use with allegations of sexual or other misconduct).

Faculty and Staff

Colleagues of the institution are prohibited from:

- Performing school business while under the influence of a controlled substance.
- Possession, use, and/or sale of a controlled substance.
- Furnishing a controlled substance to a minor.
Sanctions for this violation could lead up to termination of employment.

*These sanctions are in addition to any criminal sanctions that may be imposed. Student colleagues are subject to both colleague and student sanctions.

**Local Treatment Resources**

The following is a sampling of local area information and treatment resources. A more comprehensive listing of available counseling and treatment programs can be obtained from Student Central.

**Alcoholics Anonymous**

Tri-County Intergroup  
3948 Browning Place  
Raleigh, NC 27609  
Phone: 919-783-8214  
Website: [www.raleighaa.com](http://www.raleighaa.com)  
Email: intergroup@raleighaa.com

**Alcohol/Drug Council of North Carolina**

Information and Referral Services  
1121 Situs Court, Suite 370  
Raleigh, NC 27606  
Phone: 919-493-0003  
Website: [www.alcoholdrughelp.org](http://www.alcoholdrughelp.org)  
Email: info@alcoholdrughelp.org

**Student Rights Under FERPA**

*(The Family Educational Rights and Privacy Act)*

DeVry University respects the rights and privacy of its students and acknowledges the responsibility to maintain confidentiality of personally identifiable information.

FERPA is a federal law that affords students the following rights with respect to their education records. These rights include:

1. **The Right To Inspect And Review The Student’s Education Records**  
   Students have the right to review their education records within 45 days of the day the institution receives their request. Students should submit to the registrar, Dean, or head of the academic department a written request that identifies the record(s) they wish to inspect. The institution official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the official to whom the request is submitted does not maintain the records, that official will advise the student of the correct official to whom the request should be addressed.

2. **The Right To Seek An Amendment Of Inaccurate Or Misleading Information**  
   Students may ask the institution to amend a record that they believe is inaccurate or misleading. They should write to the official responsible for the record, clearly identify the part of the record they believe should be changed and specify why it is inaccurate or misleading. If the institution decides not to amend the record as requested by the student, the student will be notified of the decision and advise of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when they are notified of the right to a hearing. Following the hearing, if the institution still decides not to amend the record, the student has a right to place a clarifying statement in the record.

3. **The Right To Limit Disclosure Of Personally Identifiable Information**  
   Students have the right to consent to disclosure of personally identifiable information contained in their
educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to a school official who has a legitimate educational interest. A school official is a person employed by the institution in an administrative, supervisory, academic, research, or support staff position (including campus security, incident commanders, and health staff) or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer, or contractor outside of the institution who performs an institutional service or function for which the institution would otherwise use its own employees and who is under the direct control of the institution with respect to the use and maintenance of PII form education records, such as an attorney, auditor, intern or collection agent, or a student volunteering to assist another school official in performing their tasks. School officials have a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for the institutions.

Another exception that permits disclosure without consent is disclosure of directory information. Directory information is not considered to be harmful or an invasion of privacy if disclosed. See the Directory Information section for additional information.

4. **The Right To File A Complaint With The U.S. Department of Education If The Institution Fails To Comply With FERPA Requirements**

   **Complaints Should Be Directed To:**
   
   Family Policy Compliance Office
   
   U.S. Department of Education
   
   400 Maryland Avenue, SW
   
   Washington, DC 20202-4605
   
   Phone: 1-800-USA-LEARN (1-800-872-5327)

**Directory Information**

The Family Educational Rights and Privacy Act (FERPA) designates certain student information as “Directory Information” and gives the institution the right to disclose such information without having to ask students` permission. The items listed below as “Directory Information” may be released for any purpose at the discretion of the institution. Under the provisions of FERPA, students have the right to withhold the disclosure of any or all of the categories of information listed below. **The following information will be released unless students specifically request that their information be withheld:**

- **Directory Information:** Name, address, telephone number, email address, date and place of birth, dates of attendance, previous institution(s) attended, major field of study (program), enrollment status, degrees and awards, past and present participation in officially recognized activities.

- **Hometown program:** Through DeVry’s Hometown program, information regarding students’ enrollment, activities, honors, graduation, awards, and employment may be released to newspapers, students’ high schools, and various DeVry departments for informational and promotional materials it publishes.

- **Career Services:** Students approaching graduation and working with career services staff on career planning, job interviewing, and resume preparation authorize release of the following records for a period of fifteen months after graduation: the resume, identifying data, academic work completed, immigration status (if applicable), and authorize career services to verify information graduates provide regarding their employment. At no time is compensation information released or published.

**To Withhold Information**
To have directory, hometown program, or career services information withheld, students must submit a written request to the Registrar. Once filed, this request becomes a permanent part of the student’s record and no information may be released until the student instructs the institution otherwise.

**Voter Registration**

As a participant in Title IV Federal Student Financial Aid programs, DeVry University would like to remind students who are U.S. citizens of the importance of registering to vote.

If you are interested in participating in local, state, or national elections, please visit the Election Assistance Commission website at [www.eac.gov/voter_resources/register_to_vote.aspx](http://www.eac.gov/voter_resources/register_to_vote.aspx) to learn how you can register to vote.

**Unauthorized Distribution of Copyrighted Materials**

DeVry University strives to provide access to varied materials, services, and equipment for students, faculty, and staff and does not knowingly condone policies or practices that constitute an infringement of Federal copyright law. Transmitting or downloading any material that you do not have the rights to make available and that infringes any patent, trademark, trade secret, copyright, or other proprietary rights of any party is prohibited.

Installing or distributing pirated or unlicensed software is also forbidden. Violation of these requirements may subject students, faculty, and staff to civil and criminal liabilities. Students, faculty, or staff who violate federal copyright law do so at their own risk. Copyright status is applied to a work as soon as it is created. Users should assume that all writings and images are copyrighted.

Title 17 of the United States Code (17 USC §501 et seq.) outlines remedies for copyright infringement that may include some or all of the following: obtaining an injunction to stop the infringing activity; impounding and disposing of the infringing articles; an award to the copyright owner of actual damages and the profits of the infringer, or in the alternative, an award of statutory damages which may be increased if the infringement is found to be willful; an award of two times the amount of the license fee a copyright owner could have gotten; an award of the full costs incurred in bringing an infringement action, and the award of attorney’s fees; and for criminal copyright infringement, fines, and imprisonment.

DeVry University maintains a campus network to support and enhance the academic and administrative needs of our students, faculty, and staff. DeVry University is required by Federal Law – H.R. 4137 – to make an annual disclosure informing students that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. DeVry University takes steps to detect and punish users who illegally distribute copyrighted materials.

DeVry University reserves the right to suspend or terminate network access to any campus user that violates this policy and network access may be suspended if any use is impacting the operations of the network. Violations may be reported to appropriate authorities for criminal or civil prosecution. The existence and imposition of sanctions do not protect members of the campus community from any legal action by external entities.

**Alternative to Illegal Downloading**

Illegal downloads hurt artists and deter the incentive to create. U.S. laws protect the rights of individuals regarding their own works. Below are lists of sites that offer free or inexpensive products that you can use without violating copyright law.

**Free and Legal Clipart:**

Fonts:
http://www.blambot.com/
http://www.fonts.com/

Photos:
http://www.freefoto.com/index.jsp

Music:
https://www.jamendo.com/
https://soundcloud.com/
### On Campus

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### Hate Crimes

If there are any hate crimes to report, please enter count here and narrative description below.

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### VAWA Offenses

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### Referral for Disciplinary Actions

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### Hate Crimes

Prejudice Categories:

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### On campus or public property:

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<tr>
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<td>Total Unfounded Crimes</td>
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### Jurisdictional Definitions

To comply with federal regulations, the following jurisdictional definitions are provided for **Dating Violence**, **Domestic Violence**, **Sexual Assault**, and **Stalking**.

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Definition</th>
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<tbody>
<tr>
<td><strong>Online (Federal)</strong></td>
<td><strong>Dating Violence</strong> is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. <strong>Domestic Violence</strong> is 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 (D) 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. <strong>Sexual Assault</strong> is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program. The FBI’s UCR program defines sexual assault as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent: <strong>Fondling</strong> - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity; <strong>Incest</strong> - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; and <strong>Statutory Rape</strong> - Sexual intercourse with a person who is under the statutory age of consent. <strong>Stalking</strong> is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person’s safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition- <strong>Course of conduct</strong> means two or more acts, including, but not limited to, acts in which the talker 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; <strong>Reasonable Person</strong> means a reasonable person under similar circumstances and with similar identities to the victim; and <strong>Substantial Emotional Distress</strong> means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</td>
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<tr>
<td><strong>Arizona</strong></td>
<td><strong>Dating Abuse</strong> means a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person’s dating partner. A Dating Partner means any person who is involved in an intimate association with another person that is primarily characterized by the expectation of affectionate involvement and that includes casual, serious, and long-term dating partners. <strong>Domestic Violence</strong> means attempting to cause or causing bodily injury to a family or household member or placing a family or household member by threat of force in fear of imminent physical harm. <strong>Sexual Assault</strong> is when a person intentionally or knowingly engages in sexual intercourse or oral sexual contact with any person without consent of such person. <strong>Stalking</strong>: A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to: 1. Suffer emotional distress or reasonably fear that either:(a) The victim's property will be damaged or destroyed. (b) Any of the following will be physically injured:</td>
</tr>
</tbody>
</table>
(ii) The victim's family member, domestic animal or livestock.
(iii) A person with whom the victim has or has previously had a romantic or sexual relationship.
(iv) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

2. Reasonably fear death or the death of any of the following:
(a) The victim's family member, domestic animal or livestock.
(b) A person with whom the victim has or has previously had a romantic or sexual relationship.
(c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

**California**

- California Penal Code: 13700
- California Penal Code: 261
- California Penal Code: 646.9

The institution has determined, based on good-faith research that **Dating Violence** is not defined by California law. However, offenses of this nature are included under the definition of **Domestic Violence**.

**Domestic Violence** means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, “cohabitant” means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as spouses, (5) the continuity of the relationship, and (6) the length of the relationship.

**Sexual Assault**: The California Legislature finds and declares that all forms of non-consensual sexual assault may be considered rape for purposes of the gravity of the offenses and the support of survivors. Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

1. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act, the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

2. Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets any one of the following conditions:

   (A) Was unconscious or asleep.
   (B) Was not aware, knowing, perceiving, or cognizant that the act occurred.
   (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
   (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

5. Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any
artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, “menace” means any threat, declaration, or act which shows an intention to inflict an injury upon another.

**Stalking**: The state of California defines that any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.

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**Colorado**

-Colorado Rev. Stat. §18-6-800.3
-Colorado Rev. Stat. §18-3-402
-Colorado Rev. Stat. §18-3-602

The institution has determined, based on good-faith research, that Colorado law does not define the term **Dating Violence**. However, offenses of this nature are defined under **Domestic Violence**.

**Domestic Violence** means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic Violence also includes any other crime against a person or against property or any municipal ordinance violation against a person or against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

**Sexual Assault**: Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

- The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim’s will;
- The actor knows that the victim is incapable of appraising the nature of the conduct;
- The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse;
- At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim;
- At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim;
- The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search;
- The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
- The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

**Stalking**: A person commits stalking if directly, or indirectly through another person, the person knowingly: (a) Makes a credible threat to another person and, in connection
with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship; or (b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or (c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship win a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

**Florida**
- Florida Statutes, 784.046
- Florida Statutes, 741.28
- Florida Statutes, 794.011
- Florida Statutes, 784.048

**Dating Violence** means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors: (1) A dating relationship must have existed within the past 6 months; (2) The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and (3) The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintance or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

**Domestic Violence** means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

The State of Florida titles Sexual assault as **Sexual Battery.** Sexual Battery means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

**Stalking:** A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstarks another person and makes a credible threat to that person commits the offense of stalking.

**Georgia**
- Official Code of GA: §19-13-1
- Official Code of GA: §19-13-1
- Official Code of GA: §16-6-5.1(b)
- Official Code of GA: §16-5-90

The institution has determined, based on good-faith research, that Georgia law does not define the term “dating violence” but defines Family Violence to include some dating situations, i.e. parents who have a child together, or other persons that live together or that formerly lived together.

The institution has determined, based on good-faith research, that Georgia law does not define the term “domestic violence” but defines Family Violence. **Family Violence** means the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household: (1) Any felony; or (2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.

The institution has determined, based on good-faith research, that Georgia law does not define the term “sexual assault”. Instead, definitions are provided for the following crimes: **Rape:** A person commits the offense of rape when he has carnal knowledge of: (1) A female forcibly and against her will; or (2) A female who is less than ten years of age. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape.; **Statutory Rape:** A person
commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim; 

**Sodomy:** A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another; **Aggravated Sodomy:** A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person or when he or she commits sodomy with a person who is less than ten years of age. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy; and **Sexual Assault by persons with supervisory or disciplinary authority:** An employee or agent commits the offense of improper sexual contact by employee or agent in the first degree when such employee or agent knowingly engages in sexually explicit conduct with another person whom such employee or agent knows or reasonably should have known is contemporaneously.

**Stalking:** A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person.

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### Illinois

-750 ILCS 60/103 -750 ILCS 60/103 -720 ILCS 5/11-1.20 -720 ILCS 21/10

The institution has determined, based on good-faith research, that **Dating Violence** is not defined by Illinois law. The Illinois Domestic Violence Act of 1986 provides protection to any person abused by a family or household member which is defined as including persons who have or have had a dating or engagement relationship.

In the State of Illinois, **Domestic Violence** is defined as **Abuse** which is defined as physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.

The institution has determined, based on good-faith research, that **Sexual Assault** is not defined by Illinois law. However, the state provides a definition of **Criminal Sexual Assault:** A person commits criminal sexual assault if that person commits an act of sexual penetration and: (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

**Stalking** means engaging in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to fear for his or her safety, the safety of a workplace, school, or place of worship, or the safety of a third person or suffer emotional distress. Stalking does not include an exercise of the right to free speech or assembly that is otherwise lawful or picketing out of a bona fide labor dispute, including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements.

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### Indiana

-IC 34-6-2-44.8 -IC 35-42-2-1.3 - IC 35-42-4-8 and IC 35-42-4-1 -IC 35-45-10-1

The institution has determined, based on good-faith research, that Indiana law does not define the term **Dating Violence**. However, offenses of **Dating Violence** are included in the definition of **Family or Household member:** An individual is a “family or household member” of another person if the individual: (1) is a current or former spouse of the other person; (2) is dating or has dated the other person; (3) is engaged or was engaged in a sexual relationship with the other person; (4) is related by blood or adoption to the other person; (5) is or was related by marriage to the other person; (6) has or previously had an established legal relationship: (a) as a guardian of the other person; (b) as a ward of the other person; (c) as a custodian of the other person; (d) as a foster parent of the other person; or (e) in a capacity with respect to the other person similar to those listed; (7) has a child in common with the other person; or (8) has adopted a child of the other person. (b) An individual is a “family or household member”
of both persons if the individual is a minor child of one of the persons.
The State of Indiana includes Domestic Violence in their definition of **Domestic Battery**: A person who knowingly or intentionally: (1) touches a family or household member in a rude, insolent, or angry manner; or (2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member; commits domestic battery.
The institution has determined, based on good-faith research, that Indiana law does not define the term **Sexual Assault**. However, it provides definitions for Sexual Battery and for Rape.
Sexual Battery: When a person who, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another person: (1) touches another person when that person is: (A) compelled to submit to the touching by force or the imminent threat of force; or (B) so mentally disabled or deficient that consent to the touching cannot be given; or (2) touches another person's genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring; commits sexual battery.
Rape: A person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct when: (1) the other person is compelled by force or imminent threat of force; (2) the other person is unaware that the sexual intercourse or other sexual conduct is occurring; or (3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct cannot be given; commits rape.
**Stalk** means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity. (A person who stalks another person commits stalking)

| Missouri |
|------------------------|---------------------------------------------------------------|
| MRS 565.072, MRS 565.073, MRS 565.074, and MRS 565.076 -MRS 566.030, MRS 566.031, MRS 566.100, MRS 566.103, MRS 566.093, and MRS 566.095 -MRS 565.225 and MRS 565.227 | The institution has determined, based on good-faith research, that Missouri law does not define the term **Dating Violence**. However, the definition of “Family or Household Member” includes relationships of a dating nature within the definition. The institution has determined, based on good-faith research, that Missouri law does not define the term **Domestic violence**, however they do provide definition for **Domestic Assault** in varying degrees. For the purposes of these definitions, **Family or Household Member** is defined as: spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time. The title “Domestic Victim” is included in the definition of Family or Household member. **Domestic Assault**, in the first degree: A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim. **Domestic Assault**, in the second degree: A person commits the offense of domestic assault in the second degree if the act involves a domestic victim and he or she: (1) knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or (2) recklessly causes serious physical injury to such domestic victim; or (3) recklessly causes physical injury to such domestic victim by means of any deadly weapon. **Domestic assault**, in the third degree: A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim. **Domestic assault**, in the fourth degree: A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim and: (1) the person |
attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim; (2) with criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument; (3) the person purposely places such domestic victim in apprehension of immediate physical injury by any means; (4) the person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim; (5) the person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or (6) the person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

The institution has determined, based on good-faith research, that Missouri law does not define the term sexual assault. However, the State defines **Rape**, **Sexual Misconduct**, and **Sexual Abuse** in varying degrees of severity.

**Rape**, in the first degree: A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making a informed consent to sexual intercourse.

**Rape**, in the second degree: A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.

**Sexual Abuse**, in the first degree: A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.

**Sexual abuse**, in the second degree: A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.

**Sexual Misconduct**, in the first degree: A person commits the offense of sexual misconduct in the first degree if such person: (1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm; (2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or (3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

**Sexual misconduct**, in the second degree: A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.

**Stalking**, in the first degree: A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and: (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock kept at such person's resident or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock kept at such person's residence or on such person's property; or (2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age.
or older; or (5) he or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or (6) at any time during the course of conduct, the other person is a participant of the address confidentiality program and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

Stalking, in the second degree: A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

**Nevada**
- Nevada Attorney General
- NRS 33.018
- NRS 200.366
- NRS 200.575

In the State of Nevada, offenses of Dating Violence are considered under the definition of Domestic Violence. Domestic Violence occurs when a person commits one of the following acts against or upon the person’s spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person’s minor child or any other person who has been appointed the custodian or legal guardian for the person’s minor child: a battery, an assault, coercion, sexual assault, a knowing, purposeful, or reckless course of conduct intended to harass the other person, a false imprisonment, and pandering.

In the State of Nevada, a person is guilty of Sexual Assault if he or she: subjects another person to sexual penetration, or forces another person to make a sexual penetration upon himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct; or commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 years to make a sexual penetration on himself or herself or another, or on a beast.

Stalking: A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, commits the crime of stalking.

**New Jersey**
- NJ Rev. Stat §2C:12-10(2013)

The institution has determined, based on good-faith research, that Dating Violence is not defined by New Jersey law. However, offenses of this nature are included in the definition of Domestic Violence. “Victim of domestic violence” also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.

Domestic Violence means the occurrence of one or more of the following acts inflicted upon a person protected by this act by an adult or an emancipated minor: Homicide, assault, terrorist threats, kidnapping, criminal restraint, false imprisonment, sexual assault, criminal sexual contact, lewdness, criminal mischief, burglary, criminal trespass, harassment, or stalking.

In the State of New Jersey, an actor is guilty of Aggravated Sexual Assault if he commits an act of sexual penetration with another person under any one of the following circumstances: the victim is less than 13 years old, the victim is at least 13 but less than 16 years old; and the actor is related to the victim by blood or affinity to the third degree, or the actor has supervisory or disciplinary power over the victim by virtue of the actor’s legal, professional, or occupational status, or the actor is a resource family parents, a guardian, or stands in loco parentis within the household; the act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape; the actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object the actor is
| New York | The institution has determined, based on good-faith research, that New York law does not define the term Dating Violence. However, offenses of this nature are defined under Domestic Violence.

**Domestic Violence** is a pattern of coercive tactics that can include physical, psychological, sexual, economic, and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control. Domestic violence occurs in all kinds of intimate relationships, including married couples, people who are dating, couples who live together, people with children in common, same-sex partners, people who were formerly in a relationship with the person abusing them, and teen dating relationships.

The institution has determined, based on good-faith research, that New York law does not define the term Sexual Assault but categorizes a broad range of crimes under the title Sexual Misconduct. A person is guilty of Sexual Misconduct when: 1. He or She engages in sexual intercourse with another person without such person’s consent; or 2. He or She engages in oral sexual conduct or anal sexual conduct with another person without such person’s consent; or 3. He or she engages in sexual conduct with an animal or a dead human body.

The State of New York categorizes a broad range of degrees to stalking related crimes. A person is guilty of Stalking when he or she intentionally, and for no legitimate purposes, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct: 1. Is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person’s immediate family or a third party with whom such person is acquainted; or 2. Causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person’s immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or 3. Is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning, or initiating communication or contact at such person’s place of employment or business and the actor was previously clearly informed to cease that conduct.

| North Carolina | The institution has determined, based on good-faith research, that the term Dating Violence is not defined by North Carolina law. However, offenses of this nature are be defined under the Domestic Violence definition’s clarification.

**Domestic Violence** means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense: (1) attempting to cause bodily injury, or intentionally causing bodily injury; or placing the aggrieved party or a member of the aggrieved party’s family or household in fear of imminent serious bodily injury or continued harassment that rises to such a level as to inflict substantial emotional distress or (3) committing any act defined under “rape,” “sexual battery,” and/or “sexual offense.” For the purposes of this section, the term “personal relationship” means a relationship wherein the parties involved: (1) are current or former spouses; (2) are...
person of opposite sex who live together or have lived together; (3) are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren; (4) have a child in common; (5) are current or former household members; (6) are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.

The institution has determined, based on good-faith research, that North Carolina law does not define the term “Sexual Assault” but define the concepts of Forcible Rape, Sexual Battery, and of Sexual Offense.

**Rape:** A person is guilty of first-degree forcible rape if the person engages in vaginal intercourse with another person by force and against the will of the other person, and does any of the following: (1) Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon. (2) Inflicts serious personal injury upon the victim or another person, (3) the person commits the offense aided and abetted by one or more other persons. A person is guilty of second-degree forcible rape if the person engages in vaginal intercourse with another person: (1) by force and against the will of the other person; or (2) who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know the other person has a mental disability or is mentally incapacitated or physically helpless.

**Sexual Offense:** A person is guilty of first degree forcible sexual offense if the person engages in a sexual act with another person by force and against the will of the other person, and does any of the following: (1) Uses, threatens to use, or display a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon, (2) inflicts serious personal injury upon the victim or another person, (3) the person commits the offense aided and abetted by one or more other persons. A person is guilty of second degree forcible sexual offense if the person engages in a sexual act with another person: (1) by force and against the will of the other person; or (2) who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

**Sexual Battery:** A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person: (1) by force and against the will of the other person; or (2) who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

In the State of North Carolina, a defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purposes or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following: (1) Fear for the person’s safety or the safety of the person’s immediate family or close personal associates, (2) suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

**Ohio**

- Ohio Revised Code, Title 41, 3113.31
- Ohio Revised Code, Title 29, 2907.02

The institution has determined, based on good-faith research, that Ohio law does not define the term Dating Violence. However, offenses of this nature are defined within the definition of Domestic Violence.

**Domestic Violence** means any of the following: (a) the occurrence of one or more of the following acts against a family or household member: (1) attempting to cause or recklessly causing bodily injury; (2) placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of 2903.211 or 2911.211 of
the revised code; (3) committing any act with respect to a child that would result in the child being an abused child; (4) committing a sexually oriented offense. The occurrence of one or more of the acts identified here against a person with whom the respondent is or was in a dating relationship.

In the State of Ohio, Sexual Assault is defined under several related types of offenses including Rape, and Sexual Battery.

**Rape:** No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when all any of the following applies: for the purpose of preventing resistance, the offender substantially impairs the other person’s judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception; the other person is less than thirteen years of age, whether or not the offender knows the age of the other person; the other person’s ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person’s ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.

**Sexual Battery:** No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply: the offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution; the offender knows that the other person’s ability to appraise the nature of control the other person’s own conduct is substantially impaired; the offender knows that the other person submits because the other person is unaware that the act is being committed; the offender knows that the other person submits because the other person mistakenly identifies the offender as the other person’s spouse; the offender is the other person’s natural or adoptive parent, or stepparent, or guardian, custodian, or person in loco parentis of the other person; the offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribed minimum standard, the other person is enrolled in or attends that school and the offender is not enrolled in and does not attend that school; the other person is a minor, the offender is a teacher, administrator, coach or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution; the other person is a minor, and the offender is the other person’s athletic or other type of coach, is the other person’s instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person; the offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes; the other person is confined in a detention facility, and the offender is an employee of that detention facility; the other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric, and/or the other person is a minor, the offender is a peace officer, and the offer is more than two years older than the other person.

In the State of Ohio, Stalking is defined as “Menacing by Stalking”: No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person’s belief that the offender will cause physical harm to the other person or the other person’s family or household member or mental distress to the other person or the other person’s family or household member, the other person’s belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person.
or to which the other person belongs. No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either as defined above or to urge or incite another to commit the same violation.

| Pennsylvania | Dating Violence shall mean behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control the person’s dating partner. In the State of Pennsylvania, Domestic Violence is not defined. However, the word Abuse is defined to include offenses of that nature. Abuse: The occurrence of one or more of the following acts between family or household member, sexual or intimate partners or person who share biological parenthood: (1) attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon; (2) placing another in reasonable fear of imminent serious bodily injury; (3) the infliction of false imprisonment; and/or (3) physically or sexually abusing minor children. Sexual Assault occurs when a person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant’s consent. In the State of Pennsylvania, a person commits the crime of stalking when the person either: (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person. |
| House Bill No. 2026, session of 2009 | PA Consolidated Statutes, Title 23, Chapter 61, §6102 PA Consolidated Statutes, Title 18, Chapter 31, §3124.1 PA Consolidated Statutes, Title 18, Chapter 31, §2709.1 |
| Tennessee | The institution has determined, based on good-faith research, that Tennessee law does not define the term “dating violence.” However, offenses of this nature are defined under “Domestic Assault.” The institution has determined, based on good-faith research, that Tennessee law does not define the term “domestic violence.” However, a definition for Domestic Assault is provided combining the definition for Assault and the definition of Domestic Abuse Victim. Assault: A person commits assault who: (1) intentionally, knowingly or recklessly causes bodily injury to another; (2) intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (3) intentionally or knowingly causes physical contact with another and a reasonable person would regard that contact as extremely offensive or provocative. Domestic Abuse Victim: A person commits domestic assault who commits assault against a domestic abuse victim. A domestic abuse victim means any person who falls within the following categories: (1) adults or minor who are current or former spouses; (2) adults or minor who live together or who have lived together; (3) adults or minors who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two individuals in a business or social context; (4) adults or minor related by blood or adoption; (5) adults or minors who are related or were formerly related by marriage; or (6) adult or minor children of a person in a relationship of any of the previous listed types. The institution has determined, based on good-faith research, that Tennessee law does not define the term “sexual assault.” However, a definition for Sexual Battery is provided. Sexual Battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances: (1) force or coercion is used to accomplish the act; (2) the sexual contact is accomplished without |
the consent of the victim and the defendant knows or has reason to know at the time of
the contact that the victim did not consent; (3) the defendant knows or has reason to
know that the victim is mentally defective, mentally incapacitated or physically helpless;
or (4) the sexual contact is accomplished by fraud.

**Stalking** means a willful course of conduct involving repeated or continuing
harassment of another individual that would cause a reasonable person to feel
terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually
causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or
molested.

| Texas | In the State of Texas, **Dating Violence** is defined as an act, other than a defensive
measure to protect oneself, by an actor: (1) is committed against a victim or applicant
for a protective order: (a) with whom the actor has or has had a dating relationship; or
(b) because of the victim’s or applicant’s marriage to or dating relationship with an
individual with whom the actor is or has been in a dating relationship or marriage; and
(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that
is a threat that reasonably places the victim or applicant in fear of imminent physical
harm, bodily injury, assault, or sexual assault.

The institution has determined, based on good-faith research, that “Domestic Violence”
is not defined by Texas law. However, **Family Violence** is defined as an act by a
member of a family or household against another member of the family or household
that is intended to result in physical harm, bodily injury, assault, or sexual assault or
that is a threat that reasonably places the member in fear of imminent physical harm,
bodily injury, assault, or sexual assault, but does not include defensive measure to
protect oneself; (2) abuse by a member of a family or household toward a child of the
family or household; or (3) Dating Violence.

In the state of Texas, a person commits **Sexual Assault** if: the person intentionally or
knowingly: (1) causes the penetration of the anus or sexual organ of another person by
any means, without that person’s consent; (2) causes the penetration of the mouth of
another person by the sexual organ of the actor, without that person’s consent; or (3)
causes the sexual organ of another person, without that person’s consent, to contact or
penetrate the mouth, anus, or sexual organ of another person, including the actor;
regardless of whether the person knows the age of the child at the time of the offense,
the person intentionally or knowingly: (1) causes the penetration of the anus or sexual
organ of a child by any means; (2) causes the penetration of the mouth of a child by the
sexual organ of the actor; (3) causes the sexual organ of a child to contact or penetrate
the mouth, anus, or sexual organ of another person, including the actor; (4) causes the
anus of a child to contact the mouth, anus, or sexual organ of another person, including
the actor; or (5) causes the mouth of a child to contact the anus or sexual organ of
another person, including the actor.

In the State of Texas, a person commits an offense of **Stalking** if the person, on more
than one occasion and pursuant to the same scheme or course of conduct that is
directed specifically at another person, knowingly engages in conduct that: (1)
constitutes an offense of harassment or that the actor knows or reasonably should
know the other person will regard as threatening: (a) bodily injury or death for the other
person; (b) bodily injury or death for a member of the other person’s family or
household or for an individual with whom the other person has a dating relationship; or
(c) that an offense will be committed against the other person’s property; (2) causes the
other person, a member of the other person’s family or household, or an individual with
whom the other person has a dating relationship to be placed in fear of bodily injury or
death or in fear that an offense will be committed against the other person’s property,
or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended;
and (3) would cause a reasonable person to: (a) fear bodily injury or death for himself
or herself; (b) fear bodily injury or death for a member of the person’s family or
household or for an individual with whom the person has a dating relationship; (c) fear
that an offense will be committed against the person’s property; or (d) feel harassed,
annoyed, alarmed, abused, tormented, embarrassed, or offended.
| Virginia  
-Office of the Attorney General of Virginia  
Domestic and Sexual Violence Initiatives  
-Virginia Code, §16.1-228  
-Virginia Code, §18.2-67.10  
-Virginia Code, §18.2-60.3 |
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<td>In the State of Virginia, the Office of the Attorney General describes <strong>Dating Violence</strong> as a kind of intimate partner violence that occurs between two people in a close relationship. It is a pattern of abusive behaviors by one partner against the other within the context of either casual dating or long-term relationship. It can also take many forms, including psychological and emotional abuse, physical abuse, and sexual abuse. In the State of Virginia, “Domestic Violence” is not defined. However, <strong>Family Abuse</strong> means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person’s family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury. For the purposes of this definition, a <strong>Family or Household member</strong> means (i) the person’s spouse, whether or not he or she resides in the same home with the person, (ii) the person’s former spouse, whether or not he or she resides in the same home with the person, (iii) the person’s parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person, (iv) the person’s mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person. The institution has determined, based on good-faith research, that “Sexual Assault” is not defined by Virginia law. However, <strong>Sexual Abuse</strong> means an act committed with the intent to sexually molest, arouse, or gratify any person, where: (a) the accused intentionally touches the complaining witness’s intimate parts or material directly covering such intimate parts; (b) the accused forces the complaining witness to touch the accused’s, the witness’s own, or another person’s intimate parts or material directly covering such intimate parts; (c) if the complaining witness is under the age of 13, the accused causes or assists the complaining witness to touch the accused’s, the witness’s own, or another person’s intimate parts or material directly covering such intimate parts; or (d) the accused forces another person to touch the complaining witness’s intimate parts or material directly covering such intimate parts. <strong>Stalking</strong> is defined as: Any person, except a law-enforcement officer, and acting in performance of his official duties, and a registered private investigator, who is regulated and acting in the course of his legitimate business, who on more than one occasion engages in conduct directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person’s family or household member is guilty of a Class 1 misdemeanor. If the person contacts or follows or attempts to contact or follow the person at whom the conduct is directed after being given actual notice that the person does not want to be contacted or followed, such actions shall be prima facie evidence that the person intended to place that other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member.</td>
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