

DELAWARE  
COLLEGE OF ART  
AND DESIGN



600 N MARKET ST  
WILMINGTON DELAWARE 19801  
302.622.8000

# Delaware College of Art and Design (DCAD) 2019 Annual Campus Security Report

*(Includes Statistics and Data from 2017-2018-2019)*

**Delaware College of Art and Design**  
**2019 Annual Campus Security Report and Crime Statistics**

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## **About Delaware College of Art and Design**

Delaware College of Art and Design (DCAD), originally founded through a creative partnership between Pratt Institute and the Corcoran College of Art and Design, joins these distinguished institutions in charting the future of art and design. DCAD's mission is to educate talented and dedicated students to become art makers, idea generators, problem solvers, and visual communicators who can redefine the way we perceive and experience the world around us. It also serves as a visible stakeholder, cultural anchor, and catalyst for the revitalization of downtown Wilmington.

To accomplish this mission, DCAD:

- Offers comprehensive and demanding associate of fine arts degree programs that emphasize structured, visually-based, hands on studio experiences and a rigorous academic curriculum, enabling students to continue their undergraduate education through transfer to four-year professional colleges of art and design while providing a basic foundation for successful and satisfying careers;
- Engages a faculty of accomplished professionals who are committed to serve as teachers, role models and mentors, as well as a qualified staff who understand, appreciate, and respond to the active and creative culture of DCAD;
- Nurtures a vibrant, student-centered, college community, served by state-of-the-art learning, working, and living environments that inspire personal expression and effective collaboration;
- Participates in Wilmington's educational and cultural life through a variety of community-based programs and activities; and,
- Manages its human, financial, and physical resources effectively and efficiently to advance DCAD's programs and services.

## **Introduction**

Delaware College of Art and Design prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Annual Fire Safety Report is included alongside this report and in compliance with the Jeanne Clery Act. The full text of both reports can be located within our Consumer Information webpage at <https://dcad.edu/resources/> under "Health & Safety". This report is prepared in cooperation with: local law enforcement agencies, the Office of Student Services, Dean's Office, the College President, and other senior staff members. Each entity provides updated information on not only campus safety, but also educational efforts and programs that assist in complying with the Clery Act. In accordance with federal policy, statistics for 2017, 2018, and 2019 are documented within this report. DCAD policy and procedures are evaluated annually each March.

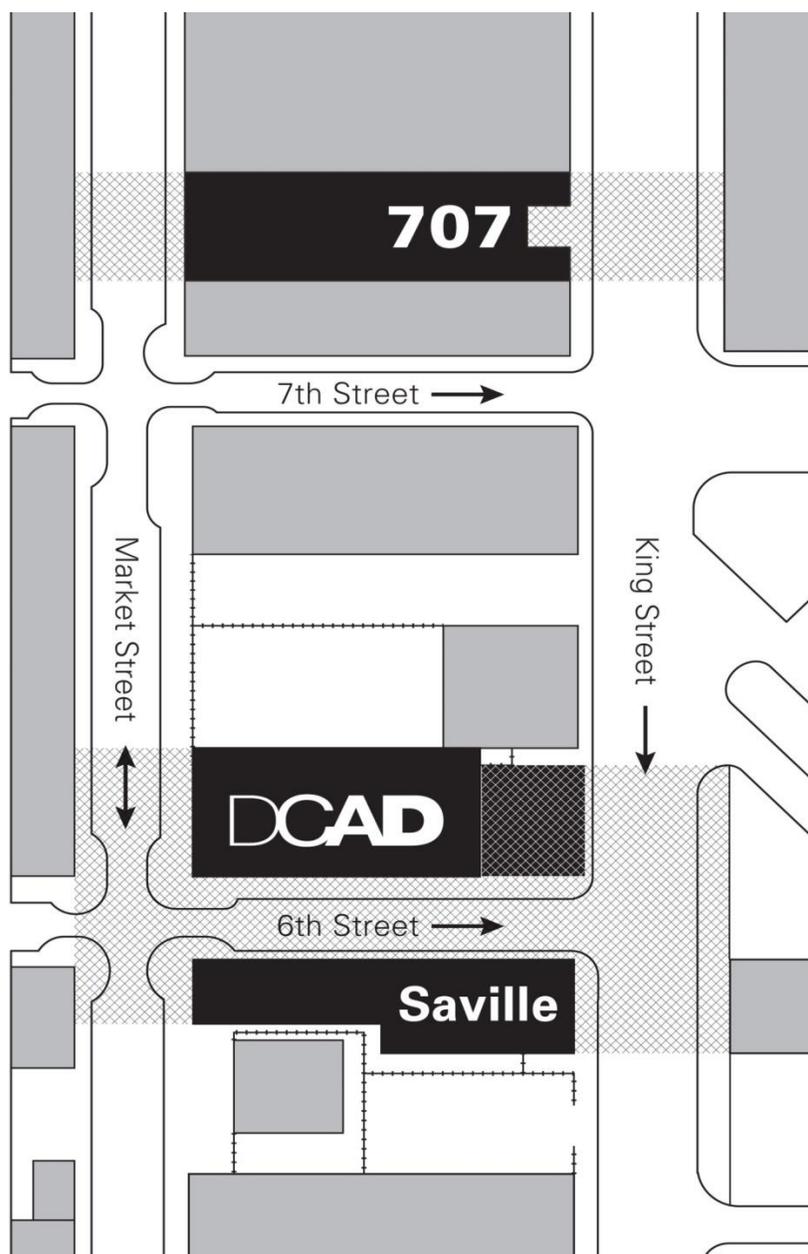
## **Anti-discrimination Policy**

The Delaware College of Art and Design is committed to a policy of equal opportunity for all educational activities, admissions, scholarship and loan programs, and employment. Discrimination on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity or expression, age, physical disability, marital status, veteran status, or other protected status is prohibited at the Delaware College of Art and Design.

Acts of discrimination that limit or deny access to the educational process and that create a hostile environment are not consistent with the philosophy or mission of Delaware College of Art and Design.

### Property

DCAD is a small private college composed of one main administration and academic building and two residence halls: The Saville and The 707. All three buildings and contiguous public property are monitored, and corresponding statistics are included within this report. DCAD currently operates within an off-campus property at NextFab at 503 N Tatnall St, Wilmington, DE 19801. As such, DCAD does monitor this property through the city of Wilmington. A map, (shown below) denotes the three main DCAD properties in black. This map also illustrates DCAD surrounding public property, shaded in a checkerboard pattern.



Campus crime, arrest, and referral statistics include those reported to DCAD Security, and designated campus officials. Such campus officials include, but are not limited to, the Director and Assistant Director of Student Services, the Dean, advisors of campus organizations, Campus Security Authorities, other senior administration, and local law enforcement agencies. DCAD Campus Security Authorities (CSA) include: Director and Assistant Director of Student Services, Resident Advisors, any title IX Advocate or Responsible Employee, the Security Desk staffed by a private security firm, and any faculty/staff advisor to a student organization. These statistics may also include crimes that have occurred in the near proximity of campus and are included as statistics occurred on public property. Currently, DCAD does not maintain a Campus Police or Campus Fire Department. Violations of local or federal law will be referred to local law enforcement agencies within the City of Wilmington. While DCAD currently does not maintain on-campus psychological and health services, DCAD refers students to local psychological and health services agencies. Such agencies include, the Christiana Care Health System which maintains a state-of-the-art emergency room, crisis and psychiatric emergency services, and hospital which is located approximately one mile from campus at 501 W. 14th St., Wilmington, DE 19801 302.428.4410; <http://www.christianacare.org>.

Annually, DCAD notifies enrolled students, faculty, and staff via e-mail of the completed report and its location on-line at <https://dcad.edu/resources/> under "Health & Safety". Copies of the report may also be obtained at the Office of Student Services located within the main DCAD academic and administration building at 600 North Market Street, Wilmington DE 19801 or by calling 302.622.8867 extension 208. All prospective students and employees may view the report on the website. A copy is also kept on file within the campus library. Assistance in viewing the report can be arranged by contacting the Library Director at 302.622.8867 extension 216.

### **Emergency Notification System**

DCAD, like all other academic institutions, is responsible for delivering emergency notifications to all students in an expedited time frame. DCAD's Emergency Notification System allows for the timely, quick, and efficient distribution of information. Enrolled students, faculty, and staff are required to provide the Office of Student Services with email and/or telephone contact information for the purposes of this notification system. DCAD utilizes Populi software and service to ensure communication in a timely manner through the use of text messaging and e-mailing. Each semester new students are asked to submit the required information to the Office of Student Services where the information is then reconciled, updated, and annually tested. The system is available for the use of the DCAD Emergency Management Team (EMT) both on DCAD property and from a satellite location. The EMT is composed of the President, Chief Financial Officer, Director of Student Services, Registrar, and Dean.

### **Timely Warnings**

A timely warning will be issued in the event that a situation arises, either on- or off-campus, which is determined by the EMT to constitute an ongoing or continuing threat. Such a notification will be sent through the emergency notification system. Additionally, a College e-mail will be sent to students, faculty, and staff.

Depending on the particular circumstances of a situation, especially in all situations that could pose an immediate or on-going threat to the community, the Office of Student Services may also post a notice within each of the two on-campus residence halls and within the main academic and administration building.

Notifications will be posted on the main access and egress points and will be easily visible to students, guests, faculty, and staff.

Anyone with information warranting a timely warning should report the circumstances to the following locations:

- 1) DCAD Security Desk 302.622.8867 extension 200
- 2) Office of Student Services 302.622.8867 extension 208
- 3) Director of Finance 302.622.8867 extension 223

## **Crime Reporting**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents. As with all suspected and witnessed crimes, it is important to communicate the details of the report as soon as possible.

In the event that there is an immediate threat to health and/or safety, or in the case of an emergency please dial 9-1-1 to contact local emergency management and law enforcement services. Currently, DCAD does not maintain a Campus Police or Campus Fire Department.

In addition, please report the crime to one of the following (non-emergency) offices:

1. DCAD Security Desk	302.622.8867 extension 200
2. Director and/or Assistant Director, Student Services	302.622.8867 extension 208
3. The Dean	302.622.8867 extension 210
4. Director of Finance	302.622.8867 extension 223

DCAD encourages anyone who is the victim of, or witness to, a crime to promptly report the incident to police or to a local security, (see page 16 for phone numbers). DCAD also maintains a confidential incident report system which can be located at <https://dcad.edu/resources/> under "Forms". Students, faculty, and staff are also encouraged to communicate suspected on-campus crimes to the Office of Student Services, the Dean, and Chief Financial Officer in a prompt manner. Collaboratively, these offices will conduct an investigation of the report. If it is determined that local law enforcement is needed, a copy of the report and findings will be communicated promptly and will adhere to the student rights of FERPA and confidentiality requests. The Wilmington Police Department is located at William T. McLaughlin Public Safety Building; 300 N. Walnut Street; Wilmington, DE 19801; **Help Line Non-emergencies:** 302.654.5151; <http://www.wilmingtonde.gov/government/police>.

## **College Access and Security**

During business hours, the College (excluding both DCAD residence halls) will be open to students, escorted parents, employees, contractors, and escorted guests. During non-business hours and campus closures, access to all College facilities is by key (if issued) or by admittance via the DCAD Security staff, the President, or Chief Financial Officer. DCAD's main administration and academic building also maintains a security

system, which remains activated during non-business hours. Documentation with the security company as well as proper access codes are required during non-business hours.

Both 707 and Saville Residence Halls are secured 24 hours a day 7 days a week with a key card access software available to registered students and approved staff. During campus holidays and closures, such as semester breaks, the buildings will be secured with additional measures to prevent access to any individual(s) lacking the express approval from either the Chief Financial Officer or the President.

In both residence halls, emergencies may require prompt and unexpected changes in access. Areas that are viewed as 'high priority' are frequently and routinely tested by maintenance and/or service staff. Resident Assistant staff monitors each access point three times per day. Should an access concern present itself, staff are required to consult the Director or Assistant Director of Student Services on-call immediately. At that time, corrective access monitoring will be put into place until the issue is resolved. In an effort to maintain excellent security, DCAD currently utilizes state-of-the art key card access software. This software allows security staff to monitor and terminate access promptly as well as incorporate access prevention in the event an access card is lost. All DCAD keys terminate after 72 hours of inactivity. This further increases security and campus safety.

## **Security Personnel**

DCAD maintains a security personnel presence in its main administrative and academic building only. Security officers assist in the overall access to DCAD and respond to emergency and crisis situations. Security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at DCAD. Security officers do not have authority to arrest, detain, or perform any other security services. The security team at DCAD maintains a highly professional relationship with an associated security agency that monitors the Lower Market community of Wilmington. Downtown Visions serves as a resource to students, faculty, and staff for guided escorts, maintaining a presence of security within the public area, and also by consistently monitoring the community security. Both DCAD security and Downtown Visions collaborate with local law enforcement to ensure prompt and accurate reporting for victims and witnesses of crime in the local area. Downtown Visions is located at 409 N Orange St, Wilmington, DE 19801; 302.425.4200; <http://www.downtownvisions.org>.

## **Law Enforcement**

The College acts in compliance with all laws and enforcement by government agencies and the policies set by the officials of the College. All persons on the campus are subject to these laws and policies upon enrollment and/or hire. All students and employees are provided copies of College policies and procedures that are outlined in either the Student Handbook, Student Conduct Handbook, or Faculty and Staff Handbook. In addition, all new students participate in a guided orientation event discussing the Student Handbook, Student Conduct Handbook, and Housing Handbook. At the end of each of these sessions, students are required to sign and acknowledge their acceptance and compliance to the material outlined. Handbooks are updated regularly and can be found on the College shared drives as well as on-line, through the DCAD consumer information page <https://dcad.edu/resources/>. In addition, law enforcement and fire safety enforcement departments are welcome on the DCAD campus and may conduct business as needed. All employees and students on-campus are expected to render all possible assistance and cooperation to local law and fire

departments, provided such assistance can be given without significantly endangering the individual or others involved or violating federal regulations of confidentiality. In the event that a situation occurs, the DCAD Emergency Management Team will work closely with local law enforcement agencies on collaborative investigation and response. Currently, DCAD does not have a written memorandum of understanding between the College and the Police Departments of Wilmington City, New Castle County, or State of Delaware.

### **Crime Prevention and Safety Education for Students**

Crime prevention programs, sexual assault prevention programs, and general safety and security programs are conducted regularly by DCAD staff. Partnerships with local agencies, including Downtown Visions, have been, and continue to be, successful for raising awareness of community concerns. Crime prevention and safety education is also discussed in length throughout each student orientation process, and throughout the first five weeks of each fall semester.

A common theme in DCAD's safety and security initiative is to encourage students, faculty, and staff to be aware of their responsibility for their own security and the security of their peers. A student's Resident Assistant (RA) also plays an integral role in security awareness and prevention. RAs provide quarterly programs and updates to students. In addition, the RA serves as a mentor and consistently reminds students, and occasionally families, of safe practices. Such recommended practices include: the use of Downtown Visions services, as well as partnered walks during evening hours.

In addition to programs, partnerships, and the orientation process, information is disseminated to students, faculty, and staff through their respective handbooks. Additionally, crime prevention and awareness packets, displays, posters, and e-mail are also utilized. Annual programs topics include; safety escorts, walking in groups, being aware of your surroundings, crime updates and warnings from local agencies, how to be safe and secure while on campus and while on break, know where to safely park, how to report suspicious activity, how to avoid unauthorized access in campus properties, how to properly evacuate campus property, where to locate emergency notifications and weather updates, and how to report crimes.

### **Student Information and Handbooks**

The Student Conduct Handbook, Student Handbook, Faculty and Staff Handbook, Housing Handbook, and other institutional policies and procedures are found on the DCAD webpage. These resources are distributed during orientation and are revised annually in March. Student are also distributed electronic copies at the beginning of each academic year. Please refer to the Student Conduct Handbook for a comprehensive overview of the logistics, potential outcomes, and reporting guidelines for alleged policy violations.

### **Drugs and Alcohol**

The Delaware College of Art and Design has a zero tolerance policy regarding alcoholic beverages and illegal drugs. This has been established for the wellbeing of faculty, students, and staff. The policy is intended to promote and maintain a safe environment that is conducive to learning and to protect individuals of the DCAD

community. DCAD has designated all of its classrooms, studios, student housing, and other environments as drug and alcohol free.

DCAD does not condone the violation of Delaware and federal laws pertaining to the use of alcohol and illegal drugs. All students, faculty, and administrative staff are expected to be familiar with, and abide by, state and federal laws and regulations. Violations of the alcohol and/or illegal drug policy will be cause for disciplinary action, including suspension or dismissal from the College. In addition, violators may be subject to criminal charges and prosecution for violation of Delaware laws and ordinances. The College reserves the right to require participation in an alcohol or illegal drug counseling program for any student whose substance abuse problem effects his or her education or that of other students. In the event that the student is classified as a dependent by the Internal Revenue Service (IRS), Delaware College of Art and Design also reserves the right to contact a parent in the event of alcohol and drug violations.

The staff and faculty of the Delaware College of Art and Design are concerned about the abuse of alcohol. Alcohol is a depressant that, even in small doses, slows brain activity, reduces inhibitions, and impairs judgment. Higher doses can cause alcohol poisoning, coma, or death. In the State of Delaware, a conviction of driving while intoxicated occurs at a blood/alcohol level of 0.08% or higher. DCAD encourages students, faculty, and staff to think carefully about the use of alcohol and to make educated decisions.

Delaware Law Regarding Alcoholic Beverages (as defined by Delaware Code, Title 4, Sect. 904):

- No person who is under 21 years of age shall drink or possess any alcoholic beverage in the State of Delaware.
- A person who misrepresents his or her age in order to obtain alcohol is subject to fine or imprisonment.
- Alcohol may not be sold or delivered to anyone under the age of 21.
- Alcoholic beverages may not be sold or delivered to any person who is intoxicated or who appears to be intoxicated.
- No person under the age of 21 may serve as a bartender. A bartender is defined as a person who mixes, fixes, makes or concocts any alcoholic beverage for consumption.
- Consumption of alcoholic beverages is prohibited in any street, alley, park, or parking lot, or in any vehicle in those areas. Violators may be fined.

The College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program incorporates a myriad of tactics targeting education and reduction of recurrence. This is done through the dissemination of information through e-mail, respective handbook, new student orientation, educational programs, college disciplinary actions, and recommendations and/or mandated referral to local psychological and counseling services on an as-needed basis. Due to its size, DCAD often collaborates with local and state agencies to improve ongoing initiatives. Delaware 2-1-1, Downtown Visions, and other agencies continue to be excellent resources for faculty, staff, and students.

The Delaware Department of Health and Social Services is available to assist Delaware College of Art and Design Employees with education, information and a listing of substance abuse treatment services. The Division of Substance Abuse and Mental Health (DSAMH) provides public drug and alcohol treatment services for adults, primarily through contracts with private agencies.

## **Emergency and Evacuation Procedure**

In the event of a campus or a local emergency that requires the evacuation of the College administration and academic building, and/or Saville and 707 residence halls, the Emergency Notification System will be utilized. Emergencies requiring evacuation will be determined by either law enforcement or DCAD's Emergency Management Team. Due to its small size and proximity of buildings, should there be an emergency requiring evacuation in any of the campus buildings, the entire faculty, staff, and student body will be informed. Resident students will be directed to return to their residence halls or will receive instructions to report to designated evacuation sites. Students with vehicles on campus are encouraged to car pool with those without transportation. Students without means of transportation from campus will be directed to report to the designated evacuation site until the College can provide transportation off-campus. Commuter students and staff will be directed to secure their offices and work areas and evacuate the campus. If anyone is not on campus when he or she receives the emergency notification, do not report to the campus until the "ALL CLEAR" message is sent.

The **Emergency Management Team (EMT)** is responsible for overall coordination of the execution of the College's procedures in the event of an emergency. The members of the EMT include:

- President
- Dean
- Registrar
- Director of Finance
- Director of Student Services

*Additional administrators of the College may be asked to join or support the team as the situation dictates. Departmental directors may call upon their staff as needed to implement actions within their areas of responsibility. Local Law Enforcement, Fire Department, and other state and federal resources may also be called upon as needed.*

The EMT reacts quickly to emergencies. Upon receiving a report or being made aware of an impending or current emergency, the EMT will gather and set up a command and operations center. Members that cannot report in person will be contact electronically. The group will first determine that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of the campus community. The EMT will make this determination by utilizing the advice from local state agencies such as first responders, Downtown Visions, and weather alerts. In addition, the EMT will analyze the current status, location, and possible spreading of the danger and its effects on the community.

In the event that the EMT confirms a significant emergency, without delay notification will be made to the segments of the campus population directly affected and to adjacent and surrounding areas. Notification will be made through the use of the emergency notification system, and e-mail messages will follow thereafter. The EMT will continue to monitor the situation and notify additional segments of the campus community on an as needed basis. The EMT does have the authority to notify the entire campus as needed. In the event that the EMT needs to notify the larger surrounding community, the EMT will rely on the expertise of local law enforcement, Downtown Visions, and the DCAD Director of Communications whom will utilize social media and website notifications. The EMT will make the determination on information provided within the notification and to the segments of the campus population the notification is delivered to. Speed and accuracy as well as campus safety is of utmost importance when issuing notifications. Notifications will state what the emergency is, inform the community on how to communicate updates, and indicate immediate actions should be taken.

Notification may be withheld if determined by the EMT under the following circumstance that involve compromising the efforts to: assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

The EMT is responsible for reviewing and updating the Emergency Procedures Policy and Guidelines and for ensuring that building occupants have an understanding of procedures related to their specific areas. The task of the group is to approve overall priorities and strategies, communicate with the College's constituencies, and provide liaison with governmental and other external organizations to ensure compliance. DCAD employees undergo annual tabletop exercises and participate in exercises organized by the EMT. The EMT also plans and conducts drills of its procedures once a year. After each exercise, the EMT conducts "follow-through" activities that identify strengths and areas of improvement. The EMT then develops a report that is emailed to students and employees summarizing its findings. The report also includes copies and heightened updates of the emergency response and evacuation procedures. The EMT maintains a log and documentation of all exercises which includes; a description of the exercise, date, time started, time concluded, and whether the test was announced or unannounced.

## **Missing Persons**

DCAD requires all new students to enter, at minimum, a name and contact phone number of a person they want to be notified in case of emergency. This information is kept confidential and will be accessible only to authorized campus officials and will not be disclosed, except to law enforcement in furtherance of a missing person investigation. This process begins during the spring semester at the new student housing application process. After the first week of classes, all continuing students (and any new students who failed to comply by providing emergency contacts in the spring) are contacted to ensure that all students enter an emergency contact into the housing database system. This system is accessible only to authorized campus officials and law enforcement officers in case of the furtherance of a missing person investigation.

DCAD students are advised that if they have not registered a contact person, local law enforcement will be notified when a student is missing. If a student is under the age of 18 and not emancipated, that student's parent or guardian will be notified.

If a faculty, staff, or student suspects or becomes aware of a student who has been missing for 24 hours, a report must be made immediately to the security desk, Office of Student Service, the Dean, or Chief Financial Officer. All possible efforts will be made to locate the student in order to determine his or her state of health and well-being through the collaboration of the College EMT as well as local law enforcement agencies, as needed. If the student resides in on-campus housing, the Office of Student Services will make entry into the student's residence hall room. If a student who resides off-campus is reported missing, DCAD will enlist the aid of the neighboring police agency having jurisdiction. In addition, DCAD will monitor student attendance to classes as well as door and meal plan access, and will contact friends, associates, and/or employers of the student.

If the student is determined to be missing, DCAD will notify the student's emergency contact within 24 hours. If the student is an off-campus resident, appropriate family members are encouraged to make an official missing persons report to the local law enforcement agency in the respective jurisdiction.

DCAD will cooperate, aid, and assist the primary investigative agency in all ways prescribed by law.

## **Sexual Harassment, Assault, Dating Violence, Domestic Violence, Stalking and Sexual Misconduct**

DCAD has a zero-tolerance policy for any act of sexual misconduct. Sexual misconduct can include any form of an actual or attempted sexual offense perpetrated upon a person without that person's consent including, but not limited to sexual assault, sexual harassment, dating violence, stalking, voyeurism, intimidation and retaliation; or any other unwelcome physical contact (e.g., fondling, touching, pinching, patting, grabbing, rubbing, or inappropriately brushing up against someone's body). Photographs, video, or other visual or auditory records of sexual activity made without explicit consent constitutes sexual misconduct, even if the activity documented was consensual. Similarly, sharing such recordings without explicit consent is a form of sexual misconduct. All alleged acts of sexual misconduct will be investigated and expeditiously adjudicated.

The Delaware College of Art and Design encourages victims and witnesses to report all instances of sexual misconduct to either the Title IX Coordinator: Academic Dean Katy Ro kro@dcad.edu; or by submitting a report online through the Current Students page of the DCAD website: <https://dcad.edu/resources/>.

Local jurisdiction has defined the above-mentioned terms within the Delaware Criminal Code as follows:

“Sexual assault” means physical contact of a sexual nature perpetrated without consent or where consent is unable to be given.

“Stalking” means any person who intentionally engages in a course of conduct directed at a specific person which would cause a reasonable person to;

- A) Fear physical injury to himself or herself, to a friend or associate, or to a member of his or her household or to a third person,
- B) Fear damage to property owned by himself or herself, to a friend of associate, or to a member of his or her household or to a third person, or
- C) Fear that his or her employment, business or career is threatened, where the conduct consists of appearing, telephoning, or initiating contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct, is guilty of the crime of stalking, provided, however, that no person shall be convicted under this subsection as a result of contacting a victim's place of employment or business regarding a bona fide business dispute.

“Dating Violence” Involves assaultive and controlling behaviors (often evolving into a pattern of behaviors) that one person uses against another in order to gain or maintain power in a current or past relationship. The abuser intentionally behaves in ways that can cause fear, degradation, humiliation, injury or harm or uses any other coercive behaviors to control the other person. Abuse can occur in both heterosexual and same-sex or serious and casual relationships and covers a wide range of behaviors that include harassment, verbal, emotional and economic abuse, sexual abuse, stalking and physical abuse.

“Domestic Violence” includes but is not limited to physical or sexual abuse or threats of physical or sexual abuse and any other offense against the person committed by 1 parent against the other parent, against any child living in either parent's home, or against any other adult living in the child's home. “Domestic violence” does not include reasonable acts of self-defense by 1 parent for self-protection or in other to protect the child from abuse or threats of abuse by the other parent or other adult living in the child's home.

A person is guilty of "sexual harassment" when:

- (1) The person threatens to engage in conduct likely to result in the commission of a sexual offense against any person; or
- (2) The person suggests, solicits, requests, commands, importunes or otherwise attempts to induce another person to have sexual contact or sexual intercourse or unlawful sexual penetration with the actor, knowing that the actor is thereby likely to cause annoyance, offense or alarm to that person.

Sexual harassment is an unclassified misdemeanor.

"Without consent" means the defendant compelled the victim to submit by any act of coercion as defined in §§ 791 and 792 of this title 11 of the Delaware Criminal Code, or by force, by gesture, or by threat of death, physical injury, pain or kidnapping to be inflicted upon the victim or a third party, or by any other means which would compel a reasonable person under the circumstances to submit. It is not required that the victim resist such force or threat to the utmost, or to resist if resistance would be futile or foolhardy, but the victim need resist only to the extent that it is reasonably necessary to make the victim's refusal to consent known to the defendant; or

- (2) The defendant knew that the victim was unconscious, asleep or otherwise unaware that a sexual act was being performed; or
- (3) The defendant knew that the victim suffered from a cognitive disability, mental illness or mental defect which rendered the victim incapable of appraising the nature of the sexual conduct or incapable of consenting; or
- (4) Where the defendant is a health professional, as defined herein, or a minister, priest, rabbi or other member of a religious organization engaged in pastoral counseling, the commission of acts of sexual contact, sexual penetration or sexual intercourse by such person shall be deemed to be without consent of the victim where such acts are committed under the guise of providing professional diagnosis, counseling or treatment and where at the times of such acts the victim reasonably believed the acts were for medically or professionally appropriate diagnosis, counseling or treatment, such that resistance by the victim could not reasonably have been manifested. For purposes of this paragraph, "health professional" includes all individuals who are licensed or who hold themselves out to be licensed or who otherwise provide professional physical or mental health services, diagnosis, treatment or counseling and shall include, but not be limited to, doctors of medicine and osteopathy, dentists, nurses, physical therapists, chiropractors, psychologists, social workers, medical technicians, mental health counselors, substance abuse counselors, marriage and family counselors or therapists and hypnotherapists; or
- (5) The defendant had substantially impaired the victim's power to appraise or control the victim's own conduct by administering or employing without the other person's knowledge or against the other person's will, drugs, intoxicants or other means for the purpose of preventing resistance.

All victims and witnesses are encouraged to report instances of sexual misconduct to local law enforcement. In the event of any emergency, or if you are in immediate danger, please dial 911. The Wilmington Police will form a multidisciplinary interagency sexual assault response team (SART). The SART will not only investigate the reported incident, but will also provide intervention, counseling, and medical services. The Delaware

College of Art and Design will be an integral component of the SART team in conjunction with several other Wilmington Resources.

Preserving DNA evidence is a key tool for law enforcement's investigation and prosecution of a sexual assault case. It is used to prove that a sexual assault occurred and to show that the defendant is the source of biological material left on the victim's body. A Sexual Assault Nurse Examiner (SANE) is a trained professional who collects DNA evidence from the victim's body and/or clothing and this material is often collected at a hospital. Christiana Care, Wilmington Hospital provides 24hr walk in assistance to provide a rape kit and has a forensic nurse on call at all times to assist with the procedure. Contact Lifeline Helpline at 302-761-9100 will also provide 24-hour SANE assistance upon contact of their office. Contact Lifeline Helpline will also provide a rape crisis advocate who will accompany a victim to the hospital or alternative health provider. Please contact their office directly or seek the assistance of a College employee if you are interested in this service.

The most thorough local option to seek treatment for sexual misconduct injuries, preventative treatment for sexually transmitted infections, and other health services is Christiana Care, Wilmington Hospital. Additional resources are provided by Planned Parenthood, including abortion services, HIV testing, Morning-After Pill, pregnancy testing and services, STD/STI testing, treatment and vaccines.

Victims and witnesses always have the right to and are encouraged to share information with local law enforcement. The College will provide support services throughout this process for both witnesses and victims. Students also have the right decline to notify local authorities.

To gain legal orders of protection, restraint, no contact, and similar orders local law enforcement and agencies must be contacted. DCAD staff will assist in this process if requested.

Prevention and educational programs are offered on a continual basis to students targeting the awareness of dating violence, domestic violence, sexual assault, and stalking. Additional educational information is sent via e-mail and discussed throughout the First Year Orientation Program as well as during Common Hours, a common meeting time for students to gather and engage in educational opportunities beyond the classroom, in the context of a supportive community of artists and learner, In addition, the Faculty, Staff, and Student Handbook serve as a reference guide to both policy/law and procedure. Every March, DCAD reviews and strengthens all educational programming efforts. This initiative, among others, continues to evolve and works in collaboration with neighboring agencies such as Downtown Visions, The United Way of Delaware, Planned Parenthood of Wilmington, Christiana Care Health Center and other on-line resources such as Delaware 2-1-1.

Beginning in the Fall of 2016 DCAD will be partnering with local agencies to reinforce two educational initiatives which will include:

- 1) Provide safe and positive options for "bystander intervention" that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander.
- 2) Provide information on "risk reduction" so that students and employee may decrease perpetration and bystander inaction; increase empowerment for victims in order to promote safety; and help individuals and communities address conditions that facilitate violence.

In accordance with Title 11 Chapter 41 of the Delaware Code, information regarding registered sex offenders is maintained by the Delaware State Police. The Delaware State Police have created the Sex Offender Central Registry, a searchable database that may be accessed via an internet website. This database is located at

[www.state.de.us/dsp/sexoff/](http://www.state.de.us/dsp/sexoff/) and may be used to locate registered sex offenders by name, address, city, county, or zip code. Convicted sex offenders from out of state must register with the Delaware State Police within 7 business days of establishing permanent or temporary residency within the State of Delaware and all registrants must indicate where they intend to reside, be employed, and/or study.

Upon written request, DCAD will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any student conduct hearing held by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, DCAD will provide the results of the disciplinary hearing to the victim's next of kin, upon request.

Possible Sanctions for Students, Faculty, and Staff following charges of Sexual Harassment, Assault, Dating Violence, Domestic Violence, Stalking and Sexual Misconduct:

**Students:**

- Sanctions up to and including expulsion from the University
- Administrative Directives for No Contact
- Restriction from portions of campus
- Change in housing assignment
- Change in academic schedule
- Mandated Psychological Evaluation and/or Counseling
- Mandated Education

**Faculty/Staff:**

- Employee termination from the University
- Unpaid suspension
- Restrictions from all or portions of campus
- Mandated education
- Written notation in Human Resources file
- Removal from position

## **Personal Safety and Crime Prevention Resources**

Wilmington Police Department: 800.262.9800.....<http://www.wilmingtonde.gov/government/police>  
State of Delaware: 800.842.8461 .....<http://www.delaware.gov>  
Downtown Visions: 302.425.4200 .....<http://www.downtownvisions.org>  
Delaware Health and Social Services - Division of Substance Abuse and Mental Health:  
[http://dhss.delaware.gov/dsamh/crisis\\_intervention.html](http://dhss.delaware.gov/dsamh/crisis_intervention.html)  
Crisis Intervention: 302.577.2484  
Domestic Violence Hotline: 302.762.6110 or 302.762.6111  
Rape Crisis Contact: 302.761.9100  
Suicide Hotline: 800.652.2929  
Wilmington Hospital: 302.428.4410.....<http://www.christianacare.org>  
Victims' Compensation Assistance Program: 1.800.464.HELP.....<http://www.nacvcb.org>  
Delaware 2-1-1: (In State) 2-1-1 (Out of State) 1.800.560.3372 .....[www.delaware211.org](http://www.delaware211.org)

Statistics

Crime Reports					
	Year	On-Campus	On-Campus Residence Hall	Non-Campus	Public Property
Murder / Non-Negligent Manslaughter	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Manslaughter by Negligence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Rape	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Fondling	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Incest	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Statutory Rape	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0

Robbery	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Burglary	2019	0	0	0	0
	2018	0	0	0	0
	2017	1	1	0	0
Motor Vehicle Theft	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Arson	2019	0	0	0	0
	2018	0	0	0	0
	2017	1	1	0	0

<b>Hate Crimes</b>					
	Year	On-Campus	On-Campus Residence Hall	Non-Campus	Public Property
All Crimes and Bias'	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
<b>Arrests</b>					
	Year	On-Campus	On-Campus Residence Hall	Non-Campus	Public Property
Liquor Law Violations	2019	0	0	0	0
	2018	2	2	0	0
	2017	53	53	0	2
Drug Abuse Violations	2019	4	4	0	0
	2018	21	21	0	0
	2017	24	24	0	0
Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
<b>Campus Judicial Referrals</b>					
	Year	On-Campus	On-Campus Residence Hall	Non-Campus	Public Property
Liquor Law Violations	2019	0	0	0	0
	2018	2	2	0	0
	2017	53	53	0	0

Drug Abuse Violations	2019	4	4	0	0
	2018	21	21	0	0
	2017	24	24	0	0
Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0

### VAWA (Violence Against Women) Offenses

	Year	On-Campus	On-Campus Residence Hall	Non-Campus	Public Property
Domestic Violence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Dating Violence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Stalking	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0