



# **2019-2020**

# **Student Code of**

# **Conduct**

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## STUDENT CODE OF CONDUCT

In conjunction with its mission, Louisburg College has formulated this Student Code of Conduct. Louisburg College believes that its role is to offer educational opportunities in a positive atmosphere, with such opportunities to include the personal growth and development of students. Therefore, our community promotes the development of responsible social attitudes. Louisburg College students are expected to become familiar with and adhere to the College and Residence Hall standards for student conduct. Students are responsible for their actions, and those who violate the Student Code of Conduct will be subject to the student conduct process. Membership in the Louisburg College community is a privilege that should be respected.

Students accepting the offer of admission to Louisburg College assume the obligation of conducting themselves in a manner compatible with the College as an educational institution and agree to abide by all published policies governing the student body and all laws of the State of North Carolina. Minimal policies are necessary to ensure respect for basic individual rights and the welfare of the community. Louisburg College acknowledges and respects the rights of each student. The College is not a sanctuary from the law and violations of local, state, and federal law committed at Louisburg College will result in student conduct action by the College as well as action by law enforcement agencies.

### ***Louisburg College Conduct Code***

As members of the Louisburg College community we commit ourselves to act with integrity, responsibility and honor in all areas of campus life. We will aim for excellence inside and outside the classroom. We will treat each other with respect and compassion, which is essential to our development and success. We will embrace the diversity that the College offers and seek to learn from it. We will act responsibly and take accountability for our actions to ensure our personal welfare and that of others. We will respect college property and the property of others. Through our positive contributions and support for Louisburg College, we will work to leave the College in a better condition than when we arrived. By virtue of our enrollment in Louisburg College, we accept responsibility to uphold the Conduct and Honor Codes and all College policies.

From this, all students are expected to:

- Act with integrity and honor
- Act responsibly and take accountability for our actions
- Aim for excellence inside and outside the classroom.
- Treat each other with respect and compassion
- Embrace diversity

### ***Definitions***

Listed below are some definitions to common words and phrases found in the Student Code of Conduct and the Student Conduct Process:

1. **Appellate Board** - any person or persons authorized to consider an appeal

2. **College** – Louisburg College
3. **College Official/Employee** – all persons employed by the College or employed by an authorized College vendor (i.e. Foodservice staff).
4. **College Community** – all persons (Faculty, Staff, Students, Administrators) and the surrounding town and residents.
5. **College Premises** – all land, buildings, facilities and property owned or controlled by the College, including property not owned by the College but where an official College event is occurring.
6. **Complainant** – an individual who has experienced an alleged violation of the Student Code of Conduct.
7. **Conduct Body** – any person(s) authorized by this document or the Dean of Students to determine whether a student has violated the Student Code of Conduct and to recommend or assign sanctions. (i.e. trained administrators, College Conduct Board).
8. **Conduct Status** – a status assigned to a student found responsible for violating a policy.
9. **Consent** – words or actions that show an active knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, by ignoring or acting without regard to the objectives of another, or by taking advantage of the incapacitation of another, where the student knows or reasonably should have known of such incapacity. Use of alcohol or drugs may impair an individual's capacity to freely consent and may render an individual incapable of giving consent. Consent may not be implied by silence or any other absence of active resistance. Prior consent does not imply consent to future sexual acts, nor doesn't consent to one type of sexual act imply consent to another type of sexual act.

**Yes mean Yes.** This means that affirmative consent should be given before any sexual activity occurs. It does not matter if or what kind of sexual behavior has occurred at an earlier point in time. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal of consent is communicated clearly. Upon clear communication of withdrawal, all sexual activity must cease.

Consent may not be given by the following persons:

1. Individuals who are mentally incapacitated at the time of the sexual contact in a manner that prevents him or her from understanding the nature or consequences of the sexual act involved;
2. Individuals who are unconscious or otherwise physically helpless;
3. Minors.

Incapacitation is defined as the physical and/or mental inability to make informed, rational judgements that inhibits an individual's ability to give consent. Incapacitation may be caused by a permanent or temporary physical or mental impairment. Incapacitation may also result from the consumption of alcohol or the use of drugs.

The use of alcohol or drugs may, but does not automatically affect a person's ability to consent to sexual activity. The consumption of alcohol or drugs may create a mental incapacity if the nature and degree of the intoxication go beyond the stage of merely reduced inhibition and reach a point in which the complainant does not understand the nature and consequences of the sexual act. In such case, the person cannot consent.

A person violates the sexual misconduct policy if he or she has sexual contact with someone he or she knows or should know is mentally incapacitated or has reached the degree of intoxication that results in incapacitation. The test of whether an individual should know about another's incapacitation is whether a reasonable, sober person would know about the incapacitation. A respondent cannot rebut a sexual misconduct charge merely by arguing that he or she was drunk or otherwise impaired and, as a result did not know that the other person was incapacitated.

An individual who is passed out or unconscious as a result of the consumption of alcohol or drugs is physically helpless and is unable to give consent.

NOTE: Immediate medical attention should be summoned for an individual found to be in this state.

10. **Community Director** - full-time, live-in professional staff member responsible for assisting residential students in achieving success in all aspects of campus life and is responsible for the overall operation of the residence halls. The CD has the initial responsibility for the maintenance of a respectful and safe learning community within the Resident Halls and across the campus.
11. **Educational Sanction** – a required action issued as a result of being found responsible for violating a policy.
12. **Faculty Member** - any person employed by the college to conduct classroom or teaching activities or who is otherwise considered by the college to be a member of its faculty.
13. **Level (1, 2, or 3)** – used as indicators on each Student Code of Conduct Policy to give a general idea of the severity associated with violating that policy and are used as a guidance tool in the student conduct process. Conduct Statuses and Educational Sanctions (see *Conference Outcomes*) each have a corresponding level. The conduct body may consider at what level they believe a violation occurred to help determine the appropriate conference outcomes.
14. **Normal Working Hours** – Monday through Friday during regular college business hours (8:30am-5:00pm), unless otherwise noted.
15. **Resident Advisor** – student staff member that lives on each floor of the residence halls and is responsible for engaging students in the overall residential community, building relationships, and assisting in the educational process outside of the classroom for all students.

16. **Respondent** – an individual against whom a complaint of violating a policy in the Student Code of Conduct has been made.
17. **Staff Member** – any person employed by the college who is not a member of the faculty and has administrative or professional responsibilities.
18. **Student** – all persons enrolled and taking courses at Louisburg College, both full-time and part-time. This includes persons against whom an allegation of policy violation is made but who withdraw prior to the completion of the Student Conduct Process, who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission but have not yet matriculated.
19. **Student Code of Conduct** – standards of conduct, policies, and procedures established to provide a full and fair opportunity for review of alleged student misconduct.
20. **Student Conduct Record** – documentation of a student’s alleged, pending, and resolved conduct violation(s) and sanction(s) that are maintained by the Office of Student Life for up to 5 years.
21. **Summons** – the conduct body may compel a student to attend and participate in a conference which it is determined that the student has relevant information and/or knowledge of events. Failure to obey a summons or communicate within a reasonable time period prior to the conference to the conduct body as to why the student cannot or should not attend is a violation of the Student Code of Conduct [see *Abuse-Conduct Process Abuse* below]. Failure to appear at a summons can result in a \$50 fine for failure to comply.

### ***College Jurisdiction***

College jurisdiction and the Student Code of Conduct is limited to conduct which occurs on College premises, at College-sponsored events, or which adversely affects the College community and/or the pursuit of the College’s mission. This includes violations of local, state, or federal laws which could take place off-campus but could have a negative impact on the college community. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. The Student Code of Conduct shall apply to a student’s conduct even if the student withdraws from school while a conduct matter is pending.

### ***Student Conduct Policies***

The policies listed here are offered as a guideline and is not inclusive. Two reminders for students:

#### **Multiple Violations**

Violations of the Student Code of Conduct are cumulative – multiple offenses over a period of time or occurring within one incident may be considered a higher “Level” incident as indicated on each policy; the result maybe a more severe status and sanction than would normally be imposed for a single violation.

### **Student Responsibility**

Students may be held accountable for violations which occur in their presence and which they fail to take the appropriate actions of reporting the violation and removing themselves from the situation. Should a student become aware of a real or potential policy violation, the student shall advise the offender or potential offender that such action is a policy violation, inform a College Official about the violation, and not become a participant in the violation by remaining present when the violation is occurring. Not participating in a visible policy violation does not absolve the student of a violation

Any student found responsible for violating one or more of the following policies is subject to the outcomes listed in the *Student Conduct Process: Conference Outcomes* section below.

## **1. Abuse**

- 1.1 Conduct Process Abuse** – This includes but is not limited to: Failure to obey the summons of a Conduct body; Failure to comply with summons. Falsification or misrepresentation of information before a Conduct body; attempting to discourage an individual’s proper participation in, or use of, the Conduct process; Attempting to influence the impartiality of a member of the Conduct body. (*Level 1 or Level 2*)
- 1.2 Physical Abuse** – This includes any encounter that becomes physically abusive between two or more persons. This includes actual or attempted pushing, hitting, kicking, spitting, wrestling, or pulling hair. (*Level 2 or Level 3*)
- 1.3 Technology Abuse** – This includes the misuses of college technology in violation of rules and regulations of the Louisburg College Information Technology Department. This also includes tampering, interfering, or damaging security and/or safety equipment (surveillance cameras, locks, etc.) (*Level 1 or Level 2, or Level 3*)
- 1.4 Verbal Abuse** - This includes profanity, harassment, or any conduct that is loud, abusive, or inappropriate, and is perceived as detrimental to the health and safety of any person. This also includes the public use of profanity on College Premises (i.e. yelling profanity across the yard or from a window). (*Level 1 or Level 2*)

## **2. Alcoholic Beverages**

- 2.1 Possession/Use** – The possession or use of alcoholic beverages is not permitted by any student at any time, regardless of age, anywhere on the College premises. This includes possession of alcoholic beverages in one’s room, on one’s person, in personal belongings, in one’s vehicle, or being in the presence of alcoholic beverages. This also includes possession of empty alcohol containers. Since it must be assumed that the



alcohol was consumed on campus, empty containers are treated the same as full containers. (Level 1 or Level 2)

- 2.2 Intoxication** – Intoxication as exhibited by behavior is prohibited. The influence of alcohol will not be considered a legitimate excuse for violation of other college policies and may result in a more severe sanction for such violation. (If any student is in medical danger because of intoxication, seek medical attention immediately. Please review the Medical Amnesty policy.) (Level 1 or Level 2)

*(See Appendix C for the NC statute on alcohol.)*

- 3. Communicating Threats** – This includes any act, verbal or non-verbal, which is threatening or intimidating, or is perceived as threatening or intimidating or is perceived as detrimental to the health and safety of any person. This does include any social media or electronic postings. *(Level 1,2, 3)*

**4. Controlled Substances**

- 4.1 Possession/Use** – Any possession or use of controlled, prohibited, or illegal substances or use of (or intent to use) substances for purposes or in manners not as directed. This includes possession/use of controlled substances in one's room, on one's person, in personal belongings, in one's vehicle, or being in the presence of controlled substances. Examples include but are not limited to: possession or use of illegal substances in any quantity, including residue and seeds; possession or use of prescription drugs without a valid/current medical prescription; use of prescribed medication not as directed (over-use, snorting prescribed medication, etc.); huffing, snorting, smoking or otherwise possessing or using legal substances not as intended. Substances such as JWH-018 (K2, "Spice"), salvia and pyrovalerone derivatives (found in substances marketed as "bath salts") are not intended for human consumption and are prohibited for possession or use by any student. State laws regarding narcotics and controlled substances will be observed and enforced. [If any student is in medical danger because of the use of a controlled substance, seek medical attention immediately. Please review the *Medical Amnesty* policy below.] *(Level 1, 2, 3)*

- 4.2 Paraphernalia Possession** - In accordance with state law, drug-related devices (paraphernalia) are prohibited on College premises (including possession in one's room, on one's person, in personal belongings, or in one's vehicle). Paraphernalia may include, but is not limited to, marijuana/crack pipes, bongs, homemade devices used as bongs, rolling papers, roach clips, shredded cigars (blunts), smoke masking devices, and any apparatus containing drug residue. *(Level 1, 2, 3)*

- 4.3 Distribution/Intent to Distribute** – any sale or distribution (including distribution without financial gain) of controlled or illegal substances or any substances prohibited by policy. This includes sharing of prescription medication. Including being in the presence of or aiding and abetting the possession, sale or use of prohibited, controlled or illegal substances. *(Level 3)*

*(See Appendix B for drug law information.)*

- 5. Dishonest Acts** – This includes but is not limited to plagiarism, cheating, or fraud not handled under the academic dishonesty policies in the College Catalog. (Refer to the College Catalog for a detailed description of these items.) Dishonest acts also refers to furnishing false information to a College Official/Employee, the alteration, forgery, or misuse of an official College document, record, or form of identification, and tampering with elections conducted by official College organizations. *(Level 1 or Level 2)*
- 6. Disorderly or Disruptive Conduct** – This includes any behavior which is disorderly, disruptive, or disturbs the peace. This includes lewd or indecent behavior; any obstruction or disruption of teaching, study, research, administration, conduct proceedings, other College activities, or other non-college activities on College premises. Including, but not limited to, excessive noise; public urination or defecation; horseplay, practical jokes, hiding from university officials, hall sports and general annoyances. *(Level 1 or Level 2)*
- 7. Encourage, Influence, or Support an Individual to Violate College Policy** – This includes but is not limited to any action on the part of an individual to encourage or coerce another individual to violate a college policy, to include providing support in any way for the individual who violates policy before, during, or following the violation. This may also include any individual who is aware of but takes no action to address a real or potential policy violation. Should a student become aware of a real or potential policy violation, the student shall advise the offender or potential offender that such action is a policy violation, inform a College Official about the violation, and not become a participant in the violation by remaining present when the violation is occurring. *(Level 1 or Level 2)*
- 8. Failure to Comply**
  - 8.1 Failure to Comply with a College Official/Employee** – This includes failure to comply with any reasonable request made by a College Official/Employee in the performance of his/her duties, and the failure to identify oneself/provide a valid college Id to a College Official/Employee when asked to do so. This also involves failing to comply with a summoning (See Residence Life Policies – Identification Cards.) *(Level 1 or Level 2)*
  - 8.2 Failure to Comply with Education Sanction** – This includes failure to comply with the terms of any educational sanction imposed in accordance with the Student Code of Conduct or Title IX Policy (formal or informal resolution). Students must complete any and all sanctions assigned to them by the due date given. A student who does not complete any sanction by the due date and to the satisfaction of the conduct body or Dean of Students will be out of compliance and held “Responsible” for violation this policy. It is the responsibility of the student to notify the conduct body of any extenuating circumstances that would prohibit the completion of a sanction by the due date given. The Dean of Students or designee may take administrative action to either extend the sanction deadline or to impose a new sanction or conduct status, up to and including suspension. This action and new sanction(s) and/or status would be imposed without neither a new conduct conference nor be subject to the regular appeals process. *(Level 1 or Level 2 or Level 3)*

**9. Failure to Observe Traffic/Parking Regulations** – This includes, but is not limited to, improper parking, driving in an unsafe manner, driving at an unsafe speed, etc. Violations of traffic regulations may result in the revocation of parking privileges, subjecting the student's vehicle to towing at the student's expense. Traffic/Parking violations are subject to citation – repetitive violations may result in the revocation of campus parking privileges. Vehicles parked in a fire zone will be immediately towed. *(Level 1 or Level 2)*

## **10. Fire and Safety**

**10.1 Arson** – This includes starting or attempting to start a fire anywhere on College property, preventing or attempting to prevent the reporting of a fire, or preventing or attempting to prevent the extinguishing of a fire. *(Level 3)*

**10.2 Creating a Safety, Health, or Fire Hazard** – This includes, but is not limited to, actions resulting from 'pranks', improper disposal of trash, failure to evacuate during a fire alarm (either planned drill or otherwise), etc. *(Level 1, 2, 3)*

**10.3 Abuse of Fire and Safety Equipment** – This includes the setting of false alarms, misuse of emergency exits, and tampering with fire equipment, extinguishers, and alarms. This also includes the tampering with, interference of, or damaging of security and safety equipment (cameras, locks, etc.) *(Level 1, 2, 3)*

**10.4 Fireworks - Possession or use** – This includes the possession or use of any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, or detonation, including but not limited to firecrackers, bottle rockets, roman candles, M-80s, etc. *(Level 2 or Level 3)*

**11. Gambling** – Illegal gambling or wagering is prohibited on College property or at College-sponsored functions. *(Level 1)*

**12. Gang Activity** - This includes any activity which could lead college officials to reasonably believe that such behavior, apparel, activities, acts or other attributes are gang related and would materially interfere or substantially disrupt the college environment or activity and/or educational objectives. This may include: wearing apparel of a gang related nature (including but not limited to clothing, clothing accessories, jewelry, hair accessories, tattoos, emblems, badges, symbols, signs), presenting a physical safety hazard to self, students, staff, faculty or other persons on the college campus, communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) to convey membership or affiliation in a gang, defacing college or personal property with gang-related graffiti, symbols, or slogans, soliciting others for gang membership. *(Level 2 or Level 3)*

**13. Harassment** – This includes harassing, bullying, abusing or threatening another by means other than the use or threatened use of physical force, including, but not limited to, face to face communication, phone call, text message, e-mail communication, or social media outlets (ex: Facebook, Twitter, Snapchat, Instagram, etc.) that includes one or more of the following: speech or action that in and of itself inflicts injury or tends to incite a disruption, or causes substantial disruption, or reasonably causes fear of great harm, or that interferes

with the educational environment or disrupts college programs; speech or actions that interfere with ingress and/or egress on campus, speech or actions which are obscene. *(Level 2 or Level 3)*

**14. Hazing** – This includes any act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property for the purposes of initiation, acceptance, admission into, affiliation with, or as a condition for the continued association in a group, organization, or team. The express or implied consent of the victim will not be a defense. *(Level 2 or Level 3)*

**15. Residence Life Policy** – Violation of any residence life policy as outlined in the Residence Life Policies section of the Student Handbook including, but not limited to violation of guest policy, violation of visitation policy, possession of prohibited items, violation of noise/quiet hours policy, violation of pet policy, unauthorized room change, or use of tobacco product. These infractions are considered minor in nature, but will detract from the overall atmosphere of the community if they are repetitive. *(Level 1 or Level 2)*

**16. Retaliation** – Engaging, encouraging others, or directing others in an adverse action or threat of an adverse action against a complainant, respondent, or any individual or group of individuals involved in the complaint, investigation, and/or resolution of an allegation of a violation of College's Student Code of Conduct, Title IX policy, or other College policy; including any individual who attempts to intervene, prevent, or report behavior prohibited by these policies. Retaliation can be committed by an individual or group of individuals, not just a complainant or respondent. Examples of retaliation include, but are not limited to, threats, intimidation, pressuring, continued harassment, violence, or other forms of harm to others. *(Level 2 or Level 3)*

**17. Sexual Harassment, Discrimination, and Misconduct** - *(See Title IX Policy for the Response Plan for violations of Sexual Harassment, Discrimination, and Misconduct.)*

**17.1 Sexual Assault** – This includes any action that constitutes sexual abuse, including but not limited to date/acquaintance rape, any sexual act against another person forcibly (against that person's will), or not forcibly and against that person's will when that person is unable to give consent [See definition of "Consent"].

**17.2 Non-Consensual Sexual Contact** – Any sexual contact that occurs without consent [See definition of "Consent"]. Examples of sexual contact include but are not limited to: the intentional touching of a person's genitalia, groin, breast, or buttocks or the clothing covering any of those areas, or using force to cause the person to touch his or her own genitalia, groin, breast, or buttocks.

**17.3 Sexual Exploitation** - taking sexual advantage of another person without effective consent. This includes but is not limited to: causing the incapacitation of another person for a sexual purpose; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and

knowingly transmitting a sexually transmitted infection, including HIV, to another person.

- 17.4 Sexual Harassment** – includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic success; 2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or 3) such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work or educational environment.
- 17.5 Sexual Coercion or Intimidation** – an unusual amount of pressure or threat to engage in sexual activity. Coercion begins not when one makes a sexual advance, but when one realizes that the other person does not want to be convinced and he or she continues to push.
- 17.6 Intimate Partner and Relationship Violence** – This violation includes actions often referred to as Domestic Violence or Dating Violence. This includes coercion, abuse, or violence between partners in a personal, intimate relationship. This behavior can be physical, sexual, economic, verbal, emotional, or psychological actions or threats of actions that influence another person. Incidents can occur between current or former romantic or intimate partners who have dated, lived together, or been married. Relationship abuse and violence can occur between persons of the same or different gender.
- 17.7 Stalking**– This includes repeatedly contacting another person when the contact is unwanted. The conduct may cause the other person reasonable apprehension of imminent physical harm or substantial impairment of the other person's ability to perform the activities of daily life. Contact includes but is not limited to unwanted communication (in person, by phone, or by computer), unwelcome gifts or flowers, following a person, and watching or remaining in the physical presence of the other person.

*(Violations of the Sexual Harassment, Discrimination, and Misconduct policy can be Level 1 or Level 2 or Level 3)*

## **18. Theft**

- 18.1 Theft or Attempted Theft** – This includes theft/attempted theft of property belonging to the College, a member of the College community, or a guest of the College or College community. Included in this policy is the removal of College property from its designated place (i.e. removal of lounge furniture to a student's room or removal of dinnerware from the cafeteria). *(Level 2 or Level 3)*

**18.2 Theft or Abuse of Information** (Soft or Hard Copy) – This includes but is not limited to the unauthorized entry into a file to use, read, or change the contents or for any other purpose. *(Level 1 or Level 2)*

## **19. Unauthorized Entry**

**19.1 Unauthorized Entry into College Facilities** – This includes the use/entry of College facilities without proper prior approval from the appropriate college official. This policy includes breaking into a college facility or using a door access card that does not belong to the student themselves. *(Level 1 or Level 2 or Level 3)*

**19.2 Unauthorized Entry into a Residence Hall Room** – This includes entry, with or without force, into a residence hall room not assigned to a student and without the permission of a student assigned to the room or by a College Official authorized to grant entry into the room. *(Level 1 or Level 2 or Level 3)*

**20. Unauthorized Possession, Duplication, or Use of College keys or Student ID** – This includes the possession of unauthorized keys (including possession of room keys/cards not issued to holder). Students are reminded that keys/ID cards are not to be given to anyone else for any reason. *(Level 1 or Level 2 or Level 3)*

**21. Vandalism** – This includes the willful intent of destruction, defacement, or damage or attempted damage to property belonging to the college or any member of the college community or guest, including, but not limited to: defacing structures, bulletin boards, equipment and facilities; parking/driving on grass and sidewalks; grinding or rail sliding with skates or skateboards; littering; and removing window screens. *(Level 1 or Level 2 or Level 3)*

**22. Violation of any Federal, State, or Local Law** – This includes any Federal, State, or Local law not specifically covered in the Student Code of Conduct or College policies. For violations that involve local, state, and/or federal law, conduct decisions and sanctions issued by Louisburg College are separate and distinct from any legal action taken by the courts. As the Louisburg College Conduct system operates under the guidelines of ‘preponderance of evidence’ (see Conduct Procedure: Evidence), it is possible to be found not guilty or have the case dismissed in the courts and be found responsible in the Louisburg College Conduct system. *(Level 1 or Level 2 or Level 3)*

## **23. Weapons**

**23.1 Lethal Weapons Possession/Use** – This includes the possession or use of weapons, including but not limited to explosives, firearms, ammunition, knives (including pocketknives of any size), brass knuckles, any implement capable of inflicting serious bodily injury, or dangerous chemicals are prohibited on the College premises, including in one’s room, on one’s person, in personal belongings, or in one’s vehicle. Federal and state laws regarding weapons and firearms will be observed and enforced. *(Level 3)*

**23.2 Non-lethal Weapons – Possession/Use** – This includes the possession or use of projectiles that may result in direct or indirect injury. This may include but is not limited to: slingshots of all types, water balloons, water guns, paintball guns, slingshots, air soft guns, etc. Pepper spray/mace is permitted as a tool for safety. However, if used in an offensive manner/not in self-defense, it is considered a non-lethal weapon subject to this policy. *(Level 2 or Level 3)*

#### ADDITIONAL POLICY CONSIDERATIONS

##### ***Residence Halls and Rooms***

Students are responsible for all activities taking place in their residence hall room, whether they are present or not. They are responsible for any items found in the room, whether they are present or not. Also, a student who is a guest in another room is responsible for the items present and activities that occur in the room where they are present. Therefore it is incumbent upon each student to be aware of his/her surroundings to ensure he/she is not a party to any violations.

##### ***Social Media***

Social media sites can be effective tools for exchanging information. Louisburg College embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the U. S. Constitution and the state Constitution. However, any online behavior that violates the College's Student Code of Conduct which is brought to the attention of any College official may be treated as any other violation of the Student Code of Conduct. The College reserves the right to address such violations through the Student Conduct Process when the incident involves endangering the lives of others or self, or incidents of an extreme nature. Students should remember that any information or behavior exhibited or shared on social media sites could affect membership in clubs, organizations, and work study positions on campus as well as internships and jobs outside of Louisburg College.

##### ***Solicitation***

Solicitation of employees and students on Louisburg College premises by or on behalf of any business, club, society, or organization is strictly prohibited. This prohibition applies to employees, students, and those not affiliated with the College, and covers solicitation of any form, whether for membership, subscriptions, sales, or any payment of money. Limited exceptions may be granted by submitting a formal request stating the organization, contact person, reason for solicitation, and methods of solicitation employed to the Office of Student Life. Additionally, residence hall rooms are private dwellings and may not be used to operate a business enterprise of any type. Students should immediately report any solicitation to the Office of Student Life.

Student clubs and organizations may schedule programs involving fundraising with the consent of the Office of Student Engagement.

## STUDENT CONDUCT PROCESS

### ***Purpose***

The College recognizes that every person makes mistakes. As adults and responsible citizens, we are responsible for the decisions we make and the consequences of those decisions, whether positive or negative. The student conduct process is intended to give students the best opportunity to learn from their decisions and resultant actions which may have violated College policy. The purpose of the student conduct process is to educate, not to punish. The College believes learning takes place throughout the campus and during every part of a student's life. If a student's behavior violates College policy, that experience provides an opportunity for the student to understand and accept there are consequences to his/her actions, reflect on how he/she made decisions that lead to those actions, and determine how he/she will learn and grow from the experience. The student conduct process facilitates this learning process.

Every member of the Louisburg College community deserves respect, safety and security, and freedom from undue distractions in the pursuit of education and participation in college and social activities. To this end, the student conduct process will address issues of student conduct and behavior that may be harmful or disturbing to other students, college personnel, or college and community property.

It is the intent of the student conduct process to handle each violation of the Student Code of Conduct in an individual manner. The system is designed to treat each student fairly and consistently, while acknowledging that each situation is different and similar violations may require different outcomes.

### ***Student Conduct Process***

The student conduct process includes several phases and is directed out of the Office of Student Life. The phases described below are general descriptions of a typical process and not inclusive of every case, as each case is unique. The typical phases in the process are: the complaint; an investigation; notice of charges and summons given for hearing; and notice of findings and conference outcomes. A case is considered closed if the respondent is found "not responsible" of all violations or when all educational sanctions are complete.

### ***Complaint***

Any member of the college community may file a complaint against a student for violations of the Student Code of Conduct. Complaints may be verbal or in writing. A written complaint should be directed to the Office of Student Life (Davis 105) or emailed to the Head of Student Conduct. A verbal complaint may be made to a staff member in the Office of Student Life. A report created by Student Life staff (i.e. Community Directors, Resident Advisors, and Campus Safety and Police) is considered a complaint. Any complaint should be submitted as soon as possible after the event takes place.

### ***Investigation***

Upon receipt of the complaint, the Head of Student Conduct may conduct an investigation to determine if there is a reasonable suspicion of any violations of policy by the respondent(s). This could include, questioning students, gathering statements, reviewing evidence, or interviewing witnesses. Campus Safety may also assist in investigations where appropriate. If it



is determined there is a reasonable suspicion of a policy violation, the Dean of Students or designee will determine which policies were possibly violated and assign the complaint to be heard by the most appropriate conduct body. If deemed appropriate, the Head of Student Conduct may decide to use alternative measures to the conduct process to resolve complaints. (See *Alternative Measures to the Conduct Process*).

### ***Notice of Charges and Conference***

The respondent (the student named as possibly violating policy) will receive notification of the date and time for the student to meet with the Head of Conduct for this hearing. This notification will be sent in a reasonable amount of time prior to the hearing. This notice will be communicated via campus email. Students are strongly encouraged to check their email daily.

NOTE: At the time of the conference, if a student is not enrolled (taking classes) in the College, conferences may still be conducted and students requested to participate. This includes when a student withdraws from the college prior to the completion of the Student Conduct Process. If a conference cannot be conducted or the Head of Student Conduct decides to defer the conference, the respondent's Student Conduct Record will reflect the pending conduct violation. The respondent will be required to have the case resolved through the Student Conduct Process prior to readmission to the College. Additionally, this information may be communicated to other schools the respondent is considering attending when records are requested and authorized to be released.

### ***Summary Resolution***

Summary resolution occurs when the respondent accepts responsibility for all alleged violations. This acceptance must be either in writing and signed by the student or received directly from the student's own campus email account. The respondent would have a meeting with a Student Life staff member to have an educational conversation about the incident and discuss the outcomes that would be assigned to the student.

### ***Conduct Conference***

There are two types of conduct conferences, an administrative conference and a College Conduct Board conference [see *Conduct Bodies and Conferences* for descriptions]. The conference will consist of the respondent, the complainant, the conduct body, and any relevant witnesses. Most often, the incident report initiated by a college official will stand as his/her statement, but there may be other witnesses that the conduct body deems appropriate and relevant. Respondents will have an opportunity to share their side of the incident and to question any witness. Questioning will be halted if it becomes abusive or repetitive. In conferences involving more than one respondent, the conduct body may permit the conferences concerning each respondent to be conducted either separately or jointly.

NOTE: The respondent may bypass the conference by accepting *Summary Resolution*.

### ***Evidence***

The standard of proof used by Louisburg College for proving violations is by a preponderance of the evidence. This means that the evidence presented must prove that it is more likely than not that the student violated the policy. A student's prior conduct record is not considered

when determining responsibility. However, it is considered in determining educational sanctions and conduct status for students found responsible for a violation.

### ***Notification of Findings and Conference Outcome***

Respondents will receive written notification of the outcome of the conference and of educational sanctions and conduct status (if any). In addition to written notification, an in person or phone meeting may take place to deliver the outcome. Parents/guardians of dependent students receive written notification of the outcome via mail if there is a finding of responsibility.

Complainants or victims of a crime of violence or a non-forcible sex offense are allowed by law to request (in writing) and receive notification of a conference outcome for any conduct proceeding against a student who is the alleged perpetrator of such crime or offense. If the victim is deceased, this information will be provided, upon request, to the next of kin of the alleged victim.

### ***Conduct Bodies and Hearings***

A respondent who challenges an alleged violation will have one of two types of conferences. The type of conference the respondent has depends on the severity of the possible outcome if they are found responsible. The conduct body, which may be an individual or group of individuals, are trained in the conduct policies and process and believe in the educational value of the conduct process. Conferences are designed to determine what was more likely than not to happen during an incident as well as help those involved learn and grow from the incident.

### ***Administrative Conference***

The administrative conference occurs when the respondent wishes to challenge one or more alleged violation(s) but is not facing suspension or expulsion as a possible outcome if found responsible.

- The conduct body is typically one college administrator who has been trained in the student conduct policies and process.
- The conduct body will conduct a conference to determine responsibility.
- A student is not required to attend the conference, but is strongly encouraged to do so. If the student does not attend, the conference will be conducted in absentia and decisions will be based on all available information. It is a student's responsibility to regularly check his/her campus email account and therefore a student who misses a conference because they did not read their notice cannot be used as an excuse for missing the conference.
- The conference is intended to be educational and may include a conversation on how the student is doing in classes, activities, in the residence halls, and life in general. Though these factors may not determine if the respondent is responsible, it will help the conduct body and respondent understand the full impact the incident has had on them and the community.
- The respondent will have the opportunity to discuss his/her perspective on the incident, accept or not accept responsibility for each alleged violation, and ask and answer questions about the incident.

- A respondent may present witnesses or statements from witnesses. If the respondent has witnesses, they should alert the conduct body no later than one (1) business day before the conference and have the witnesses provide written statements to the conduct body prior to the conference. [see *Witnesses*]
- The respondent may have an advisor present during the conference. [see *Conduct Conference Advisor*]
- Following the conduct conference, the conduct body will decide if the respondent is responsible or not responsible for each violation. If responsible, the conduct body will assign appropriate outcomes. [see *Conference Outcome*]

### ***College Conduct Board Conference***

The College Conduct Board meets when the respondent wishes to challenge one or more alleged violation(s) AND the outcome for responsibility could result in suspension or expulsion from the college. All College Conduct Board conferences are recorded.

When time constraints make convening the College Conduct Board impractical (i.e. beginning and end of the semester, Summer Sessions, etc.), these cases will be heard by one or more trained administrator selected by the Head of Student Conduct.

Cases that involve violations of the *Sexual Harassment, Discrimination and Misconduct* policy will handle per process outlined in the *Sexual Harassment, Discrimination and Misconduct Policy (Title IX Policy)*.

The following describes the College Conduct Board:

- College Conduct Board members are College students, faculty, and staff trained in the student conduct policies and process. Members are volunteers and will be selected by the Head of Student Conduct.
- When a College Conduct Board conference is necessary, three (3) College Conduct Board members will comprise the College Conduct Board for that conference. These members are selected by the Head of Student Conduct.
- A quorum is met when three (3) College Conduct Board members are present. The members may be any combination of faculty, staff, or students.
- One College Conduct Board member will serve as the Chair for each conference and will fully participate in that conference with the additional responsibilities to conduct the conference, maintain order, and adhere to the student conduct process during the conference. The Chair will also call for and collect the votes of each member during the deliberation process.
- Each member of the College Conduct Board in the conference will have one vote, including the Chair.
- Though consensus for a responsible finding is preferred, only a simple majority of the Board is required to find the respondent responsible for each alleged violation.
- Members who believe they have a conflict of interest in a case they have been assigned to hear should notify the Coordinator for Student Advocacy and Accountability of that conflict in order to be replaced by another board member. A member who knows a respondent, claimant, or witness or who may have general knowledge of the incident does not necessarily have a conflict of interest

with the case. A member must decide if he or she is able to be fair and impartial when listening to the evidence of the case and making a decision on responsibility.

- The Head of Student Conduct will serve as the administrator for the conference. This person may be present during the conference and deliberations. Their role may include, but not limited to; setting up the conference space; directing witnesses when to enter the conference; maintaining recording equipment; answering questions which clarify policies and procedures; and helping facilitate deliberations. The administrator does not have a vote nor do they share information with the board members which is known to him/her of the student or the case which was not presented during the conference for the purpose of deciding responsibility. The administrator may share information on the respondent's conduct history, academic record, and other relevant information when/if deliberations on appropriate educational sanctions and conduct status is taking place.

The following is an example of the process during a College Conduct Board conference. As each case is unique, each conference's process may differ.

1. The Chair calls the conference to order and notes the day, date, and time of the conference and informs participants that the conference is being recorded.
2. The Chair will introduce all participants, including the Head of Student Conduct.
3. The Chair will inquire if the respondent has read all reports associated with this case (the report is included in the Notice of Charges and Conference).
4. The Chair will state alleged violations. Respondent is allowed to agree or disagree regarding responsibility for each violation
5. The Chair recognizes the complainant(s) (if the College issued the complaint, there may not be a complainant present) and allows each complainant to make an opening statement (statements should be related to the incident).
6. The Chair recognizes the respondent and allows each respondent to make an opening statement (statements should be related to the incident).
7. The College Conduct Board members may question the complainant and respondent.
8. Witnesses, if any are brought into the conference individually to present their statements. The complainant(s), respondent(s), and College may present witnesses who have knowledge of the incident. [see *Witnesses*] The College Conduct Board members, the complainant(s), and respondent(s) may ask questions of each witness. Each witness is dismissed after questions are completed.
9. Any evidence collected by the College will be presented.
10. The complainant(s) may make a closing statement.
11. The respondent(s) may make a closing statement.
12. The College Conduct Board members may ask any final questions.
13. The Chair will end the conference and the respondent(s), complainant(s), and advisors will be dismissed. The administrator will meet briefly with each respondent and complainant to set up a time to deliver the outcome.
14. The College Conduct Board members will enter closed deliberations for its decision.

***The College Conduct Board's deliberations are closed and deliberations are not recorded.***

### ***Conference Outcomes***

A student found responsible for a violation of a policy will be assigned a conduct status and educational sanction(s). Additionally, notification of the outcome will be given to appropriate individuals as described below. Each student's case is decided based on its own merit and the conduct body has the authority to adjust a status and/or sanction under extenuating circumstances.

For violations that involve local, state, and/or federal law, conduct decisions and outcomes issued by Louisburg College are separate and distinct from any legal action taken by the courts. As the Louisburg College Conduct system operates under the guidelines of 'preponderance of evidence' (see *Student Conduct Process: Evidence*), it is possible to be found not guilty or have the case dismissed in the courts and be found responsible in the Louisburg College student conduct process.

### ***Conduct Status***

The following are each considered a conduct status, from least severe (Written Warning) to most severe (Expulsion). A student found responsible for violating a policy will be placed on one status. A student may be placed on any status regardless of his/her previous conduct history, or lack thereof, and which is the most appropriate status in relation to the policy found responsible for violating. Being found responsible for a subsequent violation may result in being placed on a more severe status. A Conduct Status may be appealed in accordance with the Appeal process outlined in the *Student Conduct Process* section.

1. **Written Warning:** Written warnings are issued to warn students that further misconduct may result in more severe conduct status or higher level educational sanctions. Since a student's conduct history is cumulative, a student who is on a Written Warning status and allegedly violates the Student Code of Conduct may have the violation handled as if it were a higher level than listed in the Student Code of Conduct (i.e. a second Level 1 Alcoholic Beverages violation may be handled like a Level 2 case). Written Warnings are in place for an indefinite amount of time. (*Level 1*)
2. **Conduct Probation:** Conduct probation may be issued for any violation of college policy. Conduct probation is for a specified period of time. Any violation that occurs during this probationary period will result in a more severe sanction up to and including separation from the college. (*Level 2 or Level 3*)
3. **Suspension/Deferred Suspension:** Suspension indicates a separation of a student from the College for a specified time, after which the student may apply for readmission to the College. The effective start and end date of the suspension is determined by the conduct body. The student will be eligible to apply for readmission and be re-enrolled after the end date. Applications for readmission are not guaranteed. If a suspension is put in place immediately, the student is typically given 24 hours to remove themselves and their belongings from campus housing, unless the Vice President for Student Life or designee deems that the student's presence on campus during that time would be detrimental to the student or campus community. The student is expected to take care of financial and academic matters as well as personal belongings during that time. A

suspension may also be *deferred* until a later date, typically the day after the last day of the current semester. The conduct body may determine that the student's conduct was severe enough to warrant a separation from the college, but there are mitigating circumstances to allow the student to continue being enrolled for the current semester. A student on *Deferred Suspension* may attend classes, activities, and events on campus (unless additional sanctions limiting participation are assigned by the conduct body). If a student is found responsible for violating College policy while on *Deferred Suspension*, he/she will be immediately suspended (or expelled, if decided by the conduct body) from the College. While on suspension, a student is considered *persona non grata* and may not be on Louisburg College property or attend events sponsored by the College. A student not adhering to this *persona non grata* policy will face legal implications, including arrest. The student is considered *persona non grata* until he/she re-enrolls in the College. (See the *Trespass (persona non grata) (Level 3)*)

4. **Expulsion:** Expulsion is the permanent separation of the student from the College and its premises. It is the most severe status that the college imposes. An expulsion is effective immediately upon communication to the student. At the time of expulsion, the student is given up to 24 hours to remove themselves and their belongings from campus housing, as deemed appropriate by the Vice President for Student Life or designee. The student is expected to take care of financial and academic matters as well as personal belongings during that time. An expelled student is considered *persona non grata* and no longer allowed to be on Louisburg College property or attend events sponsored by the College. A student not adhering to this *persona non grata* policy will face legal implications, including arrest. (See the *Trespass (persona non grata) (Level 3)*)

**Suspension/Expulsion at Louisburg College:** There are multiple ways a student could be separated from Louisburg College. If any of the following apply, a suspension or expulsion could occur:

- Being found responsible for a Level 3 violation of *any* kind;
- Being found responsible for multiple violations in one incident or over the course of several incidents;
- Being found responsible for a second controlled substances violation; and/or,
- Failure to comply with an educational sanction by the due date.

### ***Educational Sanctions***

The following are possible sanctions that correspond to the three levels of student conduct violations at Louisburg College.

- **CHOICES and ARC Workshops:** This sanction may be imposed on any student in violation involving use or possession of a controlled substance or alcohol. This series of workshops is aimed at educating students on the effects of drugs and alcohol on the human body. (*Level 2 or Level 3*)
- **Counseling Referral:** A counseling assessment may be required in an effort to help the student address issues he/she may be facing. The student may utilize counseling services available at Louisburg College or, at the student's own expense, through other licensed mental health care professionals. Proper release paperwork must be signed by the student to allow the Office of Student

Life to verify the assessment has taken place. The counselor may recommend further sessions with the student and it is the choice of the student whether they continue with those services. (*Level 1 or Level 2 or Level 3*)

- **Education Workshop:** The College offers several educational workshops that aim at educating students about certain topics, including conflict management, anger issues, and decision making. (*Level 1 or Level 2 or Level 3*)
- **Loss of Privileges:** A student may forfeit certain privileges for a specified amount of time due to a failure to properly utilize those privileges. Examples of privileges include but are not limited to: housing, visitation; parking; participating in campus activities, intramurals, athletic events; and utilizing campus facilities. (*Level 2 or Level 3*)
- **Restitution:** The student is required to make payments to the College or other persons, groups, or organizations for damages incurred as a result of an act of prohibited conduct. Any restitution assessed to student accounts must be paid in full prior to the release of grades or transcripts. Unpaid restitution is subject to collections as allowed by law. Students should note that financial aid *cannot* be used to pay restitution assessed due to a student conduct action. (*Level 1 or Level 2 or Level 3*)
- **Restorative Justice:** A restorative justice experience will focus on restoring to the victim what was taken and/or repairing harm imposed on a community. The victim could be an entire community or specific students, staff or faculty. Examples of restorative justice include restorative justice circle (discussion between the student and victims), community service related to nature of the incident (up to 40 hours), community commitment, presenting a program related to the nature of the incident, establishing a mentoring relationship with a faculty or staff member, or shadowing staff/faculty during specified activities. (*Level 1 or Level 2 or Level 3*)
- **Written Reflection:** This sanction may be imposed on a student with an expectation that the student will take time to reflect on their choices and the consequences associated with those choices through written reflection. (*Level 1 or Level 2 or Level 3*)

### **Conduct Fee**

Each student who is found responsible for violating a policy will be assessed a conduct fee in the amount of \$20. It is important to understand that this fee is viewed as a part of the overall sanction and failure to pay the fee will be viewed as a Failure to Comply with Educational Sanction [see *Student Conduct Policies*]. This fee is to offset administrative costs associated with the student conduct process. Fees assessed to student accounts must be paid in full prior to the release of grades or transcripts. Unpaid fees are subject to collections as allowed by law. Students should note that financial aid *cannot* be used to pay fees assessed due to student conduct action. The Conduct Fee is not grounds for appeal as outlined in the *Student Conduct Process: Student's Rights in Conduct Process - Appeals*.

### **Notification**

In the event a student is found responsible for violating a policy, the following people could be notified: Parents/Guardians (dependent students only), Academic Advisor, Community Director (residential students only), and other need-to-know Louisburg College faculty and

staff. Notification is not considered a sanction and is not grounds for appeal as outlined in the *Student Conduct Process*.

### ***Student's Rights in the Conduct Process***

The following are rights each student has during the conduct process; they are neither inclusive nor absolute. In each case, the student is responsible for invoking each right and following the policies and procedures outlined. A student's failure to use one or all of these rights does not constitute a deviation of the student conduct process. These rights are designed to help the student through the process and assist the conduct body and College make the best decision in each case.

### ***Accommodations***

The conduct body may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, respondent, and/or other witnesses during the conference by providing separate facilities, and/or by permitting participation by telephone, skype, video conferencing, videotape, audio tape, written statement, or other means as determined appropriate in the judgment of the Dean of Students or designee.

If a student participating in the conduct conference requires reasonable accommodations under the Americans with Disabilities Act, they should notify the Director of Student Advocacy and Accountability in a reasonable timeframe after receiving notification of the conference date and time and prior to the start of the conference. All attempts will be made to make reasonable accommodations.

### ***Appeal Process***

Both the complainant and the respondent have the right to appeal any decision made by the conduct body.

In order for an appeal to be considered, it must first meet one of the following criteria:

1. Information is now available that was not available at the time of the initial decision.
2. A procedural error occurred during the student conduct process.

Dissatisfaction with the outcome of the conference is not acceptable as the basis for an appeal.

### ***Appeals:***

- Must be in writing and submitted via the respondent's campus email account to the Dean of Students.
- Students must file the written appeal within three (3) business days from the date of the decision (i.e. the decision was delivered on Thursday, the appeal must be received no later than the following Tuesday, assuming a normal business week).
- Appeals must state the criteria used for the basis of the appeal and provide relevant information/documentation to support the appeal.

For appeals of decisions made as a result of an administrative conference:



- The Dean of Students shall review the written appeal to determine if it meets one of the stated criteria for an appeal.
- If the appeal is not based on one of the above criteria, the Dean of Students shall notify the student of such and deny the appeal.
- If the appeal meets criteria, the Dean of Students will deliver a decision within two (2) business days in writing via email to the student.
- In cases where the Dean of Students has a conflict of interest, the President will review the appeal.

For appeals of decisions made as a result of a College Conduct Board conference or decisions that resulted in suspension or expulsion:

- The Dean of Students shall review the written appeal to determine if it meets one of the stated criteria for an appeal.
- If the appeal is not based on one of the above criteria, the Dean of Students shall notify the student of such and deny the appeal.
- If the appeal meets criteria, the Dean of Students will convene the College Review Board.
  - The members of the College Review Board shall be:
    - One representative from the faculty appointed by the Vice President for Academic Life
    - The Registrar
    - One staff member appointed by the President
  - The College Review board could elect to have a representative from the Office of Student Life present to present findings from the conduct body.
  - The Dean of Students shall serve as a non-voting chair of the Committee.
  - Three committee members are required for a quorum for all meetings.
- The College Review Board shall meet within three (3) business days to consider and decide on the appeal.
- The College Review Board shall consider all documentation and information from all applicable sources in reaching their decision.
- The College Review Board will not rehear the case, but will use available information to determine if the appeal has merit.
- A decision to grant an appeal shall be on the basis of a consensus.
- Upon reaching a decision, the Dean of Students shall within two (2) business days notify the student and applicable offices of the decision via email.
- The decision of the College Review Board is final in all cases.

***Case Counselor***

A representative of the Office of Student Life will be assigned as a case counselor for each respondent. The Notice of Charges and Conference will list who the respondent's case counselor is. Respondents may set an appointment with their case counselor to review the student conduct process, the student's rights, assist in preparations for the conference, and answer any questions that the student may have. The case counselor will not hear the case or make judgements/predictions on possible outcomes.

A complainant may also request a case counselor by contacting the Dean of Students or designee.

***Conduct Conference Advisor***

Complainants and respondents are allowed to have a faculty or staff member or an actively enrolled Louisburg College student serve as an advisor during the conduct conference. The advisor cannot have another role during the conduct conference (i.e. respondent, complainant, or witness). During the conference, the advisor will be seated next to the complainant or respondent they are advising. The respondent/complainant and advisor may speak quietly to each other during the conference; however, the advisor may not ask questions to any other participants, including the conduct body, witnesses, other complainants, or other respondents. The advisor cannot speak for the respondent or complainant. Their primary role is to support the complainant or respondent.

Parents/guardians and attorneys are not allowed to attend conduct conferences.

***Witnesses***

The complainant, the respondent, and the College may arrange for witnesses to present pertinent information at the conference. Witnesses must have pertinent, first-hand knowledge of the incident. As such, character witnesses are not allowed at any conference as they do not contribute to an understanding of the incident.

If the respondent or complainant has witnesses, they should:

- Provide the name and contact information for each witness and how they relate to the incident to the Coordinator for Student Advocacy and Accountability at least one (1) business day prior to the conduct conference. The Director of Student Advocacy and Accountability will try to arrange the attendance of witnesses who are members of the college community, if reasonably possible.
- Have each witness provide a written statement, either a signed handwritten letter or from their own campus email account. Statements should give a complete account of their knowledge of the incident. Statements should be submitted to the Director of Student Advocacy and Accountability at least one (1) business day prior to the conduct conference.
- Ask each witness to be available from the start time of the conference through at least 30 minutes after for administrative conferences and one hour after for College Conduct Board conferences. Students should not miss class to be a witness in a conference.

During the conference, witnesses will provide information to and answer questions from the conduct body. Questions may be suggested by the respondent and/or complainant to be answered by each other or by other witnesses. These questions will be asked to the Chair or administrator and then relayed to the other participant, rather than to the witness directly. This method is used to preserve the educational tone of the conference and to avoid creation of an adversarial environment.

The college may also arrange to have witnesses' present information at the conference. Faculty and staff may be asked to be a witness during a conference, but their obligations may not allow the time to attend the conference. Written statements will be accepted from faculty and staff in these cases. A staff member involved in the investigation of an incident may use the report they submitted as their witness statement.

### ***Alternative Measures to the Student Conduct Process***

The Office of Student Life recognizes that there may be incidents when, in the best interests of those involved and/or the community, the formal Student Conduct Process may not be appropriate or necessary; however, the behavior and decisions of those involved should be addressed in order for all to learn and grow from the incident. In these cases, the following options are available to the Office of Student Life to address these concerns.

### ***Amnesty***

Students are encouraged to exercise their ethical responsibility to assist others who are in need, especially in emergencies. The amnesty policy encourages students to seek immediate medical assistance for themselves or others whenever there is a concern about extreme intoxication, alcohol poisoning, drug overdose, and/or sexual misconduct that threatens someone's health and safety.

When a student requests medical assistance (for self or someone else) because that individual has consumed too much alcohol or drugs and/or is at risk for being a victim of sexual misconduct, neither student will be subject to Student Conduct proceedings for the consumption. Amnesty does not preclude Student Conduct proceedings for other violations of College policy, nor does it protect intoxicated students from actions taken by local, state, or federal authorities, except where students may be protected by law. Additionally, A student who reports sexual misconduct will not be subject to conduct proceedings for his/her own personal consumption or possession of alcohol at or near the time of the incident, provided that the consumption or possession did not place the health and/or safety of any other person at risk or violate additional College policies. When seeking immediate medical attention, contact 911 (or 9-911 if calling from a college phone), then contact Campus Police at (919) 497-3400 (or ext. 3400 if calling from a college phone). First responders will determine the next steps in providing assistance, and Campus Police will report the name of the student needing attention and any students witnessing the incident to the Dean of Students for any follow-up deemed necessary by the Dean of Students.

When deemed appropriate, the amnesty policy is an option, not a requirement, for students involved in the incident. If a student decides to accept this option, in lieu of the

student conduct process and following the receipt of the report by the Dean of Students, the following procedures will be implemented:

- Any student in the incident will be required to meet with the Dean of Students or his/her designee to discuss the incident. The Student Life Office will contact the student to arrange the meeting.
- Following the meeting with the Dean of Students, the student requiring medical attention must meet with the Director of Counseling Services or designee for an informal alcohol/drug assessment. The student must complete the assessment and any resulting treatment or educational recommendations by a deadline specified by the Dean of Students in consultation with the Director of Counseling Services or designee.
- The student meeting with the Director of the Counseling Center will be required to sign a release allowing the Director of the Counseling Center or designee to communicate with the Dean of Students. This release will be limited as to protect the student's confidentiality as much as possible. The student will be asked to give permission for the Director of Counseling Services or designee to disclose whether or not the assessment and any resulting recommendations have been completed.
- The failure of a student to attend the meeting with the Dean of Students and/or complete the assessment or resulting treatment or educational recommendations from the Counseling Center may result in a referral to the Dean of Students for further action.

### ***Educational Conversations/Restorative Justice***

In some instances, typically in first-time low-level violations, the Coordinator for Student Advocacy and Accountability may attempt to resolve complaints and alleged violations of the Student Code of Conduct through Educational Conversations or Restorative Justice practices. These initial attempts at resolving issues would not be considered sanctions, as they would happen before any official process in the conduct system. Participation from all involved parties would be voluntary. If a resolution is successful, involved students would not have any violations or sanctions placed in their Student Conduct Record. However, if the Coordinator for Student Advocacy and Accountability determines that a resolution was not achieved or all parties do not wish to participate, the Coordinator for Student Advocacy and Accountability reserves the right to resolve any complaints through the most appropriate method.

### ***Summary Actions Taken by the College***

At times, the College may have to take actions to mitigate risks to individuals and/or the community. These actions are not considered outcomes or sanctions. Their issuance is not to be used as evidence during any conduct conference to determine a student's responsibility for violating a policy. Because of the possible impact on a student's status and accessibility to college resources and activities, each action is considered carefully before being implemented.

### **Temporary Removal from Campus**

At the sole discretion of the Dean of Students or designee and to help ensure the safety and well-being of the College Community, the College may impose *Temporary Removal from Campus* for a student who is suspected of (1) violating the Student Code of Conduct and (2) the student's presence is viewed as a threat to the college community, property, and/or disrupting normal college functions. Student Conduct proceedings shall be scheduled as soon as practical following the temporary removal from campus.

A temporary removal from campus:

- Becomes immediately effective without prior notice;
- Means that the student is *persona non grata* (see *Trespass (persona non grata)* below) and not allowed to be on property owned or controlled by Louisburg College at any time until the case has been resolved through the Student Conduct Process or the accusation has been dismissed upon investigation. Exceptions may be granted by authority of the Dean of Students. The student is permitted to return to campus for the purpose of participating in a student conduct conference;
- Means a student shall be ineligible to attend classes. The student may contact his/her instructors via email/telephone to request assignments during this period;
- Is not an outcome of the conduct process nor a conduct status. Due to the impact this action may have on a student's academics, the student's instructors will be notified as well as other need-to-know staff. To ensure the student's wellbeing during the temporary removal from campus, the student's parent/guardian, if a dependent, will be contacted;
- Shall not be used as evidence in any conduct conference;
- Is in effect until the Dean of Students or designee communicates otherwise or the student has had a conduct conference on the related matter.

### **No Contact Orders**

The Dean of Students or designee may determine, either in her/his assessment of a situation or at the request of an individual, that two or more individuals should no longer have contact with each other in order to maintain a safe environment, promote civility, and for the general well-being for those individuals and/or the campus community. In those cases, a "No Contact Order" may be issued verbally and/or in writing between a student and other members of the Louisburg College community, including other students, faculty, or staff.

A no contact order:

- Between students is always mutual, that is two-way.
- Between student(s) and faculty, staff or other nonstudents prohibits the student(s) from communicating with each other and with the specified faculty, staff or other nonstudents.
- Does not require agreement or even prior notice to either or all parties.
- Can be issued prior to or as a result of a conduct conference, or entirely outside of a student conduct process for a specified or unlimited duration of time.
- Prohibits all forms of communication between designated students or from designated student(s) to specified faculty, staff, or nonstudent(s), direct or indirect,

- written, electronic (including all forms of social media) or through a third party (i.e. friends, family).
- Are not similar to court imposed restraining orders and do not guarantee that designated parties will avoid sightings or passing interactions on the campus or in the local community.
  - May restrict a student from parts of the campus where he/she would not have to engage in required academic activities.
  - Does not become part of a student's conduct record unless the student violates the order as determined through the student conduct process.
  - Is not considered an outcome nor a conduct status.
  - May not be used as evidence during a conduct conference, unless the alleged violation is failure to comply with the same "No Contact Order".
  - Is in effect until the Dean of Students or designee communicates otherwise.

Students who are concerned about personal safety should contact Campus Safety at 919-497-3400.

### ***Trespassing (persona non grata)***

As a private institution, Louisburg College reserves the right to consider any individual *persona non grata* and issue a 'no trespassing' order to any person whose presence it deems unsuitable. Subsequent trespassing on Louisburg College premises will result in legal action. All College property is private property.

Any student who is under suspension, expulsion, or whose enrollment has been terminated by Louisburg College for any student conduct or academic reason may not be present on College premises or at a College-sponsored event at any time during the period of suspension/expulsion without prior written approval from the Dean of Students or designee . Any student who has been removed from the residence halls may not visit the residence halls or vicinity while in commuter status. Students violating these policies will be issued a trespassing warning and will further jeopardize their standing with the college.

### ***Parent/Guardian Involvement***

The College understands and values the unique and special relationship that can exist between parents/guardians and their students. The College desires to foster free and open communication with parents/guardians. Developmental and legal issues guide the College as it relates to communication and involvement with parents/guardians and students in resolving potential conflicts and situations. Any student enrolled in the college, regardless of age, is no longer considered a minor from an educational standpoint. The Family Educational Rights and Privacy Act (FERPA) clarifies and limits the amount of information a college is allowed to share with anyone, including parents/guardians, regarding any student.

During the course of a students' college experience, there is always the possibility of an incident occurring that requires intervention and decision-making by an appropriate college official.

Louisburg College encourages parents/guardians to communicate with their students about their college experience in a healthy way, while realizing that this communication could be

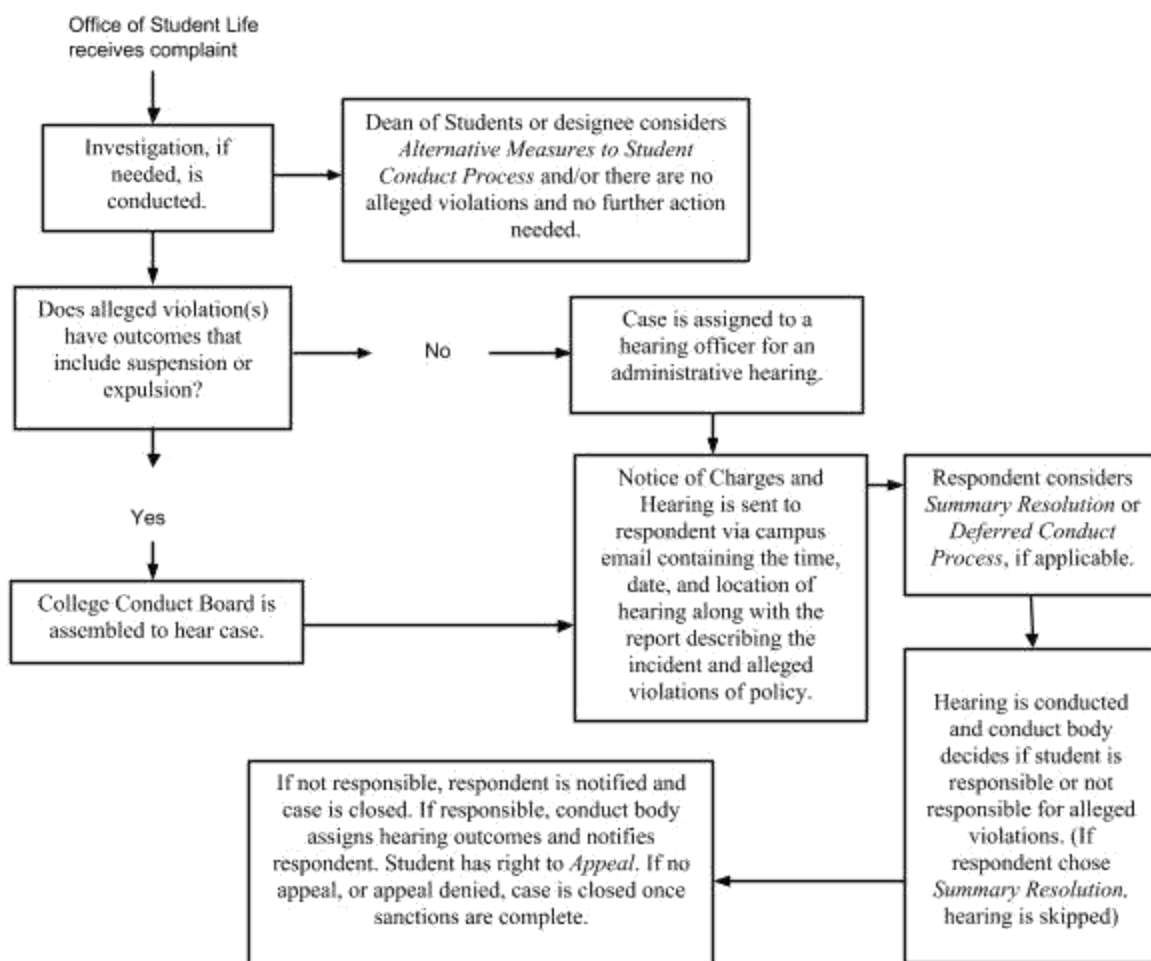
different than when the student was in high school. With any college experience, students see this as a way to gain more freedom. Louisburg College would encourage parents/guardians hold regular conversations on academic course work, involvement in clubs and organizations, relationships with friends and roommates, and how they are enjoying their college experience. Additionally, Louisburg College would encourage parents/guardians to talk with their student about what information is expected to be shared and what information can be distributed to them by the college.

Louisburg College encourages parents/guardians to contact the college with any questions or concerns. We want to make sure that each and every student has an amazing college experience as we are building those strong foundations so that students may move forward into a great future.

### STUDENT CONDUCT RECORDS

Student conduct records are maintained in the Office of Student Life for a period of five years. The provisions of the Family Educational Rights and Privacy Act govern accessibility to these records. Student Conduct records are personal and confidential. Students may inspect their records during normal working hours. College officials who have professional justification for such information may also inspect these records. Students should also be aware that institutions to which they may apply typically request a conduct report on potential students to help determine whether or not to admit that student. The college does not provide copies of video or audio recordings of conduct conferences for students.

### *Student Conduct Process*





## TITLE IX POLICY

### ***Sexual Harassment, Discrimination, and Misconduct Policy***

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” - Title IX, Education Amendments of 1972

Louisburg College is committed to providing a safe living, learning, and working environment that is free from harassment and discrimination. Louisburg College believes that all people should be treated with respect and dignity and that we are all accountable for our actions. As such, Louisburg College does not tolerate sexual harassment, discrimination, and misconduct. Sexual harassment, discrimination, and misconduct may include but is not limited to sexual assault, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, sexual harassment, sexual coercion, dating and relationship violence, and stalking. All acts of sexual misconduct are forms of sex discrimination and are prohibited by Title IX and College policy.

#### ***College Jurisdiction***

This policy is applicable to all members of the Louisburg College community, including students, employees, visitors, and independent contractors. Members of the College community are responsible for their behavior, regardless of whether the conduct in question occurs on campus or an off-campus location. Therefore, this policy applies both to on- and off-campus conduct. While there are no geographic limitations regarding conduct that may be addressed by this policy, sexual harassment, discrimination, and misconduct alleged to have occurred off campus may be more difficult to investigate. Additionally, complaints brought by individuals who are not part of the campus community against members of the campus community will be addressed pursuant to this policy.

#### ***Title IX Staff***

**Title IX Coordinator:** Ron Shidemantle, Dean of Students, 108 Davis Hall, 919.497.3297, rshidemantle@louisburg.edu

**Deputy Title IX Coordinator:** Benjamin Slate, Assistant Professor of Theatre, 919.497.3324, bslate@louisburg.edu

**Deputy Title IX Coordinator for Human Resources:** Terry Wright, Director of Human Resources, 204 Davis Hall, 919.497.3294, twright@louisburg.edu

#### ***Definitions***

1. **Complainant** – An individual who has experienced alleged sexual harassment, discrimination, and misconduct.
2. **Respondent** – The individual against whom a complaint of sexual harassment, discrimination, and misconduct has been made.

3. **Bystander** – Individuals who observe possible sexual harassment, discrimination, and misconduct and have the opportunity to intervene. Bystanders may report possible sexual harassment, discrimination, and misconduct (see “Reporting”). Responsible employees which includes faculty and staff are required to report.
4. **College** – Louisburg College
5. **Confidential Resources** – Employees at the College who are permitted to guarantee confidentiality. These include staff in the Joel Porter Counseling Center (919-497-3205); the College Chaplain (919-497-3231); and health services staff (919-497-1399).
6. **Responsible Employees** – Louisburg College faculty and staff, including residence life staff, who are not designated as confidential resources. While we take the wishes of the complainant into strong consideration, reports of sexual harassment, discrimination, and misconduct made to a responsible employee must be reported to the College’s Title IX Coordinator.
7. **College Community** – Students, employees, visitors, and independent contractors of Louisburg College.
8. **Consent** – words or actions that show an active knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, by ignoring or acting without regard to the objectives of another, or by taking advantage of the incapacitation of another, where the student knows or reasonably should have known of such incapacity. Use of alcohol or drugs may impair an individual’s capacity to freely consent and may render an individual incapable of giving consent. Consent may not be implied by silence or any other absence of active resistance. Prior consent does not imply consent to future sexual acts, nor doesn’t consent to one type of sexual act imply consent to another type of sexual act.

#### **Yes means Yes**

This means that affirmative consent should be freely given by all participants, without coercion or duress, before any sexual activity occurs. It does not matter if or what kind of sexual behavior has occurred at an earlier point in time. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal of consent is communicated clearly. Upon clear communication of withdrawal, all sexual activity must cease.

#### **Consent may not be given by the following persons:**

- Individuals who are mentally incapacitated at the time of the sexual contact in a manner that prevents him or her from understanding the nature or consequences of the sexual act involved;
- Individuals who are unconscious or otherwise physically helpless; and
- Minors.

**Incapacitation** is defined as the physical and/or mental inability to make informed, rational judgements that inhibits an individual’s ability to give consent. Incapacitation may be caused by

a permanent or temporary physical or mental impairment. Incapacitation may also result from the consumption of alcohol or the use of drugs.

The use of alcohol or drugs may, but does not automatically affect a person's ability to consent to sexual activity. The consumption of alcohol or drugs may create a mental incapacity if the nature and degree of the intoxication go beyond the stage of merely reduced inhibition and reach a point in which the complainant does not understand the nature and consequences of the sexual act. In such case, the person cannot consent.

A person violates the sexual harassment, discrimination, and misconduct policy if he or she has sexual contact with someone he or she knows or should know is mentally incapacitated or has reached the degree of intoxication that results in incapacitation. The test of whether an individual should know about another's incapacitation is whether a reasonable, sober person would know about the incapacitation. A respondent cannot rebut a sexual harassment, discrimination, and misconduct charge merely by arguing that he or she was drunk or otherwise impaired and, as a result did not know that the other person was incapacitated.

An individual who is passed out or unconscious as a result of the consumption of alcohol or drugs is physically helpless and is unable to give consent. **NOTE: Immediate medical attention should be summoned for an individual found to be in this state.**

### ***Sexual Harassment, Discrimination and Misconduct Policies***

1. **Sexual Assault** – This includes any action that constitutes sexual abuse, including but not limited to date/acquaintance rape, any sexual act against another person forcibly (against that person's will), or not forcibly and against that person's will when that person is unable to give consent [See definition of "Consent"].
2. **Non-Consensual Sexual Contact** – Any sexual contact that occurs without consent [See definition of "Consent"]. Examples of sexual contact include but are not limited to: the intentional touching of a person's genitalia, groin, breast, or buttocks or the clothing covering any of those areas, or using force to cause the person to touch his or her own genitalia, groin, breast, or buttocks.
3. **Sexual Exploitation** - taking sexual advantage of another person without effective consent. This includes but is not limited to: causing the incapacitation of another person for a sexual purpose; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and knowingly transmitting a sexually transmitted infection, including HIV, to another person.
4. **Sexual Harassment** – includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic success; 2) submission to or rejection of such conduct by an

individual is used as the basis for employment or academic decisions affecting such individual; or 3) such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work or educational environment.

5. **Sexual Coercion or Intimidation** – an unusual amount of pressure or threat to engage in sexual activity. Coercion begins not when one makes a sexual advance, but when one realizes that the other person does not want to be convinced and he or she continues to push.
6. **Intimate Partner and Relationship Violence** – This violation includes actions often referred to as Domestic Violence or Dating Violence. This includes coercion, abuse, or violence between partners in a personal, intimate relationship. This behavior can be physical, sexual, economic, verbal, emotional, or psychological actions or threats of actions that influence another person. Incidents can occur between current or former romantic or intimate partners who have dated, lived together, or been married. Relationship abuse and violence can occur between persons of the same or different gender.
7. **Stalking** – This includes repeatedly contacting another person when the contact is unwanted. The conduct may cause the other person reasonable apprehension of imminent physical harm or substantial impairment of the other person's ability to perform the activities of daily life. Contact includes but is not limited to unwanted communication (in person, by phone, or by computer), unwelcome gifts or flowers, following a person, and watching or remaining in the physical presence of the other person.

## RESERVATION OF RIGHTS

### ***Students***

Louisburg College expressly reserves its right to bring charges against any student, under the Student Conduct Process, for misconduct which does not constitute a violation of the Louisburg College Sexual Harassment, Discrimination, and Misconduct Policy.

When a student is reported to have engaged in both sexual harassment, discrimination, and misconduct and other types of misconduct, the College will ordinarily review the reported sexual harassment, discrimination, and misconduct and other types of misconduct pursuant to the Title IX Policy. The Title IX investigator will investigate the reported other types of misconduct and the final Title IX investigative report will reach conclusions concerning whether the respondent violated the Sexual harassment, discrimination, and misconduct Policy and any other sections of the Student Code of Conduct using a preponderance of the evidence standard.

If the Title IX report concludes that the respondent violated the Sexual harassment, discrimination, and misconduct Policy and any other sections of the Student Code of Conduct, the Sanctions Panel will determine the sanctions for all misconduct in accordance with the process described in Part III of the Title IX Policy. If the Title IX report concludes that the

respondent did not violate the Sexual Harassment, Discrimination and Misconduct Policy, but that the respondent did violate other sections of the Student Code of Conduct, the Title IX report will be referred to the Coordinator for Student Advocacy and Accountability for resolution in accordance with the Student Conduct Process set forth in the Student Code of Conduct.

### ***Employees/Vendors***

Louisburg College expressly reserves the right to address any alleged employee/contractual policy and workplace violations that are not covered by the Title IX Policy that may have taken place concurrently to the alleged Title IX Policy violation. These alleged violations will be addressed in the manner outlined in employee or faculty handbooks and/or contracts.

## **SEXUAL HARASSMENT, DISCRIMINATION, AND MISCONDUCT RESOLUTION PROCESS**

### **REPORTING A COMPLAINT**

A complaint is the reporting of an incident that may have violated the College's Title IX Policy. A complaint may be verbal or in writing. A written complaint is preferred in order to ensure the College understands the initial complaint, however, a verbal complaint will also be accepted. Anonymous reporting is available through the College's website, under Campus Safety & Police. Once a possible violation is reported to a Responsible Employee, the information shared will be given to the Title IX Coordinator.

**When making a complaint**, the complainant may choose how much information he or she wishes to share, however, certain details will make it easier to investigate and to ensure a complaint can be resolved. At the time of the complaint, it is most helpful to have:

- What occurred which resulted in the alleged violations (specific details are not yet needed)?
- Who was involved?
- Where and when did the incident occur?
- Is the incident ongoing or recurring?

This initial information will also be helpful in determining if any immediate and interim actions need to be taken to ensure the safety of the complainant, respondent, and the campus community as a whole. Additional information will be gathered if an investigation is deemed necessary. *At any time that a serious, imminent, and continuing threat exists, Campus Police will be notified and an LC Alert will be issued to the campus community.*

### ***Where to Make a Complaint***

If you believe you or someone you know has experienced sexual harassment, discrimination, and misconduct, you should promptly report the incident. When reporting a complaint, it is important to know who the most appropriate person is to report the incident and what will happen after a report is made. **There are three groups of people affiliated with the college**

**who must take specific actions once notified of a Title IX complaint: *non-confidential faculty and staff, confidential staff and campus police.***

No employee is authorized to investigate or resolve complaints of sexual harassment, discrimination, and misconduct without the involvement of the Title IX Coordinator. If you are unsure about what constitutes sexual harassment, discrimination, and misconduct at Louisburg College, please contact the Title IX Coordinator.

***Non-confidential faculty and staff***

You may report an incident to any Responsible Employee (faculty and staff, including Residence Life Staff, i.e. Resident Advisors and Community Directors). Responsible Employees have an obligation under federal law to inform the Title IX Coordinator of possible Title IX violations. Once the Title IX Coordinator is notified, the procedures outlined in the Title IX Policy will be followed. You may report directly to the Title IX Coordinator or Deputy Title IX Coordinators:

**Title IX Coordinator**

Ron Shidemantle  
Dean of Students  
rshidemantle@louisburg.edu  
919-497-3247  
Davis Hall 108

**Deputy Title IX Coordinator**

Benjamin Slate  
Assistant Professor of Theatre  
bslate@louisburg.edu  
919-497-3324  
Jones Performing Arts Center

**Deputy Title IX Coordinator for Human Resources**

Terry Right  
Director of Human Resources  
twright@louisburg.edu  
919-497-3294  
Davis Hall 204

***Confidential Staff***

Some College staff are not required to share information with the Title IX Coordinator. These confidential staff are a resource to all individuals in the Louisburg College Community who may have witnessed or experienced a violation of the Title IX policy but who do not wish to start the process outlined in the policy. An individual who utilizes a confidential resource may also report the incident to a non-confidential resource or ask the confidential staff to report the incident, if they wish. In some circumstances a confidential resource is legally required to break confidentiality, such as when someone is in immediate danger, a court orders the release of information, or if an incident involves a minor. At all other times, you can be assured that information shared with these individuals is kept in the upmost confidence. These confidential resources are:

**Counselors in the Joel Porter Counseling Center**

919-497-3205

Davis 104

**College Chaplain**

919-497-3231

Benson Chapel

**Staff in the Campus Health Clinic**

919-497-1399

Kenan 110

***Campus Safety***

Louisburg College Campus Safety have certain legal obligations when a crime is reported to them. Campus Safety officers are also Responsible Employees of the College and have the same obligation to report possible violations of the Title IX Policy to the Title IX Coordinator as non-confidential faculty and staff. If a violation of the Title IX Policy is also a violation of the law, Campus Safety may assist in the filing of a criminal complaint and guide the complainant through the criminal process. Campus Safety Officers are non-sworn officers and College employees; they have the same obligations of a Responsible Employee but do not act as agents of the State of North Carolina and therefore will not have the same obligations as a sworn officer.

Campus Safety

919-497-3400

Davis 100

**Note:** Adjudication via the criminal justice system is independent from the College's Sexual harassment, discrimination, and misconduct Grievance process. Regardless of whether a complainant decides to pursue resolution via the Sexual harassment, discrimination, and misconduct Grievance process, a criminal investigation, both, or neither, the College will take immediate steps to investigate the complaint, protect the complainant, and ensure the safety of the campus community. If a criminal complaint is filed in addition to a complaint reported to Louisburg College, the College will continue implementing its procedures and protections regardless of the timeline or outcome of the criminal procedures.

**RESOURCES AND SUPPORT FOR COMPLAINANTS AND RESPONDENTS**

The College encourages all who have witnessed or believe they have been a victim of sexual discrimination, including assault, to report the incident promptly. However, the College also recognizes that it may be difficult to discuss such incidents. The College will support complainants through the process. The College will provide certain policies and resources to ensure a complaint can be properly investigated and resolved. Once a respondent is identified, she or he will also be provided with resources as support through the process.

**Advisor**

A complainant and respondent may have an advisor present during any official meeting, interview, or hearing held during the process outlined in the Title IX Policy. The advisor can be anyone of the complainant or respondent's choosing, unless that person is also involved in the incident as a witness, complainant, respondent, investigator, or member of a conduct body hearing part or all of the case. The advisor is to be a support person during the process and is not a participant of the process.

**The advisor may not:**

- Speak for the complainant or respondent
- Ask questions on behalf of the complainant or respondent
- Ask questions or give statements during any part of the process
- Disrupt the process in any way

**The advisor may:**

- Speak with the complainant or respondent to whom they are serving as an advisor
- Answer questions posed to them by the complainant or respondent to whom they are serving as an advisor
- Request a break on behalf of the complainant or respondent to whom they are serving as an advisor
- Offer emotional support to the complainant or respondent

An advisor who does not abide by these guidelines will be asked to cease being the complainant or respondent's advisor and the College will ask the complainant or respondent to identify a new advisor.

**Note:** *Attorneys are permitted to be an advisor, however, they are not permitted to speak for or otherwise represent the respondent or complainant. Attorneys must abide by the same guidelines of all other advisors. If a respondent or complainant employs an attorney and requests them as his/her advisor, the College asks that the respondent or complainant notifies the Title IX Coordinator. The College may request a meeting with the attorney to go over the college's policy and expectations of them in this role.*

**Amnesty**

A student who reports sexual harassment, discrimination, and misconduct will not be subject to conduct proceedings for his/her own personal consumption or possession of alcohol at or near the time of the incident, provided that the consumption or possession did not place the health and/or safety of any other person at risk or violate additional College policies.

**Confidential Resources**

While all persons receiving a report of sexual harassment, discrimination, and misconduct understand the desire to keep information confidential, maintaining confidentiality is not always possible.



The only individuals at Louisburg College permitted to guarantee confidentiality are:

- **Counselors in the Joel Porter Counseling Center:** (919-497-3205)
- **College Chaplain:** (919-497-3231)
- **Campus Health Clinic Staff:** (919-497-1399)

These resources may be consulted at any time, including prior to making an official report to the College or law enforcement officials. To the extent possible, the College will respect an individual's request for confidentiality; however, the request for confidentiality will be weighed against the College's obligation to act on information it has received in order to provide a safe campus environment.

***Assistance & Support for Complainants of Sexual Harassment, Discrimination, & Misconduct***

Louisburg College recognizes the importance of assisting a member of the College community who is a complainant of sexual violence in regaining a sense of personal control. In this respect, several College departments coordinate resources to offer services to a complainant and others upon whom the sexual harassment, discrimination, and misconduct might have had an impact. Louisburg College strongly urges anyone who has experienced sexual violence/misconduct to:

<b>SEEK IMMEDIATE MEDICAL ASSISTANCE:</b>	
Emergency Services (EMS, Fire, Police)	911
Maria Parham Hospital & SARN (Sexual Assault Response Nurse)	252.438.4143
<b>VICTIM ASSISTANCE &amp; SUPPORT:</b>	
Safe Space (Located in Louisburg)	919.497.5444
NC Coalition Against Sexual Assault	919.871.1015
National Rape Hotline	800.656.HOPE (4673)
National Domestic Violence Hotline	800.799.SAFE (7233)
<b>LEGAL ASSISTANCE:</b>	
Campus Safety*	919.497.3400

\*Contact the Title IX Coordinator if you need additional assistance locating legal assistance.

<b>HEALTH, MENTAL HEALTH, &amp; COUNSELING SERVICES</b>	
Joel Porter Counseling Center	919.497.3205
Employee Assistance Program (Employees Only)	Contact Human Resources
<b>CAMPUS OFFICES</b>	
Financial Aid – Director of Financial Aid	919.497.3212
Immigration & Visa Assistance – Director of Admissions	919.497.3228

\* Campus Safety & Residence Life Staff can also contact the on-call counselor outside of regular business hours.

***Gather Information:***

If you need more information about filing a complaint, campus policies, rights, reporting and resources, contact:

Title IX Coordinator, Ron Shidemantle

919.497.3247

***Wrongful Allegation***

It is a violation of this policy to knowingly bring a false complaint under this policy. However, failure to prove a claim of sexual harassment, discrimination, and misconduct does not alone constitute proof of a false and/or malicious accusation. Individuals who make frivolous or false reports shall not be deemed to be acting in good faith.

***Non-Retaliation***

All members of the College community, including students, faculty, and staff, who have good-faith concerns regarding possible sexual harassment, discrimination, and misconduct are expected to report these concerns to the Title IX Coordinator. The College prohibits retaliation, in any form, against any individual who reports in good faith an actual, potential, or suspected violation of the Title IX Policy. Anyone who engages in retaliation will be subject to discipline in accordance with the College's retaliation policy and/or the Student Code of Conduct.

**ROLE OF TITLE IX COORDINATOR**

The Title IX Coordinator will first ensure that the complainant is safe and that the campus community is protected. The Coordinator will meet with the complainant(s) and respondent(s) of the complaint. The Coordinator is trained in college sexual harassment, discrimination, and misconduct and will provide information (in writing) and guidance to the complainant and respondent.

**The following information is provided:**

- Resources on campus and in the community, including counseling support
- Information about the College's investigation process and grievance procedures for pursuing a formal complaint against a faculty, staff, or student member of the campus community or third party
- Information about Louisburg College's non-retaliation policy
- Information about the complainant's right to pursue criminal action in addition to the College's procedures and actions
- Possible accommodations or other measures to assure the complainant and respondent's well-being, including no-contact orders and adjustments to classes/housing/work study
- Description of the College's obligation to treat both the complainant and respondent fairly and to promptly investigate the reported sexual harassment, discrimination, and misconduct
- Description of the role of the Student Life Office or the Human Resources Office in assisting with sexual misconduct investigations and grievance process when students or faculty/staff are involved, respectively

## INTERIM ACTIONS AND ACCOMMODATIONS

Interim actions and accommodations are meant to ensure the safety of all individuals involved in a complaint, specifically the complainant and respondent. These actions may be put in place prior to, during, or after a formal or informal resolution process.

### ***Interim Actions***

Interim actions are meant to be temporary and have the least amount of impact on a respondent's academic activities weighed against the need to protect the safety of the complainant(s) and campus community.

Interim actions are not decisions about responsibility. The Title IX Coordinator will issue an interim action when the College feels that there is an imminent or ongoing threat to the campus community.

Interim actions may include, but are not limited to:

- Counseling Referral
- Housing reassignment or removal
- Temporary Removal from Campus
- No Contact Orders
- *Persona non grata* Notice (No Trespass)

These actions are described in the Student Conduct Process section of the Student Handbook.

### ***Accommodations***

A complainant and respondent may request reasonable accommodations be made to help him/her during or after the resolution process. Accommodations must be requested and all requests must be approved by the Title IX Coordinator, in consultation with appropriate faculty and staff.

A request for an accommodation does not guarantee the approval of the accommodation. The Title IX Coordinator will work with the complainant and respondent to identify ways to alleviate any concerns he or she may have resulting from the complaint.

Accommodations may include, but are not limited to:

- Request rearrangement of class schedule or housing assignment
- Request arrangement for the complainant to have additional time to complete a course or retake/withdraw from a class without academic or financial penalty
- Housing reassignment
- Providing an escort between classes
- Request that the Title IX Coordinator address the complainant's concerns with the respondent (*see Investigation and Resolution Procedures - Informal resolution*).

## INVESTIGATION AND RESOLUTION PROCEDURES

The Title IX Coordinator will discuss with the complainant the options available to resolve a complaint. The complainant may request one of three options:

1. No resolution / action requested
2. Informal resolution
3. Formal resolution

The Title IX Coordinator will take into consideration the request of the complainant. However, the Title IX Coordinator has a duty to investigate all complaints (to the extent possible) to prevent any recurrence of an incident or to remedy a hostile environment. The Title IX Coordinator may initiate an initial inquiry to gather more information to determine the most appropriate response from the College. If the Title IX Coordinator has information to believe there is an ongoing concern or if the complaint indicates a significant risk to the campus community, a formal resolution process may be required, even if not requested by the complainant. Instances of sexual violence always require a formal resolution process.

A complainant may change their request at any time during the process. If a complainant wishes to withdrawal his or her complaint, the Title IX Coordinator will determine if the formal or informal process should be discontinued. All complaints of sexual harassment, discrimination, and misconduct will be resolved within sixty (60) days.

**Note:** *A complainant may request to have the complaint remain confidential or have his/her name withheld. The College will make all efforts at honor this request, however, this will greatly reduce the ability of the College to investigate the complaint and seek resolution. In these cases, if the College cannot maintain confidentiality of the complainant, the Title IX Coordinator will inform the complainant before the process continues.*

### ***Rights of the Complainant and Respondent***

The complainant and the respondent will be granted the following rights in the Title IX resolution process:

- An equitable and fair process to resolve the complaint
- Equal opportunity to provide names of relevant witnesses and other evidence to be included in the investigation
- Equal opportunity to have an adviser at any stage of the proceedings. (see *Resources and Support for Complainants and Respondents – Advisor*)
- Preponderance of the evidence (more likely than not) standard in fact-finding and formal resolution procedures
- Right to an appeal
- Receive written notification of the outcomes of both the investigation, College Review Board's sanctioning decision, and the appeal decision, if applicable

- All records of sexual misconduct complaints and resolutions remain confidential to the extent allowed by law

### ***Resolution Options***

#### ***No resolution/action requested***

If the complainant does not wish to have any actions taken by the college, the Title IX Coordinator will determine if the College can honor that request. If the request can be honored, the Title IX Coordinator will document the complaint and the request for no action and then close the case. At any time, the complainant may make a request for informal or formal resolution to take place.

#### ***Informal Resolution***

An individual who wishes to file a complaint of sexual harassment, discrimination, and misconduct at Louisburg College but who does not wish to pursue a formal resolution may request a less formal proceeding, referred to as the informal resolution process. The informal resolution process is not available for complaints of sexual violence, such as sexual assault, even on a voluntary basis. The informal resolution process is intended to resolve complaints quickly, efficiently, and to the mutual satisfaction of both parties. The informal resolution process should be initiated as soon as possible after notifying the College of a complaint, and if this is desired by the complainant and the respondent. Though there may be 13 other options to informally resolve a complaint, mediation is the most commonly used and preferred method since it encourages a dialogue between the complainant(s) and respondent(s).

The complainant may request informal resolution through mediation with the respondent conducted by the Title IX Coordinator or designee (when the incident involves a Louisburg College student) Mediation are never appropriate in incidents involving sexual violence. Both the complainant and the respondent must agree to participate in the informal mediation, and either party can end the mediation process at any time. Mediation is designed to encourage each person to be honest and direct with the other and to accept personal responsibility where appropriate.

With all informal resolutions, the goal is to facilitate the resolution of the incident to the satisfaction of both persons involved, and to reach an agreement that is binding on both parties. If the complainant and the respondent are satisfied with the outcome of the informal resolution, the matter will be considered resolved. Both the complainant and the respondent have the right to bypass or end the informal resolution process to initiate the Formal Resolution process. Any failure to comply with the terms of an informal resolution agreement may result in additional disciplinary action.

#### ***Formal Resolution***

The formal resolution process consists of:

- An unbiased and fair investigation
- Recommendation of violations and outcomes, including conduct status and sanctions or employee disciplinary action;
- Title IX Coordinator accepts, rejects, or returns report

- Respondent(s) and complainant(s) notified of violations, outcomes, and sanctions;
- Assigning conduct status and sanctions or employee disciplinary action;
- Assigning conduct status and sanctions or employee disciplinary action;

Note: The respondent and complainant have the right to appeal decisions (see Procedures for Appeal of a Formal Resolution Decision)

### ***Unbiased and Fair Investigation***

#### **Timeline**

A formal resolution process begins with the Title IX Coordinator assigning the complaint investigation to a trained Title IX Investigator, typically a member of the Louisburg College staff. This investigation will begin promptly and typically be concluded within thirty (30) days from the date of the complaint, unless extenuating circumstances necessitate a longer time frame. If an investigation cannot be completed in that time, the investigator will communicate in writing to the complainant and the respondent the need for an extended time and an estimated date of completion.

#### **Investigator**

The complainant(s) and respondent(s) will be informed of who has been assigned as the investigator. The assigned investigator is tasked with gathering the facts of the case and documenting the statements of all involved. The investigator will conduct an investigation and make decisions without bias toward the respondent or complainant. The facts of the case and statements made by those involved will be used to determine what was more likely than not to have happened in the incident.

#### **Conflict of Interest/Biased**

If a complainant or respondent feels the investigator has a conflict of interest and is unable to conduct the investigation and make a recommendation of responsibility in a fair and unbiased manner, the complainant or respondent may submit, in writing, to the Title IX Coordinator the reasons why a conflict exists. This must be received within two business days from the date of notification. If the Title IX Coordinator agrees that a conflict could exist, a new investigator will be assigned. An investigator's prior knowledge of the respondent or complainant does not necessarily mean a conflict of interest exists; a conflict of interest will be deemed to exist if it is believed the investigator cannot conduct the investigation or make decisions in an unbiased or fair manner. If, during the investigation, the complainant or respondent feel the investigator is being biased or unfair, they should inform the Title IX coordinator immediately in writing. The Title IX Coordinator will examine the information, make further inquiries if necessary, and determine if the investigator should be replaced.

#### **Investigation**

*During the investigation, the assigned investigator will determine any sources of relevant information necessary to make an informed, unbiased, and fair decision. The investigator will review the initial complaint and notify the respondent(s) of the alleged violations of the Title IX Policy and any other possible policy violations (Student Code of Conduct, Employee Handbook, etc.). The respondent will have the right to know the approximate date(s) and location(s) of the incidents and who is the named complainant. Any requests for information or interviews will be*

*made through College email. The investigator will request that the complainant(s) and respondent(s) provide a list of any individuals who should be interviewed as witnesses to the incident; witnesses should have first-hand knowledge of the incident. The investigator will interview the complainant(s), respondent(s) and all possible witnesses.*

*The investigator may gather additional information that may include, but not limited to:*

- *Reviewing campus and community law enforcement investigation documents (if applicable)*
- *Reviewing student and employee files*
- *Images/video from security cameras*
- *Texts and social media posts*
- *Examining all other relevant documents and evidence*

*The complainant and respondent should share any relevant information and evidence which will assist the investigator.*

## **Report**

The investigator will compile all of the information gathered during the investigation. A report will be written stating the agreed upon facts, disputed facts and statements, and evidence gathered. The investigator will notify the complainant(s) and respondent(s) once the report is complete and allow each to review the report, in person and in the presence of the investigator or designated staff member. No recording, copying, or removing of the report will be allowed.

## **Written Statement**

*The complainant and respondent will each be able to submit written statements to:*

1. *Dispute a statement they believe misrepresents what they said;*
2. *Dispute a statement made by another person; or*
3. *Include new or clarifying information*

*The investigator will review the statements and determine if the report should be altered, corrected, or amended. If the report is altered, corrected, or amended, the respondent and complainant will be able to review the final report. Additional changes will be conducted in a similar manner.*

## **Recommendation of violations and outcomes (Including Conduct Status & Sanctions or Employee Disciplinary Action)**

Once the investigative report has been completed, the Title IX Investigator will review the Title IX Policies and Student Conduct Policies or Human Resource Policies and make a recommendation of which policies the respondent may have violated. If the investigator does not believe any policies were violated, a “no findings” recommendation will be made.

The investigator shall write a statement giving the reasoning he/she believes it is more likely than not the respondent either violated each of the policies to which a recommendation of

“responsible” is being made or that there was “no finding” of responsibility for a violation in the complaint.

If there was an outcome of “Responsible” for any Title IX policy violation or other Code of Conduct violations investigated, the Title IX Investigator will recommend an appropriate conduct status, sanction(s), or employee disciplinary action.

#### ***Title IX Coordinator Accepts, Rejects, or Returns Report***

The investigator will submit the investigative report to the Title IX Coordinator with a *recommendation of violations and outcomes, including conduct status and sanctions or employee disciplinary action or a recommendation of “no findings”*. First, the Title IX Coordinator will review the recommendations of violations and outcome (responsible/not responsible/no findings) and either accept the recommendations, reject the recommendations (in full or part), or return the report to the Title IX Investigator with a request for further information/investigations.

If the Title IX Coordinator rejects the recommendations, in full or in part, he/she will write a statement as to reasoning of the new outcome (including if a new violation is determined). If the Title IX Coordinator returns the report, he/she will instruct the investigator on what actions he/she wishes the investigator to take and/or what information he/she believes is missing.

#### ***Standard of Proof***

The basis for a decision of responsibility for violating a policy will be the preponderance of the evidence standard (more likely than not). This means that in order to find the respondent responsible, the Title IX Coordinator must find, based on the evidence presented in the investigative report, that it is more likely than not that the respondent is responsible for the violation(s) as recommended by the investigator.

#### **Report Outcome**

##### ***Respondent(s) and Complainant(s) Notified of Violations and Outcomes***

Once the recommendations are accepted, the Title IX Coordinator will notify the respondent(s) and complainant(s) of the violations and outcomes via campus email and/or in person.

##### ***Impact and Mitigating Circumstances Statements***

If a responsible finding was made, the complainant will be notified that they may submit an impact statement to be considered as part of the sanctioning process. Impact statements are meant to allow the complainant to express how the actions of the respondent have impacted his/her life since the incident.

The respondent will be notified that they may submit a mitigating circumstances statement to be considered as part of the sanctioning process. Mitigating circumstances statements are meant to convey circumstances or reasoning behind the respondent’s behavior. ***Impact and mitigating circumstances statements must be in writing and submitted to the Title IX Coordinator within two (2) business days from the notification of violations and outcomes.***



***Assigning Conduct Status & Sanctions or Employee Disciplinary Action***

If there was an outcome of “Responsible” for any Title IX policy violation (and/or other Code of Conduct violations investigated), the Title IX Coordinator will review the recommendation of the Title IX Investigator as to appropriate conduct status and sanctions or employee disciplinary action. The Title IX Coordinator will also review any impact/mitigating circumstances statements submitted. The Title IX Coordinator will assign appropriate conduct statuses, sanctions or disciplinary actions based on a review of the entire investigative report, impact statements, mitigating circumstances statements, prior conduct/employee disciplinary history, and other relevant information as determined by the Title IX Coordinator.

***Possible Conduct Sanctions & Sanctions or Employee Disciplinary Action***

A student found responsible for violating a Title IX Policy will be assigned a conduct status and educational sanctions, provided the conduct status is not suspension or expulsion.

Conduct statuses include:

- Written warning
- Conduct probation
- Suspension
- Expulsion

Educational sanctions may include, but are not limited to:

- CHOICES workshop
- Counseling referral
- Educational workshops
- Loss of privileges
- Restorative justice
- Written reflections

Full descriptions of conduct statuses and educational sanctions are available in the Student Conduct Process section of the Student Handbook.

Employees found responsible for violating a Title IX Policy are subject to any disciplinary action allowed under his/her respective employment documents (i.e. Employee Handbook, Faculty Handbook).

***Respondent(s) and complainant(s) notified of conduct status and sanctions or employee disciplinary action***

The Title IX Coordinator shall within two (2) business days of receiving the impact/mitigating circumstances statements (if any) notify the complainant, respondent, and applicable offices of the conduct status and sanctions or employee disciplinary action decision via email.

## STUDENT CONDUCT RECORDS

For students, a responsible finding of the any Title IX violations through the formal process will be documented in his/her Student Conduct Record. Student conduct records are maintained in the Office of Student Life for a period of five years. The provisions of the Family Educational Rights and Privacy Act govern accessibility to these records. Student Conduct records are personal and confidential. Students may inspect their records during normal working hours.

College officials who have professional justification for such information may also inspect these records. Students should also be aware that institutions to which they may apply typically request a conduct report on potential students to help determine whether or not to admit that student. The college does not provide copies of video or audio recordings of conduct hearings for students.

### **Conduct Fee**

Each student who is found responsible for violating a policy will be assessed a conduct fee in the amount of \$20. It is important to understand that this fee is viewed as a part of the overall sanction and failure to pay the fee will be viewed as a Failure to Comply with Educational Sanction [see *Student Conduct Policies*]. This fee is to offset administrative costs associated with the student conduct process.

Fees assessed to student accounts must be paid in full prior to the release of grades or transcripts. Unpaid fees are subject to collections as allowed by law. Students should note that financial aid *cannot* be used to pay fees assessed due to student conduct action. The Conduct Fee is not grounds for appeal as outlined in the *Procedures for Appeal of a Formal Resolution Decision*.

## PROCEDURES FOR APPEAL OF A FORMAL RESOLUTION DECISION

The complainant or the respondent may appeal the outcome of a formal resolution. In order for an appeal to be considered, it must first meet one of the following criteria:

- Information is now available that was not available at the time of the initial investigation; or
- A procedural error occurred during the formal resolution process

***Dissatisfaction with the outcome of the hearing is not acceptable as the basis for an appeal.***

Appeals:

- Must be in writing and submitted via the appellant's campus email account to the Title IX Coordinator (Ron Shidemantle at [rshidemantle@louisburg.edu](mailto:rshidemantle@louisburg.edu)).
- Appellant must file the written appeal within three (3) business days from the date of the notification to the appellant of the conclusion of the formal resolution process.
- The conclusion of the formal resolution process is marked by either the Title IX Coordinator informing the complainant and respondent that there was no finding of

responsibility after the investigation OR the Title IX Coordinator informing the complainant and respondent of the sanctions/status assigned, whichever comes later.

- Appeals must state the criteria used for the basis of the appeal and provide relevant information/documentation to support the appeal.

Once an appeal has been received:

The Title IX Coordinator shall review the written appeal to determine if it meets one of the stated criteria for an appeal. If the appeal is not based on one of the above criteria, the Title IX Coordinator shall notify the appellant of such and deny the appeal. If the appeal meets criteria, the Title IX Coordinator will convene the College Review Board.

The members of the College Review Board shall be:

- One representative from the faculty (appointed by the Vice President of Academic Life, Dean of Faculty)
- The Registrar
- One staff member (appointed by the President)
- The College Review board could elect to have a representative from the Office of Student Life present to present findings from the conduct body.
- The Title IX Coordinator shall serve as a non-voting chair of the Committee.
- Three committee members are required for a quorum for all meetings.

The College Review Board shall meet within ten (10) business days to consider and decide on the appeal:

- The College Review Board shall consider all documentation and information from all applicable sources in reaching their decision.
- The College Review Board will not rehear the case, but will use available information to determine if the appeal has merit.
- A decision to grant an appeal shall be on the basis of a consensus.
- Upon reaching a decision, the Title IX Coordinator shall within two (2) business days notify the student and applicable offices of the decision via email.
- The decision of the College Review Board is final in all cases.

## APPENDIX A – NORTH CAROLINA DRUG LAW (PARTIAL)

As a citizen of North Carolina, whether by state residency or by virtue of enrollment at Louisburg College, each member of the college community has a duty to know, understand, and comply with the laws of the state of North Carolina. Persons violating the law will be turned over to authorities for prosecution. Be reminded that the campus judicial system is separate and distinct from other legal systems.

### **North Carolina G.S. 90-95 (a)**

(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.

### **§ 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 which it would be unlawful to possess, or to inject, ingest, inhale, or otherwise introduce into the body a controlled substance which it would be unlawful to possess.
- (B) Violation of this section is a Class 1 misdemeanor. (1981, c. 500, s. 1; 1993, c. 539, s. 624; 1994, Ex. Sess., c.24, s. 14(c))

## APPENDIX B – NORTH CAROLINA ALCOHOL LAW (PARTIAL)

North Carolina G.S.

### § 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.

Research has shown that alcohol use among college students has many negative effects. Therefore, Louisburg College prohibits alcohol possession or consumption by any member of the college community.

Research has shown that alcohol use has a significant impact on college students:

- **Academic Problems:** About 25 percent of college students report academic consequences of their drinking including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall.
- **Death:** 1,400 college students between the ages of 18 and 24 die each year from alcohol-related unintentional injuries, including motor vehicle crashes.
- **Injury:** 500,000 students between the ages of 18 and 24 are unintentionally injured under the influence of alcohol.
- **Assault:** More than 600,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.
- **Sexual Abuse:** More than 70,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault or date rape.

*from [www.CampusBlues.com](http://www.CampusBlues.com)*