



LOUISBURG
COLLEGE

AMERICA'S PREMIER PRIVATE TWO-YEAR COLLEGE

2020-2021 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 means 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.

1. **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.
2. **Educational Sanction** – a required action issued as a result of being found responsible for violating a policy.
3. **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.
4. **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.
5. **Normal Working Hours** – Monday through Friday during regular college business hours (8:30 am - 5:00 pm), unless otherwise noted.
6. **Resident Assistant** – 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.

7. **Respondent** – an individual against whom a complaint of violating a policy in the Student Code of Conduct has been made.
8. **Staff Member** – any person employed by the college who is not a member of the faculty and has administrative or professional responsibilities.
9. **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** – is any sexual act directed against another person, without the consent of the person, including instances where the person is incapable of giving consent. Sexual Assault can occur between individual of the same or different sexes and/or genders. Sexual assault includes the following:
 - 17.1.1 **Rape** – The carnal knowledge of a person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
 - 17.1.2 **Sodomy** – Oral or anal sexual intercourse with another person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity;

17.1.3 Sexual Assault with an Object – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of a person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

17.1.4 Fondling – The touching of the private body parts of a person for the purpose of sexual gratification, without the consent of the person, including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

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

17.1.6 Statutory Rape – Sexual intercourse with a person who is under the statutory age 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 – means conduct on the basis of sex that satisfies one or more of the following: (1) an employee of the Louisburg College conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct (commonly referred to *quid pro quo* harassment); (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Louisburg College’ Education Program or Activity; or (3) Sexual Assault as defined in 17.1.

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.

17.6.1 Dating Violence – Violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

17.6.2 Domestic Violence – Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

17.7 Stalking – Engaging in a course of conduct directly at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress. 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 and other factors 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(s) 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 unless it is determined that the case will be heard by one administrator selected by the Head of Student Conduct. These three (3) members are selected by the Head of Student Conduct.
- A quorum is met when three (3) College Conduct Board members are selected and 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 Office of Student Conduct 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 Office of Student Conduct will determine who 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 College Conduct Board members may ask any final questions.
11. The complainant(s) may make a closing statement.

12. The respondent(s) may make a closing statement.
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 or Vice President of Enrollment.
- 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 or Vice President of Enrollment 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 or Vice President of Enrollment shall notify the student of such and deny the appeal.
- If the appeal meets criteria, the Dean of Students or Vice President of Enrollment will deliver a decision within two (2) business days in writing via email to the student.
- In cases where the Dean of Students or Vice President of Enrollment 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 or Vice President of Enrollment 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 or Vice President of Enrollment shall notify the student of such and deny the appeal.
- If the appeal meets criteria, the Dean of Students or Vice President of Enrollment have the option to convene the College Review Board.
 - The members of the College Review Board can include the following:
 - One representative from the faculty appointed by the Vice President for Academic Life
 - The Registrar
 - One staff member appointed by the President

- o The College Review board could elect to have a representative from the Office of Student Life present to present findings from the conduct body.
 - o The Dean of Students shall serve as a non-voting chair of the Committee.
 - o 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 Office of Student Conduct at least one (1) business day prior to the conduct conference. The Office of Student Conduct 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 Office of Student Conduct 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 Safety 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 Safety 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 Office of Student Conduct 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 Office of Student Conduct determines that a resolution was not achieved or

all parties do not wish to participate, the Office of Student Conduct 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 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 others 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.

**SEX DISCRIMINATION AND HARASSMENT POLICY
AND TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES**

**IMPORTANT INFORMATION FOR INDIVIDUALS WHO MAY BE VICTIMS OF SEXUAL ASSAULT,
DATING VIOLENCE, DOMESTIC VIOLENCE, OR STALKING:**

If you or someone you know may have been a victim of the behaviors listed above or any other type of violence, you are strongly encouraged to seek immediate assistance.

ASSISTANCE CAN BE OBTAINED 24 HOURS A DAY, 7 DAYS A WEEK, FROM THE LOUISBURG COLLEGE OFFICE OF CAMPUS SAFETY (LOCATED IN DAVIS HALL AND AVAILABLE BY TELEPHONE AT 919-497-3400).

During business hours (8:30 a.m. to 5:00 p.m., Monday through Friday), you are also strongly encouraged to contact one of the following individuals:

Ronald Shidemantle, Title IX Coordinator
*919-497-3247; rshidemantle@louisburg.edu
Mr. Shidemantle's Office is located in Davis Hall*

Terry Wright, Title IX Investigator
*919-497-3294; twright@louisburg.edu
Ms. Wright's Office is located in Davis Hall*

Benjamin Slate, Title IX Investigator
*919-497-3324; bslate@louisburg.edu
Mr. Slate's Office is located in 101 Norris Theatre*

For additional information about seeking medical assistance and emotional support, as well as important contact information for local law enforcement agencies, hospitals, and other resources, **see [Exhibit A](#) attached to this document.**

SECTION I. SEX DISCRIMINATION AND HARASSMENT POLICY

1.01 Notice of Nondiscrimination

Louisburg College, in compliance with and as required by Title IX of the Education Amendments Act of 1972 and its implementing regulations (“Title IX”) and other civil rights laws, as well as in furtherance of its own values as a higher education institution, does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender, gender identity, gender expression, pregnancy, disability, age, religion, veteran status, or any other characteristic or status protected by applicable local, state, or federal law in admission, treatment, or access to, or employment in, its programs and activities.

Discrimination and harassment are contrary to the values and standards of the Louisburg College community; are incompatible with the safe, healthy environment that the Louisburg College community expects and deserves and will not be tolerated. Louisburg College is committed to providing programs, activities, and an education and work environment free from discrimination and harassment. Louisburg College is also committed to fostering a community that promotes prompt reporting and fair and timely resolution of those behaviors.

Inquiries concerning discrimination or harassment on the basis of sex may be referred to Louisburg College’s Title IX Coordinator, Ronald Shidemantle, Dean of Students. Exhibit A to this document provides Mr. Shidemantle’s contact information.

Inquiries concerning discrimination or harassment based on a protected characteristic or status other than sex may be referred to Ronald Shidemantle (for students) or Terry Wright (for employees). Exhibit A also provides their contact information.

Individuals may also make inquiries regarding discrimination or harassment to the U.S. Department of Education’s Office for Civil Rights by contacting the District of Columbia Office, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475; Phone 800-421-3481; email: OCR@ed.gov.

1.02 Prohibition on Sex Discrimination and Harassment, Retaliation, and Providing False Information or Interfering with a Grievance Process

This Policy prohibits discrimination and harassment on the basis of sex. Louisburg College strongly encourages the prompt reporting of, and is committed to timely and fair resolution of, complaints of sex discrimination and harassment.

Sexual Harassment, as defined by Title IX and herein,¹ is a specific type of sex discrimination/harassment that includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking and that Louisburg College addresses using its Title IX Sexual Harassment Grievance Procedures, as required by Title IX.

This Policy also prohibits Retaliation, as defined by Title IX and herein. Complaints alleging Retaliation may be filed with the Title IX Coordinator and, at the discretion of the Title IX Coordinator, may be addressed under Louisburg College’s Title IX Sexual Harassment Grievance Procedures or other grievance procedures adopted by Louisburg College.

Additionally, any individual who knowingly files a false Formal Complaint or who interferes with Louisburg College grievance process may be subject to disciplinary action. Interference with a grievance process may

¹ Capitalized terms used herein are defined in Section 1.0.

include, but is not limited to, attempting to coerce, compel, or prevent an individual from providing testimony or relevant information; removing, destroying, or altering documentation relevant to an investigation; or providing false or misleading information to Louisburg College officials who are involved in the investigation and/or resolution of a Formal Complaint, or encouraging others to do so.

1.03 Reporting and Period of Limitations

Any person (whether or not alleged to be the victim) may report sex discrimination or harassment, including Sexual Harassment, in person, by mail, by telephone, or by electronic mail, using the contact information for the Title IX Coordinator listed in Exhibit A, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

Louisburg College *strongly encourages* all employees and other members of the Louisburg College community to promptly report concerns regarding suspected or known discrimination/harassment on the basis of sex to the Title IX Coordinator.

In addition to the Title IX Coordinator, Louisburg College has designated the following employees as individuals with the authority to institute corrective measures on behalf of Louisburg College: Executive Vice President for Enrollment, Director of Human Resources, and Title IX Investigators. Accordingly, these employees are *required* to report discrimination and harassment on the basis of sex to the Title IX Coordinator.

Additionally, Louisburg College has designated the following employees as confidential resources for students:

Fonda Porter	-	fporter@louisburg.edu	-	919-497-3205
Dr. Michael Safley	-	msafley@louisburg.edu	-	919-497-3231
Ann O'Malley	-	yourhealth@louisburg.edu	-	919-497-1399

Information about sex discrimination or harassment shared with these confidential resources typically will not be reported to other Louisburg College personnel (including the Title IX Coordinator), to the Respondent, or to others, unless the disclosing individual gives their consent to the disclosure or the law requires it (as may be the case with abuse involving a minor or under conditions involving imminent physical harm, for example). (Confidential resources may report *non-identifying* statistical information to the Title IX Coordinator for recordkeeping and compliance purposes.)

Louisburg College will address allegations of sex discrimination and harassment appropriately no matter the length of time that has passed since the alleged conduct. However, Louisburg College strongly encourages prompt reporting to preserve evidence for a potential legal or disciplinary proceeding. Delay may compromise the ability to investigate, particularly if the individuals involved in the alleged conduct are no longer Louisburg College students or employees.

1.04 Applicability of Policy and Grievance Procedures

This Policy applies to any allegation of sex discrimination or harassment made by or against a student or an employee of Louisburg College or a third party, regardless of sex, sexual orientation, sexual identity, gender expression, or gender identity.

The Title IX Sexual Harassment Grievance Procedures apply only to allegations of Sexual Harassment in Louisburg College's Education Program or Activity (as defined herein).²

Louisburg College will address allegations of other types of sexual harassment (i.e., that do not meet the definition of Title IX Sexual Harassment) by: (1) using other student and employee conduct disciplinary procedures deemed appropriate by the Title IX Coordinator in consultation with other Louisburg College administrators; and/or (2) with Supportive Measures, which are defined and discussed in more detail herein.

1.05 Rights of Parents

When a student Complainant or Respondent is a minor or has a guardian appointed and their parent or guardian has the legal right to act on the student's behalf, then the parent or guardian may file a Formal Complaint on behalf of the student, although the student would be the "Complainant." In such a situation, the parent or guardian may exercise the rights granted to the student under this Policy, including requesting Supportive Measures and participating in a grievance process. Similarly, the parent or guardian may accompany the student to meetings, interviews, and hearings during a grievance process to exercise rights on behalf of the student, while the student's Advisor of choice may be a different person from the parent or guardian. Whether or not a parent or guardian has the legal right to act on behalf of an individual would be determined by state law, court orders, child custody arrangements, or other sources granting legal rights to parents or guardians.

Additionally, FERPA and its implementing regulations address the circumstances under which a parent or guardian is permitted to inspect and review a student's education records. However, in circumstances in which FERPA would not grant a party the opportunity to inspect and review evidence in connection with a grievance process, pursuant to Title IX and its implementing regulations, the student has an opportunity to do so, and a parent or guardian who has a legal right to act on behalf of the student has the same opportunity.

1.06 Definitions Applicable to Policy and Grievance Procedures

Capitalized terms used herein are defined as follows.

"Actual Knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the Louisburg College's Title IX Coordinator, Senior Vice President for Enrollment, Director of Human Resources, or Title IX Investigators. **"Notice"** as used in this paragraph includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator.³

"Clery Act" refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. § 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

² And, at the discretion of the Title Coordinator, to related allegations of Retaliation.

³ This standard is not met through imputation of knowledge based solely on vicarious liability or constructive notice. This standard also is not met when the only individual with Actual Knowledge is the Respondent. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one to whom notice of Sexual Harassment or allegations of Sexual Harassment constitutes Actual Knowledge.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment, irrespective of whether a Formal Complaint has been filed.

“Consent” is informed, freely and actively given, mutually understandable words or actions that indicate a willingness and readiness to participate in mutually agreed upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a clear and unambiguous agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another.

Consent cannot be inferred from: silence, passivity, or lack of resistance alone; a current or previous dating or sexual relationship alone (or the existence of such a relationship with anyone else); attire; the buying of dinner or the spending of money on a date; or Consent previously given (i.e., Consenting to one sexual act does not imply Consent to another sexual act).

Consent is not effective if it is obtained through the use of physical force, violence, duress, deception, intimidation, coercion, or the threat, expressed or implied, of bodily injury. Whether a party used any of these means to obtain Consent will be determined by reference to the perception of a reasonable person found in the same or similar circumstances.

Consent may never be given by the following individuals: minors, even if the other participant did not know the minor’s age; mentally disabled persons, if their disability was reasonably knowable to a person who is not mentally disabled; or persons who are incapacitated. The use of alcohol or drugs does not diminish one’s responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Harassment.

If at any time during a sexual act any confusion or ambiguity is or should reasonably be apparent on the issue of Consent, it is incumbent upon each individual involved in the activity to stop and clarify the other’s willingness and readiness to continue and capacity to Consent. Neither party should make assumptions about the other’s willingness and readiness to continue.

“Day” means a business day, unless otherwise specified.

“Education Program or Activity” means all of Louisburg College’s operations and includes (1) locations, events, or circumstances over which Louisburg College exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred; and (2) any building owned or controlled by a student organization that is officially recognized by Louisburg College.

“Education Record” has the meaning assigned to it under FERPA.

“FERPA” is the Family Educational Rights and Privacy Act, a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 C.F.R. § 99. FERPA protects the privacy of student Education Records. FERPA grants to eligible students the right to access, inspect, and review Education Records, the right to challenge the content of Education Records, and the right to consent to the disclosure of Education Records.

“Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that Louisburg College investigate the allegation of Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in Louisburg College’s Education Program or Activity. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail by using the contact information listed for the Title IX Coordinator in Exhibit A. As used in this paragraph, the phrase “document filed by a

Complainant” means a document or electronic submission that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

“**Incapacitated**” means lacking the physical and/or mental ability to make informed, rational judgments. A person may be incapacitated for a variety of reasons, including but not limited to being asleep or unconscious, having consumed alcohol or taken drugs, or experiencing blackouts or flashbacks.

“**Respondent**” means an individual who has been reported to be the perpetrator of conduct alleged to constitute Sexual Harassment.

“**Retaliation**” means (1) any adverse action (including direct and indirect intimidation, threats, coercion, discrimination, or harassment (including charges for conduct violations that do not involve sex discrimination or harassment or Sexual Harassment but that arise out of the same facts or circumstances as a report or complaint of sex discrimination or harassment or a report or Formal Complaint of Sexual Harassment) that is (2) threatened or taken against a person (a) for the purpose of interfering with any right or privilege secured by Title IX; or (b) because the person has made a report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing related to Title IX.⁴

“**Sexual Harassment**” means conduct on the basis of sex that satisfies one or more of the following:

(1) an employee of the Louisburg College conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct. (commonly referred to *quid pro quo* harassment);

(2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Louisburg College’s Education Program or Activity; or

(3) “**Sexual Assault,**” is any sexual act directed against another person, without the consent of the person, including instances where the person is incapable of giving consent. Sexual Assault can occur between individuals of the same or different sexes and/or genders. Sexual assault includes the following:

Rape: The carnal knowledge of a person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity;

Sodomy: Oral or anal sexual intercourse with another person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity;

Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of a person, without the consent of the person,

⁴ Retaliation does not include (1) the exercise of rights protected under the First Amendment; (2) charging an individual with making a materially false statement in bad faith in the course of a grievance proceeding (provided, however, that a determination regarding responsibility alone is not sufficient to conclude that an individual made a materially false statement in bad faith); or (3) good faith actions lawfully pursued in response to a report of prohibited conduct.

including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity;

Fondling: The touching of the private body parts of a person for the purpose of sexual gratification, without the consent of the person, including instances where the person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity;

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; and

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

“Dating Violence,” as defined in 34 U.S.C. § 12291(a)(10): violence committed by a person—(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship;

“Domestic Violence,” as defined in 34 U.S.C. § 12291(a)(8): felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction; or

“Stalking,” as defined in 34 U.S.C. § 12291(a)(30): engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

“Supportive Measures” are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant and/or a Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to Louisburg College’s Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Louisburg College’s educational environment or deter Sexual Harassment.

Supportive Measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus. Louisburg College will maintain as confidential any Supportive Measures provided to a Complainant or a Respondent, to the extent that maintaining such confidentiality would not impair Louisburg College’s ability to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

SECTION II. TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES

A. APPLICABILITY, COMPLAINT INTAKE, AND OVERARCHING PROVISIONS

2A.01 Applicability of Grievance Procedures

As noted above, these Grievance Procedures apply to allegations of Sexual Harassment in Louisburg College's Education Program or Activity (and to related Retaliation, at the discretion of the Title IX Coordinator). Louisburg College treats Complainants and Respondents equitably by providing remedies to a Complainant where Louisburg College makes a determination of responsibility for Sexual Harassment against a Respondent under these Grievance Procedures and also by following these Grievance Procedures before imposing any disciplinary sanctions against a Respondent for Sexual Harassment.

2A.02 Obligation to Respond and Initial Outreach to Complainant

When Louisburg College has Actual Knowledge of Sexual Harassment (or allegations thereof) against a person in the United States in its Education Program or Activity, Louisburg College is obligated to respond and to follow Title IX's specific requirements, which are addressed and incorporated in these Grievance Procedures.

Promptly upon receiving allegations of Sexual Harassment against a person in the United States in Louisburg College's Education Program or Activity, the Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint and to explain to the Complainant the process for filing a Formal Complaint.

2A.03 Filing of a Formal Complaint

As noted in the Definitions section above, a Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that Louisburg College investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in Louisburg College's Education Program or Activity. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed in Exhibit A and the Formal Complaint Form listed in Exhibit B. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature or otherwise indicates that the Complainant is the person filing the Formal Complaint.

When the Title IX Coordinator believes that, with or without the Complainant's desire to participate in a grievance process, a non-deliberately indifferent response to the allegations requires an investigation, the Title IX Coordinator has the discretion to initiate the grievance process by signing a Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under these Grievance Procedures. Furthermore, initiation of a Formal Complaint by the Title IX Coordinator is not sufficient alone to imply bias or that the Title IX Coordinator is taking a position adverse to the Respondent.

Once a Formal Complaint is initiated, an alleged victim will be referred to as a "Complainant," and an alleged perpetrator will be referred to as a "Respondent."

2A.04 Notice of Allegations

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide the Complainant and any known Respondent written notice of these Grievance Procedures and of the allegations of conduct potentially constituting Sexual Harassment, including sufficient details known at the time and with at least five days to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known.

The written notice will include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice also will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney and that at appropriate junctures the parties and their advisors may review and inspect evidence collected during the investigation. Additionally, the written notice will inform the parties of Louisburg College's prohibition on knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, Louisburg College decides to investigate allegations of Sexual Harassment involving the Complainant or Respondent that are not included in the original written notice of allegations, Louisburg College will provide notice of the additional allegations to the parties whose identities are known.

2A.05 Dismissal

Louisburg College will investigate the allegations in a Formal Complaint; however, Louisburg College *will* dismiss a Formal Complaint or a portion of the allegations therein if (1) the conduct alleged in the Formal Complaint, even if substantiated, would not constitute Sexual Harassment; (2) at the time of filing the Formal Complaint the Complainant was not participating in or attempting to participate in Louisburg College's Education Program or Activity; (3) the conduct alleged in the Formal Complaint did not occur in Louisburg College's Education Program or Activity; or (4) the conduct alleged in the Formal Complaint did not occur against an individual in the United States. Such a dismissal may take place at the conclusion of the investigation or at any time prior to the conclusion of the investigation.

Additionally, Louisburg College *may* dismiss a Formal Complaint or a portion of the allegations therein if (1) the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed at Louisburg College; or (3) despite efforts to do so, Louisburg College is unable to gather evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

In the event the Title IX Coordinator determines that dismissal of a Formal Complaint or a portion of the allegations is appropriate, the Title IX Coordinator will promptly notify the parties in writing of the dismissal and the reasons for it. Dismissal does not impair Louisburg College's ability to proceed with any appropriate investigatory or disciplinary actions under the Sex Discrimination and Harassment Policy or another Louisburg College policy or procedure and/or to provide Supportive Measures to the parties.

Either party may appeal a decision to dismiss a Formal Complaint or a portion of the allegations on the following grounds by submitting a written appeal to the Title IX Coordinator five days of the issuance of the written notice of the dismissal: (1) procedural irregularity that affected the decision to dismiss; (2) new evidence that was not reasonably available at the time of dismissal and that could affect the outcome of the matter; or (3) the Title IX Coordinator or other participant in the dismissal having a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the decision to dismiss.

The Title IX Coordinator will promptly notify the other party of the appeal, and the non-appealing party may submit a response to the appeal within three days of notification of the appeal

The Title IX Coordinator will appoint an appeal officer and will contemporaneously share the appeal officer's name and contact information with the Complainant and the Respondent.

Within two days of such appointment, the Complainant, or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias on the part of the appeal officer. The Title IX Coordinator will consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

The Title IX Coordinator will forward the Formal Complaint and any documents upon which the dismissal decision was based, as well as the appeal and any response to the appeal to the appeal officer.

Within seven days of receipt of those materials, the appeal officer will determine whether any of the grounds for appeal warrant overturning or modifying the dismissal. The decision by the appeal officer is final.

2A.06 Advisors

The Complainant and the Respondent may be accompanied to any meeting or proceeding under these Grievance Procedures by the advisor of their choice, who may be, but is not required to be, an attorney. Louisburg College will not limit the choice or presence of the advisor for either the Complainant or the Respondent in any meeting or grievance proceeding. Advisors, however, are not allowed to disrupt any such meeting or proceeding or to speak on behalf of the Complainant or the Respondent, with the exception of cross-examination during any hearing conducted under these Grievance Procedures, which must be conducted by an advisor and never personally by the Complainant or the Respondent.

Parties must provide the name and contact of their advisor to the Title IX Coordinator in writing as soon as reasonably possible and must provide updated information if their advisor changes. All advisors will be required to assent to Louisburg College's Expectations for Advisors.

If a party does not have an advisor present at the hearing, Louisburg College will provide, without any charge to that party, an advisor of Louisburg College's choice who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

Absent accommodation for a disability, the Complainant and the Respondent may not be accompanied by more than one advisor or by other individuals during meetings or proceedings under these Grievance Procedures.

2A.07 Amnesty

Louisburg College considers the reporting and adjudication of Sexual Harassment to be of paramount importance. Louisburg College does not condone underage drinking or the use of illegal drugs; however, Louisburg College may extend amnesty to Complainants, Respondents, witnesses, and others involved in a grievance process from punitive sanctioning for illegal use of drugs and/or alcohol when evidence of such use is discovered or submitted in the course of a grievance process. Similarly, Louisburg College may, in its discretion, provide amnesty for other conduct code violations that are discovered in the course of a grievance process.

2A.08 Timing

Louisburg College will make every reasonable effort to ensure that the investigation and resolution of a Formal Complaint occurs in as timely and efficient a manner as possible. The timelines set forth in these Grievance Procedures are guidelines and may be altered for good cause with written notice to the Complainant and the Respondent of any delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; natural disasters, pandemic restrictions, and similar occurrences; or the need for language assistance or accommodation of disabilities.

Louisburg College will strive to complete its investigation and resolution of a Formal Complaint (not including an appeal, if applicable) within 90 days of the receipt of the Formal Complaint, absent extenuating circumstances. Hearings generally will take place within 20 days of the conclusion of the investigation. Within seven days of the conclusion of the hearing, both the Complainant and the Respondent will receive a final outcome letter.

Either party may request an extension of any deadline by providing the Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Title IX Coordinator will review the request and will make a determination with regard to the request within three days.

2A.09 Written Notice of Meetings

Louisburg College will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for the party to prepare to participate.

2A.10 Effect of Corollary Criminal Investigation

Louisburg College's investigation may be delayed temporarily while criminal investigators are gathering evidence. In the event of such a delay, Louisburg College will implement any appropriate Supportive Measures and will evaluate the need for other actions necessary to assist or protect the Complainant, the Respondent, and/or the Louisburg College community.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate a matter is determinative of whether Sexual Harassment has occurred in the eyes of Louisburg College.

2A.11 Emergency Removal and Administrative Leave

Louisburg College may remove a Respondent from Louisburg College's Education Program or Activity on an emergency basis, provided that Louisburg College first undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal, and does so in accordance with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, as applicable.

Additionally, Louisburg College may place a non-student employee Respondent on administrative leave during the pendency of Louisburg College's response to allegations of Sexual Harassment provided that it does so in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

2A.12 Effect of Respondent Withdrawal, Graduation, or Resignation During Grievance Process

At the discretion of Louisburg College, a Respondent who withdraws or resigns from Louisburg College during the pendency of a grievance process under these Grievance Procedures may be barred from Louisburg College property and Louisburg College activities and events and may be ineligible for re-enrollment or to be re-hired. If a Respondent completes all requirements to graduate during the grievance process, Louisburg College may hold the Respondent's diploma until full resolution of the Formal Complaint.

2A.13 Privacy and Disclosure

Except as may be permitted by FERPA or as required by law or to carry out any investigation or resolution of sex discrimination or harassment allegations, Louisburg College will keep private the identity of any individual who has made a report or complaint of sex discrimination or harassment (including any individual who has made a report or filed a Formal Complaint of Sexual Harassment), any Complainant, any Respondent, and any witness.

Louisburg College may report alleged Sexual Harassment to local law enforcement if warranted by the nature of the allegations at issue, and Louisburg College administrators will share information regarding alleged Sexual Harassment, as appropriate and necessary, in order to address and resolve the allegation(s) at issue, prevent the recurrence of similar Sexual Harassment, and address the effects of the Sexual Harassment. Additionally, information regarding alleged Sexual Harassment may be used as a statistical, anonymous report for data collection purposes under the Clery Act.

To comply with FERPA, Title IX, and other applicable laws and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, grievance processes carried out under these Grievance Procedures are not open to the general public. Accordingly, documents prepared in connection with such processes; documents, statements, or other information introduced in interviews, meetings, and proceedings; and the final outcome letter may not be disclosed outside of those processes except as may be required or authorized by law.

As permitted by and subject to the limitations of FERPA, Louisburg College reserves the right to notify parent(s) or guardian(s) of a student Respondent of the outcome of any investigation involving that Respondent, redacting names of any other students who do not consent to the disclosure of their information. At the written request of a party, Louisburg College may include a party's advisor on communications and share access to documents, including the investigation report. This access is subject to the advisor's acknowledgment and agreement to maintain the confidentiality of the documents. While Louisburg College strongly encourages parties to maintain privacy in connection with a grievance process, Louisburg College does not prohibit parties from discussing the allegations under investigation or in any way inhibit the parties from gathering or presenting relevant evidence. In addition, Louisburg College's policy does not prohibit disclosure of the final outcome letter by either the Complainant or the Respondent.

2A.14 Conflicts of Interest, Bias, and Training

Louisburg College will ensure that any individual designated by Louisburg College as a Title IX Coordinator, investigator, decision-maker, or informal resolution facilitator under these Grievance Procedures does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If any employee designated to participate in the investigation or resolution of a Formal Complaint is the Respondent or a relevant witness, then the Title IX Coordinator will appoint another employee to

perform their duties. (If the Title IX Coordinator is the Respondent, then the President will appoint another employee to perform their duties.)

Louisburg College also ensures that Title IX Coordinators, investigators, decision-makers, advisors, and informal resolution facilitators receive training, as applicable, on the definition of Sexual Harassment; the scope of Louisburg College's Education Program or Activity; how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Louisburg College further ensures that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, and that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Additionally, Louisburg College ensures that decision-makers receive training on any technology to be used at live hearings.

Materials used to train Title IX Coordinators, investigators, decision-makers, advisors, and informal resolution facilitators will not rely on sex stereotypes and promote impartial investigations and adjudications of Formal Complaints of Sexual Harassment.

2A.15 Burden of Proof

At all times, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Louisburg College, not on either of the parties.

2A.16 Presumption of No Responsibility until Determination

Respondents are presumed to be not responsible for alleged Sexual Harassment until Louisburg College makes a determination regarding responsibility pursuant to these Grievance Procedures.

2A.17 Objective Evaluation of All Relevant Evidence; Credibility Determinations

The investigators and decision-makers under these Grievance Procedures will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and will not make any credibility determinations based on a person's status as a Complainant, Respondent, or witness.

2A.18 Academic Freedom

Louisburg College affirms its commitment to academic freedom but notes that academic freedom does not allow any form of Sexual Harassment. Louisburg College recognizes that an essential function of education is a probing of opinions and an exploration of ideas, some of which, because they are controversial, may cause students and others discomfort. This discomfort, as a product of free academic inquiry within a faculty member's area(s) of expertise, shall in no way be considered or construed to constitute Sexual Harassment. Academic inquiry may involve teaching, research and extramural speech. Furthermore, nothing in this document shall be interpreted to prohibit bona fide academic requirements for a specific Louisburg College program or activity. When investigating complaints that a party or the Title IX Coordinator believes may involve issues of academic freedom, the Title IX Coordinator will consult with the Vice President for Academic Life with respect to contemporary academic practices and standards.

2A.19 Documentation

Louisburg College will retain documentation (including but not limited to any Formal Complaint, notifications, recording or transcripts of interviews, investigative report, written findings of fact, petitions for appeal, notifications of decisions (including the final outcome letter), audio recordings of hearings, and written communication with the Complainant and Respondent), for no less than seven years.

2A.20 Consolidation of Formal Complaints

Louisburg College may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, by more than one Complainant against one or more Respondents, or by one party against the other party where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in these Grievance Procedures to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

2A.21 Individuals with Disabilities

Louisburg College will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in Louisburg College’s grievance processes. Student requests for accommodation must be made to the Office of Accessibility Services at accessibilityservices@louisburg.edu or at 919-497-3236. All employee requests for accommodation must be made to the Director of Human Resources.

B. THE INVESTIGATION

2B.01 Appointment of Investigators and Challenging of the Same

Unless a Formal Complaint is dismissed or the parties elect to participate in informal resolution, the Title IX Coordinator will promptly appoint one or more investigators. These investigators may be Louisburg College employees, non-employees, or a combination of the two. The Title IX Coordinator will contemporaneously share their names and contact information with the Complainant and Respondent and also will forward a copy of the Formal Complaint to the investigators.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the assigned investigators. The Title IX Coordinator will consider such statements and will promptly assign different investigators if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2B.02 The Investigators’ Activities

Upon receipt of the Formal Complaint, the investigators will promptly begin their investigation, taking such steps as interviewing the Complainant, the Respondent, and witnesses (including expert witnesses, where applicable); summarizing such interviews in writing; collecting and reviewing relevant documents; visiting, inspecting, and taking or reviewing photographs of relevant sites; and collecting and reviewing other relevant evidence.

2B.03 The Investigative Report and Evidence Review

The investigators will prepare a written investigative report that fairly summarizes relevant evidence and includes items such as the Formal Complaint, written statements of position, summaries or

transcripts of all interviews conducted, photographs, descriptions of relevant evidence, and summaries or copies of relevant electronic records.

Prior to the completion of the investigative report, the investigators will send to each party and the party's advisor, if any, an electronic or hard copy of any evidence obtained during the investigation that is directly related to the allegations raised in the Formal Complaint, including (1) any evidence upon which Louisburg College does not intend to rely in reaching a determination regarding responsibility; and (2) both inculpatory and exculpatory evidence.

The parties have ten days from the time that the evidence is provided to submit to the investigators a written response to the evidence. In the response, the parties may address the relevancy of any evidence that the parties believe should be included in or excluded from the investigative report and may also address any further investigation activities or questions that they believe are necessary. If a party wishes to submit additional evidence at this stage, they should explain how the evidence is relevant and why it was not previously provided.

The investigators will review and consider the parties' written submissions and may conduct additional investigative activities as appropriate prior to finalizing the investigative report. The need for additional investigative activities may result in a delay or extension to the timelines set forth in these Grievance Procedures.

At least ten days prior to the hearing, the investigators will send an electronic or hard copy of the investigative report to each party and the party's advisor, if any. Any response a party wishes to make to the investigative report may be included in that party's pre-hearing statement, which is discussed more below in Section 2C.05.

Due to the sensitive nature of the investigative report, neither the parties nor their advisors may copy, publish, photograph, print, image, record or in any other manner duplicate the report. Parties who violate these restrictions may be disciplined, and advisors who violate these restrictions may be disciplined and/or be barred from further participation in the grievance process.

Nothing in this document restricts the ability of either party to discuss the allegations under investigation or to gather, preserve, and/or present relevant evidence.

2B.04 Submission of Evidence; Expert Witnesses

Any evidence that the parties wish for the hearing officer to consider should be presented to the investigators as early as possible during the investigation process. Evidence that is not submitted in a timely manner and prior to finalization of the investigative report may be excluded from the hearing at the discretion of the hearing officer.

Similarly, all relevant witnesses should be identified to the investigators as early as possible during the investigation. The hearing officer generally will not call or consider written statements from witnesses who were not identified to investigators and interviewed during the investigation. However, in their discretion and for good cause, the hearing officer may choose to consider information from witnesses who were not interviewed during the investigation.

Any party who wishes to present testimony from an expert witness should identify that witness by providing the witness's name, contact information and a summary of (1) the witness's qualifications to offer expert testimony; and (2) any opinions the witness expects to offer related to the allegations or evidence. Any evidence upon which the witness relies must be provided to the investigators and will be made available to the other party and their advisor, as well as to any expert witness the other party has

identified. This information must be provided as early as possible in the investigation and in no event later than finalization of the investigative report. The parties must make any expert witnesses available to be interviewed by investigators and to testify at the hearing. If an expert witness is not available to provide live testimony at the hearing, the hearing officer must disregard any information submitted by that expert.

2B.05 Treatment Records

Louisburg College will not access, consider, disclose, or otherwise use in a grievance process any party's treatment records that are maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in their professional/paraprofessional capacity unless the party provides voluntary, written consent.

C. HEARING AND APPEALS

2C.01 Respondent's Acknowledgement of Responsibility

If, at any time prior to a responsibility determination by the hearing officer, a Respondent accepts responsibility for the allegations, and if the Title IX Coordinator determines that the matter is appropriate for informal resolution, the Title IX Coordinator will ask both parties if they wish to suspend the formal resolution process and engage in an informal resolution process to resolve the allegations without a hearing.

If both parties wish to engage in the informal resolution process, the Title IX Coordinator will propose sanction(s) for the Respondent. If the Complainant and the Respondent agree in writing to such proposed sanctions(s), then the Formal Complaint will be resolved without a hearing and without any further rights of appeal by any party.

If either the Complainant or the Respondent objects to such proposed sanction(s), then the hearing officer will determine sanctions, which are subject to appeal as set forth below.

2C.02 The Formal Resolution Process

Unless a Formal Complaint is dismissed or the parties elect to participate in informal resolution pursuant to section 2.D.01 below, following the investigation the appointed hearing officer will conduct a hearing in which they may question the Complainant, the Respondent, and any witnesses whose testimony the hearing officer deems relevant. During the hearing, the hearing officer and the parties may also question the investigators as necessary to clarify information provided in the investigative report.

2C.03 Appointment of the Hearing Officer and Challenging of the Same

The Title IX Coordinator will appoint a hearing officer, who will administer the hearing, serve as the decision-maker regarding responsibility, and (as applicable) recommend sanctions. The hearing officer may be a Louisburg College employee or non-employee. The Title IX Coordinator will contemporaneously share the hearing officer's name and contact information with the Complainant and the Respondent. The Title IX Coordinator will provide to the hearing officer the Formal Complaint, all evidence directly related to the allegations, the parties' written responses to the evidence, and the investigative report.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the hearing officer. The Title

IX Coordinator will carefully consider such statements and will promptly assign a different hearing officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2C.04 Notice of the Hearing

Promptly after the appointment of the hearing officer and no less than seven days prior to the hearing, the hearing officer will provide concurrent written notice to the Complainant and the Respondent setting forth the date, time, and location of the hearing. Any modifications to the hearing date, time, or location will be provided in writing to both parties prior to the date of the hearing.

2C.05 Pre-Hearing Submissions

Each party may submit a written statement to the hearing officer that includes any response the party wishes to make to the investigative report. Each party's pre-hearing statement must be submitted at least five days prior to the hearing. The hearing officer will share the statement with the other party, who may submit a response within two days.

2C.06 Failure to Appear

If any party, advisor, or witness fails to appear at the hearing after having been provided proper notice of the hearing as set forth above, then absent extenuating circumstances the hearing officer will proceed with the hearing and issuance of their responsibility determination and, as applicable, sanction recommendation. Louisburg College will provide an advisor to any party who attends the hearing unaccompanied.

2C.07 Evidentiary Matters

A Title IX hearing does not take place within a court of law and is not bound by formal rules of evidence.

Evidence of and questions about the Complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted at the hearing, with the following exceptions: (1) if the questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or (2) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.

Evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally investigated or found responsible for such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged Sexual Harassment at issue before the hearing officer, provided that the Respondent has not been found "not responsible" by Louisburg College in a proceeding related to such conduct.

Louisburg College will not access, consider, disclose, or otherwise use in a grievance process any party's treatment records that are maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in their professional/paraprofessional capacity unless the party provides voluntary, written consent. Questions and/or evidence that constitute or seek disclosure of information protected under a legally recognized privilege are not permitted, unless the person holding the privilege has waived the privilege in writing.

Louisburg College will make the evidence that the investigators provided to the parties for their review and inspection prior to finalization of the investigative report available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

2C.08 Conduct of the Hearing and Questioning of Witnesses and Parties

The hearing will be conducted with parties in separate rooms, using technology to ensure that each party can see and hear any party or witness answering questions. At the discretion of the hearing officer, the hearing may be conducted partially or entirely remotely, with any or all participants participating virtually.

The Complainant and the Respondent will have equal opportunity to address the hearing officer, if desired, and both the hearing officer and the parties' advisors will have the opportunity to question the other party and any witnesses, including investigators and expert witnesses. The hearing officer will first ask any questions of each party and each witness through direct examination. After the hearing officer has completed direct examination, the advisor for each party will have an opportunity to conduct a cross-examination of the other party and/or the witnesses. Any questions that a party has for a witness or the other party must be posed by the party's advisor. A party's advisor will not have the opportunity to question the party for whom they serve as advisor.

Before a party or witness answers a cross-examination question, the hearing officer will determine whether the question is relevant and allowed under these Grievance Procedures. For example, the hearing officer may exclude as not relevant duplicative questions or questions posed solely to harass a witness or the other party. The hearing officer will explain any decision to exclude a question.

If a party does not have an advisor present at the hearing, Louisburg College will provide an advisor, at no cost to the party, to conduct cross-examination on behalf of that party.

Members of the Louisburg College community are expected to provide truthful testimony, and any member of the Louisburg College community who knowingly provides false information during this process is subject to discipline.

2C.09 Unavailability or Refusal to Testify or Submit to Cross-Examination

The Respondent and/or the Complainant may choose not to testify at the hearing; however, the exercise of that option will not preclude the hearing officer from making their responsibility determination and, as applicable, sanction recommendation regarding the Formal Complaint. Also, if a party or witness does not submit to cross-examination at the hearing, the hearing officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility or, as applicable, recommendation regarding sanctions. The hearing officer will not draw an inference regarding responsibility or sanctions based solely on a party's or witness' absence from the hearing or refusal to testify or submit to cross-examination.

2C.10 Recording

Louisburg College will record the hearing. This recording will be the only recording permitted of the proceedings and will be the property of Louisburg College. The parties and the appeal officer may use the recording as part of the appeal process. Reasonable care will be taken to ensure a quality recording; however, technological problems that result in no recording or in an inaudible one will not affect the validity of the outcome of a hearing.

2C.11 The Determination of the Hearing Officer Regarding Responsibility

Following the hearing, the hearing officer will determine whether the evidence establishes that it is more likely than not⁵ that the Respondent committed Sexual Harassment. The hearing officer will render

⁵ In other words, the standard of proof will be the preponderance of the evidence standard.

a finding of “Responsible” or “Not Responsible” and will provide the rationale for the decision. If the Respondent is found “Responsible,” the hearing officer will specify the specific type(s) of Sexual Harassment for which the Respondent is found “Responsible” (for example, Sexual Assault, Stalking, etc.). When feasible, the hearing officer will orally communicate the finding of “Responsible” or “Not Responsible” to the parties on the day of or day following the hearing. Additional information regarding the decision, including the rationale and sanctions (if applicable) will be communicated in the final outcome letter (as described below).

2C.12 The Recommendation of the Hearing Officer Regarding Sanctions

If the hearing officer determines that the Respondent is “Responsible,” they will recommend appropriate sanctions to be imposed on the Respondent.

Sanctions following a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline, or both. Sanctions for employees may include, but are not limited to, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, and compensation adjustments.

Sanctions for students may include, but are not limited to, expulsion or suspension from Louisburg College, disciplinary probation, social restrictions, expulsion or suspension from campus housing, suspension or revocation of admission, suspension or revocation of degree

Other potential sanctions for Respondents may include, but are not limited to, written warning, mandated counseling, completion of an intervention program, completion of violence risk assessment, parental notification, and/or education sanctions (such as community service, reflection paper(s), and/or fines) as deemed appropriate by the hearing officer.

In recommending sanctions, the hearing officer will consider whether a sanction will bring an end to, prevent a recurrence of, and remedy the effects of the Sexual Harassment. The hearing officer also will consider the impact of separating a student from their education. The appropriate sanctions for Sexual Assault generally will include at a minimum a period of separation from Louisburg College.

2C.13 Review of Sanctions

The hearing officer will forward their sanctions recommendation to the Title IX Coordinator, who will share it with the Senior Vice President of Enrollment (in cases involving student Respondents), Director of Human Resources (in cases involving employee Respondents). These individuals will consider the recommendation in the context of the sanctioning guidelines, the Respondent’s disciplinary history, the institution’s handling of similar cases, and other relevant factors.

2C.14 Implementation of Sanctions

Sanctions generally are effective immediately upon issuance of the final outcome letter described below. However, if necessary to protect the welfare of the Complainant, Respondent, or Louisburg College Community, the hearing officer may recommend and/or the Title IX Coordinator may determine that any sanctions are effective at any time after the conclusion of the hearing and continue in effect until the issuance of the final outcome letter.

2C.15 Final Outcome Letter

Within seven days after the hearing, the hearing officer will issue a final outcome letter through the Title IX Coordinator to the Respondent and Complainant simultaneously.

The final outcome letter will (1) name the Respondent; (2) identify the allegations potentially constituting Sexual Harassment; (3) describe procedural steps taken from the filing of the Formal Complainant through the determination; (4) provide findings of fact in support of the hearing officer's determination; and (5) provide a statement of rationale for the result as to each allegation, including the responsibility determination and any sanctions.

2C.16 Appeals

The Complainant or the Respondent may appeal the decision of the hearing officer regarding responsibility and/or the sanction(s) imposed on the Respondent.

The following are the only permissible grounds for an appeal of the hearing officer's responsibility determination: (1) procedural irregularity that affected the outcome; (2) new evidence that was not reasonably available at the time of the determination and that could affect the outcome; and (3) the Title IX Coordinator, an investigator, or the hearing officer had a conflict of interest or bias that affected the outcome.

Sanctions may only be appealed on the ground that the severity is incommensurate to the gravity of the Sexual Harassment for which the Respondent was found responsible.

Appeals must be submitted in writing to the Title IX Coordinator within five days from the date of the final outcome letter. The Title IX Coordinator will promptly inform the other party of the filing of the appeal. The other party will have three days from such notification to submit a written response to the appeal.

2C.17 Appointment of the Appeal Officer and Challenging of the Same

Upon receipt of an appeal, the Title IX Coordinator, in consultation with the Senior Vice President of Enrollment (if the Formal Complaint involves students), or the Director of Human Resources (if the Formal Complaint involves employees) will appoint an appeal officer.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that appeal officer. The Title IX Coordinator will carefully consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2C.18 Appellate Review

The Title IX Coordinator will share the Formal Complaint, the investigative report, the hearing recording, all statements introduced at the hearing, any other evidence considered by the hearing officer, the hearing officer's written findings, and the written appeal submissions with the appeal officer. In addition, if an appeal raises procedural issues, the Title IX Coordinator may provide the appeal officer additional information relevant to those issues.

Within ten days of the receipt of the appeal the appeal officer will determine (a) that the decision of the hearing officer should stand; or (b) that the decision of the hearing officer should be overturned and will issue a written explanation of that result and the rationale behind it.

In the event that the appeal officer determines that the decision of the hearing officer should be overturned, the appeal officer will specify, after consultation with the Title IX Coordinator and other Louisburg College administrators as necessary, the appropriate steps to be taken to come to a final resolution of the Formal Complaint (which may include another hearing before the same hearing officer or a different one).

D. INFORMAL RESOLUTION

2D.01 Determination of Formal Versus Informal Resolution

At any time before the issuance of the hearing officer's responsibility determination, the parties may elect to resolve the Formal Complaint through the informal resolution process, provided that (1) the parties both voluntarily consent in writing to such resolution; (2) both parties are students or employees of Louisburg College; and (3) the Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving that specific Formal Complaint. Otherwise, a Formal Complaint that is not dismissed will proceed to a hearing. Informal resolution is not an appropriate mechanism for resolving a Formal Complaint by a student against an employee.

Informal resolution may not be selected for less than all of the misconduct alleged in the Formal Complaint. If the parties agree to informal resolution (and informal resolution is appropriate for all of the allegations at issue), then all of the allegations must be resolved according to the informal resolution process.

Either party has the right to terminate the informal resolution process at any time and proceed with formal resolution (i.e., a full investigation and hearing). Furthermore, the Title IX Coordinator may, where appropriate, terminate informal resolution and proceed with the formal resolution process instead.

2D.02 Notice of Allegations and Notice of Informal Resolution and Facilitator

The Title IX Coordinator will provide the parties a written notice disclosing the Formal Complaint's allegations and the requirements of the informal resolution process, including any circumstances under which Louisburg College would preclude the parties from resuming a Formal Complaint arising from the same allegations.

When the Formal Complaint is to be resolved according to the informal resolution process, the Title IX Coordinator will designate a trained individual to serve as the informal resolution facilitator. The Title IX Coordinator will contemporaneously share the name of the informal resolution facilitator with the Complainant and the Respondent.

Within two days of such notification, the Complainant or Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that facilitator. The Title IX Coordinator will carefully consider such statements and will promptly assign a different facilitator if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2D.03 Facilitated Resolution

The informal resolution facilitator will meet separately with each party to review the informal resolution process and the allegations in the Formal Complaint and to identify the outcome that each party seeks from the informal resolution process. If the facilitator determines that it would be productive for both parties to attend a resolution meeting, the facilitator will provide written notice to the Complainant and the Respondent setting forth the date, time, and location of that meeting. At the request of either party or at the discretion of the informal resolution facilitator, the meeting may occur with the parties in different locations or meetings with parties may take place on different dates.

Both the Complainant and the Respondent are expected to participate in the informal resolution process. If either party fails to participate, the Title IX Coordinator may direct that the Formal Complaint be resolved using a full investigation and hearing or may reschedule the meeting.

During informal resolution, the parties may: (1) engage one another in the presence of, and/or facilitated by, the informal resolution facilitator; (2) communicate their feelings and perceptions regarding the incident and the impact of the incident (either by communicating directly with one another or by communicating indirectly through the informal resolution facilitator); (3) relay their wishes and expectations regarding the future; and/or (4) come to an agreed-upon resolution of the allegations in the Formal Complaint.

Participation in the informal resolution process is completely voluntary, and either party, the informal resolution facilitator, or the Title IX Coordinator may terminate the process at any time.

2D.04 Resolution

The informal resolution facilitator will attempt to facilitate the parties' resolution of the Formal Complaint. If this process results in a resolution between the parties and the Title IX Coordinator finds the resolution to be appropriate under the circumstances (giving consideration to factors including the extent to which the resolution will protect the safety of the Complainant and the entire Louisburg College community), the resolution will be reduced to writing, which will conclude the process and close the Formal Complaint.

2D.05 Written Resolution Agreement

To be effective, any agreement reached during the informal resolution process must be memorialized in writing and signed by the parties, the informal resolution facilitator, and the Title IX Coordinator. If a Respondent completes all measures agreed to in the written resolution agreement, no further process is available with regard to the allegations in the Formal Complaint.

Measures that parties agree to in the informal resolution process may include (but are not limited to):

- 1) Alcohol education classes for the Respondent;
- 2) Completion of online sexual harassment training;
- 3) Completion of an intervention program;
- 4) Regular meetings with an appropriate individual, unit or resource;
- 5) Permanent or temporary no contact order;
- 6) Restrictions for participation in certain activities, organizations, programs or classes;
- 7) Change in residential assignment or restrictions on access to certain residence halls or apartments;
- 8) Restriction of participation in certain events;
- 9) Reflection paper or written apology;
- 10) Counseling sessions; or
- 11) The Respondent's completion of an educational or behavioral plan.

2D.06 Termination of Informal Resolution Process

At any time prior to completing a written resolution agreement, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint. If either party terminates the informal resolution process or Louisburg College determines that the informal resolution process is no longer appropriate, the formal resolution process outlined above will promptly resume.

2D.07 Confidentiality of Information Shared

Any information that the parties share during the informal resolution process may not be used in any other investigation or proceeding at Louisburg College.

2D.08 Timeframe

The informal resolution process generally will be completed within 20 days of the parties' agreement to the informal resolution process.

2D.09 Appeal

A resolution reached pursuant to the informal resolution process is final and not subject to appeal.

2D.10 Records

A resolution reached through the informal resolution process will not be included in a student Respondent's student conduct record or in an employee Respondent's personnel record, unless the inclusion of such information is agreed to as part of the informal resolution of the matter. The Title IX Coordinator will retain a record of the written resolution agreement for no less than seven years.

EXHIBIT A

Suggested Actions for People Who Have Experienced Sexual Harassment

If you have experienced Sexual Harassment, Louisburg College's first priority is to help you take steps to address your safety, medical needs and emotional well-being. You are encouraged to take the following actions, as applicable, regardless of whether you have made a decision about whether to pursue a criminal or Louisburg College complaint.

1. Ensure Your Physical Safety.

You may seek help from local law enforcement agencies or by contacting the Louisburg College Campus Safety Department. The Louisburg College Campus Safety Department can assist you with contacting local law enforcement and can help you obtain transportation to the local law enforcement office. Officers are on duty at the Louisburg College Campus Safety Department 24 hours a day, seven days a week.

2. Seek Medical Assistance and Treatment.

Local options for medical care include the Louisburg College Health Clinic, the Franklin County Health Department, Louisburg Impact Primary & Urgent Care, and Maria Parham Franklin Hospital. It is crucial that you obtain medical attention as soon as possible after a sexual assault, for example, to determine the extent of physical injury and to prevent or treat sexually transmitted diseases (such as HIV). Medical facilities can also screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs).

Campus Safety Officers can help you obtain transportation to a local hospital and can help you contact a support person, such as a family member, a friend, or a roommate.

If you choose to have an evidence collection kit (or "rape kit") completed, it is important to do so within 120 hours.

Even if you have not decided whether to file charges, it is advisable to have the evidence collection kit completed so that you can better preserve the options of obtaining a protective order and/or filing criminal charges at a later date. It is advisable to avoid showering, bathing, going to the bathroom, or brushing your teeth before an evidence collection kit is completed. You should also wear (or take with you in paper – not plastic – bag) to the hospital the same clothing that you were wearing during the assault. An evidence collection kit can still be completed even if you have showered or bathed.

3. Obtain Emotional Support

The Louisburg College Office of Health & Wellness can help students sort through their feelings and begin the recovery process. The professionals at the Counseling Center are trained to provide crisis intervention on short-term and emergency issues. The Counseling Center can also provide referral services for outside providers and law enforcement. Counseling is free of charge to all students. In some instances, the law may require the disclosure of information shared by students with counselors. However, absent a legal mandate to the contrary, counseling services are strictly confidential, are not part of students' records, and will not be reported to other Louisburg College personnel.

Employees may contact the Employee Assistance Program to obtain emotional support (available at: mygroup.com or by telephone at 1-800-633-3353).

4. Obtain Information/Report Misconduct

You are encouraged to report incidents of sexual assault to Louisburg College's Title IX Coordinator (even if you have filed a report directly with law enforcement). The Title IX Coordinator can help you access resources and can provide you with support and information, including information on Louisburg College's procedures for investigating and addressing instances of sexual assault.

Important Contact Information

Resources for Parties

Title IX Coordinator

Ronald Shidemantle
rshidemantle@louisburg.edu
919-497-3247

Campus Safety Department

Greg Bowman
gbowman@louisburg.edu
919-497-3400

Office of Health & Wellness

Fonda Porter
fporter@louisburg.edu
919-497-3400

Division of Student Life

Toni Cochis
tcochis@louisburg.edu
919-497-3247

Office of Human Resources

Terry Wright
twright@louisburg.edu
919-497-3294

Community Resources

Maria Parham Franklin Hospital

919-340-8700

Louisburg Police Department

919-496-4175

Franklin County Sheriff's Department

919-496-2186

Impact Primary Urgent Care

919-496-4976

Advance Community Health

919-833-3111

Witnesses

Name _____ Relationship _____ Phone _____

Name _____ Relationship _____ Phone _____

Name _____ Relationship _____ Phone _____

Are you requesting that Louisburg College investigate your allegation(s) of Sexual Harassment under its Title IX Sexual Harassment Grievance Procedures?

☐ Yes

☐ No

Signature

Date

This section to be completed by Title IX Coordinator or designee

Formal Complaint Intake By:

Printed Name

Date

Signature

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