

Louisburg College
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LOUISBURG COLLEGE

ANNUAL SECURITY REPORT & FIRE SAFETY REPORT

2021

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Important Numbers

On-Campus Assistance

Louisburg College Campus Safety

Emergency Number: 911

Non-Emergency Number: 919-497-3400

Student Life

Office of Student Life: 919-497-3247

Coordinator for Student Advocacy and Accountability: 919-497-3348

Title IX Coordinator 919-497-3210

Joel Porter Counseling Center: 919-497-3205

Off-Campus Assistance

Louisburg Police Department: 919-496-4175

Louisburg Fire Department: 919-496-4290

Franklin County Sheriff's Department: 919-496-2186

September 24, 2018

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Introduction

In accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* and the *Higher Education Opportunity Act*, the following information is provided for the time period of 1/1/2020-12/31/2020:

The Campus Safety Office, in conjunction with the Office of Student Advocacy and Accountability, prepares the Annual Security Report (ASR) in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. This report includes all crimes reported to the Campus Safety office (including but not limited to Deans, Coaches, Advisors, and Community Directors) and local law enforcement agencies. The ASR is published to inform members and prospective members of the Louisburg College community about the security policies which serve to protect the community. It also discloses annual crime statistics for the College.

Each year students, faculty and staff receive e-mail notification of the availability of the current report. Paper copies of the report are also available and may be obtained at the Campus Safety Office. Prospective employees may obtain a paper copy from the College's Human Resource Officer.

The criminal offense statistics reported in this document are classified using the FBI's uniform crime reporting system definitions. The location categories are defined by the *Jenne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. The reader should keep in mind that some crime victims choose not to report offenses to campus law enforcement personnel. "On Campus" refers to campus grounds and buildings, including residential facilities. "Residential" refers to violations occurring in a residence hall or other campus housing facility. "Public Property" is public property adjacent to the campus and "Non-Campus" refers to college property owned, leased, or controlled by the college but not part of the main campus at 501 N. Main St., Louisburg, NC.

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How to Report A Crime

Individuals who are the victim of or witness to any criminal action or emergency are strongly encouraged to report the crime to Campus Safety or a local law enforcement agency.

To report a crime, contact Campus Safety (Davis 100) at 497-3400 (non-emergency).

In case of an emergency, always call 9-1-1.

Students and employees should report all criminal offenses to the Department of Campus Safety for the purpose of assessing the crime for distributing a potential timely warning notice and for disclosure for the Annual Security and Fire Safety Report.

The College has installed emergency two-way call boxes (blue light phones) throughout campus for use during emergencies. By pressing the red button on the stations, users can communicate directly with emergency dispatchers. The location of the station is displayed to the communications personnel. Communications has dispatchers available at the 9-1-1 telephone number 24 hours a day to answer your calls. In response to a call, the communicator will dispatch an officer to the caller's location or have the officer return the call.

All Louisburg College incident reports are forwarded for review and referral to the Coordinator of Student Advocacy and Accountabilities office for potential action as appropriate. Louisburg College Campus Safety will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Coordinator of Student Advocacy and Accountability.

If assistance is required from the Louisburg Police Department, Louisburg Fire Department, or Franklin County Sheriff's Office, Louisburg College Campus Safety will request assistance from the local agencies.

You may also report a crime to the following:

- Dean of Student Life
- Director of Campus Safety
- Residence Life Staff
- Coordinator for Student Advocacy and Accountability
- Title IX Coordinator
- Any Campus Security Authority (CSA)

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Criminal activity may also be reported confidentially via the College website, www.louisburg.edu. Simply click on the Student Life tab and then click the Campus Safety link to find the anonymous [reporting form](#). Information about anonymously reported crimes will be evaluated and investigated as appropriate. Crimes reported anonymously will be included in the annual report of campus crime statistics. Additionally, we encourage our Counseling Center and Campus Chaplain to inform individuals in their care of the crime reporting procedure, including how to report crimes anonymously for inclusion in the campus crime statistics.

Campus Safety

Louisburg College's Department of Campus Safety encourages accurate and prompt reporting of all crimes to the campus safety and/or appropriate police agencies.

Jurisdiction:

The Louisburg College Department of Campus Safety in partnership with local law enforcement has the authority to coordinate enforcement of state and federal laws and is authorized to request arrests on real property owned by or in the possession of and controlled by Louisburg College. Jurisdiction includes public roads or highways that run through or that immediately adjoin the campus.

Relationship with Local Agencies:

The Louisburg College Campus Safety Department has a memorandum of understanding (MOU) with the Louisburg Police Department and the Franklin County Sheriff's Department. Local law enforcement agencies work closely with Louisburg College Campus Safety. They will report to us crimes committed by students at off-campus locations. Louisburg College does not have any organizations operating/living at off-campus locations.

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Timely Warnings (LC Alerts)

In the event that a situation arises, either on or off campus, that in the judgment of the Director of Campus Safety or Dean of Student Life constitutes an on-going or continuing threat, a campus-wide 'timely warning' will be issued. This warning will be communicated by either the Director of Campus Safety or Dean of Student Life via Blackboard Connect (phone/text/voicemail alert) and campus e-mail that will be sent to students, faculty, and staff as well as posted flyers in appropriate campus facilities. Students are strongly encouraged to sign up for LC Alerts. Students will receive an email with instructions for initial sign-up along with periodic emails for updates. Anyone with information that warrants a timely warning should immediately report that information to the Campus Safety office. Louisburg College will hold confidential any identifying information about victims when issuing a timely warning. Timely warnings include all pertinent information regarding a real or potential threat to the campus community, which may include incident location(s), date(s), time(s), suspect(s) descriptions, etc. The timely warning will also include information to help members of the campus community protect themselves from the real or potential threat.

To sign up for LC Alerts via Blackboard Connect, click [here](#). You will need your college email address and your student or employee ID number (student ID is last five digits on the reverse of your Hurricane Card). You can update your communication preferences in your account at any time by returning to this website and entering your login information.

Campus Facility Access Policy

During regular business hours, college facilities (excluding residence halls) will be open to students, parents, employees, and guests. During non-business hours, access to all college facilities will be via key/card (if issued) or via Campus Safety if prior approval is granted by the appropriate College Official.

Campus residence halls are secured 24 hours a day. During periods of extended breaks when halls are closed, the exterior entrance doors to the halls will not be accessible for students. Some college facilities may have hours that vary during different times of the year. Persons desiring access to these facilities should check with the administrator responsible for the facility.

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Emergencies may necessitate changes or alterations (permanent or temporary) to any facility schedule. Additionally, there are routine safety patrols conducted in areas that are problematic. Campus Safety Officers also conduct routine security inspections of other areas on campus. Meetings are held weekly by the College's Administrative Cabinet to discuss items of concern.

Daily Crime Log

In accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, Louisburg College maintains a daily crime log. This log includes all alleged criminal activity reported to the Campus Safety office. The crime log reflecting the most recent 60-day period of activity is available for public inspection at the Campus Safety office during regular college business hours. Louisburg College, to the extent permitted by law, does NOT disclose identifying information about victims in the daily crime log.

Annual Disclosure of Crime Statistics

The Campus Safety Office prepares the Campus Crime Report in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. This report includes all crimes reported to the Campus Safety office (including but not limited to Deans, coaches, advisors, and Community Directors) and local law enforcement agencies.

Each year students, faculty, and staff receive e-mail notification of the availability of the current report. The report can be found on the College's website at <http://www.louisburg.edu/student/AnnualSecurityReport.pdf>. Copies of the report may also be obtained at the Campus Safety Office. Prospective employees may obtain a copy from the College's Human Resources Officer, and prospective students may obtain a copy from the Admissions Office.

Security Awareness Programs

At new student orientation events, students are informed of the services provided by Louisburg College Campus Safety. Students are provided with information via handouts and in the Louisburg College Student Handbook. Students are also informed about crime prevention tips that they can employ to protect themselves and the campus.

Periodically throughout the year, Campus Safety and the Student Life office will offer safety and crime prevention programs. These programs may cover topics such as self-defense, drug and alcohol abuse, residence hall security, etc. Inherent in all of these

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programs is the need for students to understand their responsibility for their own security and that of others. Students are strongly encouraged to participate in these programs.

As a part of the Louisburg College community, students and employees are encouraged to be responsible for their own security and that of others. “See something, Say Something!” is our campaign to encourage responsible citizenship and the development of a safe campus environment. Campus safety is everyone’s responsibility.

Alcohol and Illegal Drugs

Louisburg College complies with all state and federal laws concerning the possession, sale, and use of alcohol and illegal drugs. The College is a drug and alcohol-free campus. For more information see the Louisburg College Student Handbook.

As part of our commitment to help students with alcohol and drug issues, we offer CHOICES, a drug and alcohol education program. Contact the Substance Education Coordinator at (919) 497-3420 for additional information.

Emergency Response and Evacuation Procedures

From time to time emergency situations arise that may constitute a real or potential threat to the health and/or safety of students and employees on campus. These emergencies can include (but are not limited to) severe weather (forecast and actual), gas leaks, virus outbreaks, etc. In the event of a real or potential emergency, the College will activate the Crisis Management Team (CMT) which consists of the Dean of Student Life, Provost, Vice President for Finance, Facilities Director, Director of Publications and Media Relations, and Director of Campus Safety. The CMT will confirm the existence of the emergency using all available resources and if necessary, immediately notify the campus community by activating the LC Alerts campus notification system via Blackboard Connect (phone/text/voicemail alert) and campus e-mail that will be sent to students, faculty, and staff. Upon assessment of the emergency, the CMT will determine the information to be included in the emergency notification. Follow up information will be sent out to the community using additional messages from the LC Alerts campus notification system. A notification will not be sent or may be delayed if in the professional judgment of responsible authorities such notification may compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Depending on the type of emergency, the CMT will also notify any local authorities as necessary. The CMT will also determine if the larger Louisburg community needs to be alerted. The Director of Publications and Media Relations will disseminate emergency information to the

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community. These actions will be the result of the activation of the college's Crisis Management Plan (CMP).

In the event of an incident where one or more of the academic or residential areas of campus must evacuate, it is more important than one may realize to have a systematic evacuation plan. A systematic plan assists in providing for accountability of persons assigned to a specific area, or last known to be in a specific area during and following the aftermath of a critical incident. During a prolonged emergency evacuation, students, faculty and staff are directed to proceed to the following rally points for their safety, the safety of emergency personnel, and for final accountability before their release:

Residence Hall Evacuations – Rally Points

In the event of a prolonged emergency evacuation from any of the residence halls, students will be directed to proceed to the multi-purpose room inside the Jordan Student Center. Once students arrive, they will be sorted by floor and a head count will be performed by Residence Life Staff. Any students last known to be inside the affected hall that are not accounted for at the student center rally point shall be reported to emergency officials. All students seen on campus grounds who reside in the affected area shall be directed to the student center to be included in the head count.

If all residence halls are forced to simultaneously evacuate, the rally point shall be the Jones Performing Arts Center. There, all students will be sorted by building and then by floor and head counts taken. Students should not leave the designated rally point without the permission or knowledge of a residence life staff member.

Academic Area Evacuations – Rally Points

Upon a prolonged emergency evacuation of the Taft and Franklin classroom buildings, students, faculty and staff will be directed to the Jones Performing Arts Center. Faculty shall accompany students to the rally point and attempt to account for all students who were present in their respective class and inside the building at the time of the evacuation. Any students who were present in class but failed to make it to the rally point shall be reported to emergency personnel. Students should not leave the designated rally point without the permission or knowledge of their instructor or any other staff member who could verify his/her presence at the rally point. Any students on campus grounds attempting to enter or exit the affected building or area shall be re-directed safely away from the area by emergency personnel.

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Fire Alarms/Drills

Our response to a fire alarm or fire drill places specific responsibilities on students, faculty, staff, and emergency personnel. Fire alarms or fire drills in an academic area may be brief or may continue for an extended amount of time. In the event of a short-term, pre-planned drill or actual alarm, and upon the arrival of emergency response vehicles, (e.g. fire engines, law enforcement vehicles, etc.) students will be directed a safe distance away from their building and away from the emergency vehicles by College personnel. Students should remain in their designated location until cleared to return to their hall/building. For a more prolonged evacuation event, and upon the arrival of emergency response vehicles, students shall be directed to the Jordan Student Center. Once at the rally point, they will be included in the head count prior to release by College personnel.

Campus-Wide Evacuation

In the event that the entire Louisburg College community must be evacuated, each department head shall account for each employee under his/her control. Once every employee has been accounted for, the department head may authorize the employees to leave campus. Department heads should then report to their Vice President and inform them that all staff under their control has safely left campus.

All residential and commuter students should follow the protocol for an academic evacuation, instructing them to meet at the Jones Performing Arts Center for accountability and further instructions from College personnel. In the event that the auditorium is unavailable, the Taylor Athletic Center shall be the designated rally point.

A recommendation will be made to senior administrative officials to officially close the campus at this point and the Incident Command System (ICS) shall become effective immediately. Once ICS has been activated, only the approved, designated emergency campus personnel and city/county/state personnel shall be permitted on campus property. Students, faculty, and staff shall be advised through the Louisburg College website when the campus officially reopens.

The College, through the leadership of the Student Life Office, will test the emergency response and evacuation procedures annually at minimum.

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Dating Violence, Domestic Violence, and Stalking

Louisburg College prohibits all forms of dating violence, domestic violence, and stalking as defined by the Clery Act and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the College community. Toward that end, Louisburg College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College Official.

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some of the ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This should be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

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Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with** you and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.

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12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - i. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - ii. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - iii. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - iv. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking**, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- A. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- B. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- C. Defines what behavior and actions constitute consent to sexual activity using the definition of consent found in the Student Code of Conduct (North Carolina does not have a consent definition);
- D. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- E. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander in action and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

F. Information regarding:

- i. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
- ii. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- iii. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
- iv. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- v. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document)

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Primary Prevention Programs listed in the following chart were conducted by the Title IX Office, the office of Student Accountability and Advocacy, and the Joel Porter Counseling Center in conjunction with other campus partners. New Employee Orientation is conducted by Human Resources.

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
Bridges: Building a Supportive Community	Ongoing	N/A	Sexual Assault, Domestic Violence, Dating Violence, Stalking
Clery Act Basics	Ongoing	N/A	Sexual Assault, Domestic Violence, Dating Violence, Stalking
Alcohol and Substance Abuse: Making Smart Decisions	Ongoing	Multipurpose Room	Sexual Assault, Domestic Violence, Dating Violence, Stalking
Title IX Training; Because It's Important	August 10 th , 2018	Multipurpose Room	Sexual Assault, Domestic Violence
Sexual Assault Awareness Day	Ongoing	Outside of Jordan Student Center	Sexual Assault, Domestic Violence, Dating Violence, Stalking
College Alcohol Dangers Program	Ongoing	JPAC	Sexual Assault, Domestic Violence, Dating Violence, Stalking
Alcohol Program	Ongoing	Multi-Purpose Room	Sexual Assault,

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			Domestic Violence, Dating Violence, Stalking
Alcohol Education Table	Ongoing	Duke Dining Hall	Sexual Assault, Domestic Violence, Dating Violence, Stalking

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Programs listed in the following chart were presented by Campus Safety relating to Sexual Assault, Domestic Violence, Dating Violence and Stalking.

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
SOAR: Campus Safety Overview	January 8 th , 2018	Multipurpose Room	Sexual Assault
SOAR: Campus Safety Overview	June 19 th , 2018	Jones Performing Arts Center	Sexual Assault
SOAR: Campus Safety Overview	July 10 th 2018	Jones Performing Arts Center	Sexual Assault
SOAR: Campus Safety Overview	July 31 st , 2018	Jones Performing Arts Center	Sexual Assault
SOAR: Campus Safety Overview	August 20 th , 2018	Jones Performing Arts Center	Sexual Assault
Who is Jeanne Clery	August 10 th , 2018	Multipurpose Room	Sexual Assault, Domestic Violence, Dating Violence, Stalking
Title IX Training; Because It's Important	August 10 th , 2018	Multipurpose Room	Sexual Assault, Domestic Violence, Dating Violence, Stalking

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

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Wake Med Hospital in Raleigh, N.C. In North Carolina, evidence may be collected even if you chose not to make a report to law enforcement. Wake Med obtains the victim's name at check-in. If the victim wishes, the evidence kit collected at the hospital will be transferred to the State Bureau of Investigation Crime Lab in Raleigh, North Carolina where they are stored pending testing for one year. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence which may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keep pictures, logs or other copies of documents, if they have any, as such evidence may be useful to College hearing boards/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement (local police), it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. Campus Safety, the Title IX Coordinator, the Joel Porter Counseling Center, or the College Chaplain will assist any victim with notifying local police if they so desire. The Louisburg Police Department may also be reached directly by calling 911 or 919-496-

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4175. Reports may be made in person at 104 Wade Ave, Louisburg, N.C... Additional information about the Louisburg Police department may be found online at: <http://townoflouisburg.org/town-services/police>.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, {Brandon Moyer, Dean of Student Life, 501 North Main Street, Louisburg, N.C. 27549, Davis Hall Room 110, 919-497-3290}, by calling, writing or coming into the office to report in person with Campus Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to Campus Safety or local law enforcement. Students and employees should contact Brandon Moyer, Dean of Student Life, 501 North Main Street, Louisburg, N.C. 27549, Davis Hall Room 110, 919-497-3290.

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

Incident Being Reported	Procedure College Will Follow	Evidentiary Standard
<p>Sexual Assault</p> <p>Domestic Violence</p> <p>Dating Violence</p> <p>Stalking</p>	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs. delayed report), Louisburg College will assist the complainant with access to medical care 2. Louisburg College will assess immediate safety needs of complainant 3. Louisburg College will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 4. Louisburg College will provide complainant with referrals to on and off campus mental health providers 5. Louisburg College will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties 6. Louisburg College will provide a Trespass Warning to the accused party if deemed appropriate 7. Louisburg College will provide written instructions on how to apply for a Protective Order 8. Louisburg College will direct individuals to a copy of the Sexual Misconduct Policy and inform the complainant regarding timeframes for inquiry, investigation and resolution 	<p>Preponderance of Evidence</p>

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Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the college will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for college disciplinary action.

Under North Carolina State Law, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

NORTH CAROLINA DECLARATION OF RIGHTS:

- A. The right as prescribed by law to be informed of and to be present at court proceedings of the accused.
- B. The right to be heard at sentencing of the accused in a manner prescribed by law and at other times as prescribed by law or deemed appropriate by the court.
- C. The right as prescribed by law to receive restitution.
- D. The right as prescribed by law to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.
- E. The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.

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- F. The rights as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.
- G. The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.
- H. The right as prescribed by law to confer with the prosecution.

Further, Louisburg College complies with North Carolina law in recognizing orders of protection (50B) issued in North Carolina or protective orders from other states. Individuals should provide a copy of the order to Campus Safety. Additionally, individuals may meet with Campus Safety and the Title IX Office to develop a Safety Action Plan, which is a plan for reducing the victim's risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc. The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

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TYPES OR ORDERS AVAILABLE:

Type of Order:	Who Can File For One:	Court:	Based On:
<p>Domestic Violence Civil Protection Order – (DVPO) 50B</p> <p>– up to 1 year, renewable</p>	<p>Family or household members including :</p> <ul style="list-style-type: none"> • Your spouse, or former spouse, • A person of the opposite sex with whom you live or used to live, • Someone you are related to including parents, children, grandparents and grandchildren over the age of 16, • Someone with whom you have a child in common, • A current or former household member, or • Someone of the opposite sex whom you are dating or have dated. 	<p>Clerk of Court or Magistrate – You can file a petition in the county where you live (permanently or temporarily), or in the county where the abuser lives.</p>	<ul style="list-style-type: none"> • attempts to cause bodily injury, or intentionally causes bodily injury; • places you or a member of your family or household in fear of imminent serious bodily injury; • continued harassment that rises to such a level as to inflict substantial emotional distress; or • commits any rape or sexual offense
<p>Ex-Parte DVPO – Emergency - temporary (up to 10 days)</p>	<p>Family or household members including :</p> <ul style="list-style-type: none"> • Your spouse or former spouse, • A person of the opposite sex with whom you live or used to live, • Someone you are related to 	<p>Clerk of Court or Magistrate – You can file a petition in the county where you live (permanently or temporarily), or in the county where the</p>	<p>attempts to cause bodily injury, or intentionally causes bodily injury;</p> <ul style="list-style-type: none"> • places you or a member of your family or household in fear of imminent serious bodily

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	<p>including parents, children, grandparents and grandchildren over the age of 16,</p> <ul style="list-style-type: none"> • Someone with whom you have a child in common, • A current or former household member, or • Someone of the opposite sex whom you are dating or have dated. 	abuser lives.	<p>injury;</p> <ul style="list-style-type: none"> • continued harassment that rises to such a level as to inflict substantial emotional distress; or • commits any rape or sexual offense
<p>Civil No Contact Order 50C – Stalking or Nonconsensual sexual contact temporary (up to 10 days)</p>	<p>Any person who has suffered nonconsensual sexual acts or stalking as defined by North Carolina law, committed by someone you do not have an intimate or familial relationship with</p>	<p>Clerk of Court or Magistrate – You can file for a civil no contact order in the district court in the county where you live, in the county where the abuser/stalker lives, or in the county where the unlawful conduct took place.</p>	<p>The victim of either nonconsensual (unwanted) sexual conduct or stalking</p>
<p>Civil No-Contact Order 50C – Stalking or</p>	<p>Any person who has suffered nonconsensual sexual acts or stalking as defined by North Carolina law, committed by someone you do not have an</p>	<p>Clerk of Court or Magistrate – You can file for a civil no contact order in</p>	<p>The victim of either nonconsensual (unwanted) sexual conduct or stalking</p>

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<p>Nonconsensual sexual contact - up to 1 year, renewable</p>	<p>intimate or familial relationship with</p>	<p>the district court in the county where you live, in the county where the abuser/stalker lives, or in the county where the unlawful conduct took place</p>	
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The College may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such an institutional no-contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no-contact order.

Accommodations and Protective Measures Available for Victims

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

Upon the victim’s request and to the extent of the victim’s cooperation and consent, College offices will work cooperatively to assist the victim with their health, physical safety, work and academic status pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, working, protective measures, or transportation situations

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regardless of whether the victim chooses to report the crime to Campus Safety and Police or local law enforcement.

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Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student park in a different location, assisting the student with a safety escort, etc. To the extent possible, Louisburg College will also provide assistance with and/or information about obtaining resources and services such counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

To request changes or assistance in requesting changes to academic, living, transportation, protective measures and/or working situation or protective measures, a victim should contact the Title IX Coordinator, Brandon Moyer at 919-497-3290 or bmoyer@louisburg.edu, and employees should contact Terry Wright with Human Resources at 919-497-3294 or twright@louisburg.edu.

Orders of protection and restraining orders can be obtained at the Franklin County Courthouse. These orders are designed to protect the victim from further harm. Additionally the Title IX Office may issue administrative no-contact orders.

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Louisburg College will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

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On Campus	Types of Services Available	Service Provider for Both Students and Employees	Contact Information
Counseling	Counseling	Joel Porter Counseling Center	919-497-3205
	Stress		
	Depression Anger	Employee EAP McLaughlin Young	800-633-3353
Health	Routine health care for most health issues	Student Health Clinic	919-497-1399
		Employee Insurance	
Mental Health	Psychiatric Services	Joel Porter Counseling Center	919-497-3205
		Employee EAP	800-633-3353
		McLaughlin Young	
Victim Advocacy	Confidentiality	Joel Porter Counseling Center	919-497-3205
Legal Assistance	Guidance	Students – Title IX Coordinator	919-497-3210
		Employee – Human Resources Director	919-497-3294
Visa and Immigration Assistance	Information about U.S. Visas	Students – Title IX Coordinator	919-497-3210
		Employee – Human Resources Director	919-497-3294
Financial Aid	Financial Aid	Financial Aid Office	919-497-3212
Other	Counseling Support	Chaplain’s Office	919-497-3231

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Off Campus	Type of Services Available	Service Provider for both Students and Employees	Contact Information
Counseling	Counseling Stress Depression Anger	Carolina Partners in Mental Healthcare	(919) 792-3967
Health	Routine health care for most health issues	Franklin County Health Department	(919) 496-2533
Mental Health	Psychiatric Services	Carolina Partners in Mental Healthcare	(919) 792-3967
Victim Advocacy	Confidentiality	Safe Space	919-497-5444
Legal Assistance	Guidance	Legal Aid of North Carolina	1-866-219-LANC (5262)
Visa and Immigration Assistance	Information about U.S. Visas	U.S. Committee for Refugees and Immigration (Raleigh Office)	(919) 334-0072

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<https://www.rainn.org/> – Rape, Abuse and Incest National Network

<http://www.justice.gov/ovw/sexual-assault> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

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Confidentiality

Victims may request that directory information on file with the College be withheld. To make this request, students should contact Title IX Coordinator Brandon Moyer at 919-497-3290 or bmoyer@louisburg.edu, and employees should contact Terry Wright with Human Resources at 919-497-3294 or twright@louisburg.edu.

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

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Adjudication of Violations

The College’s disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an

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investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

- A. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
- B. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
- C. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
- D. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited. The advisor's role is to provide support, guidance, or advice to the Complainant or Respondent. The advisor has no formal role in the complaint resolution process and cannot act on behalf of the Complainant or Respondent in relation to the complaint resolution process. The advisor's role in any meeting or proceeding is limited to requesting reasonable breaks to confer privately with the advisee. Advisors may not record the meetings or proceedings, take notes, ask questions, or otherwise actively participate in meetings or proceedings. The Complainant and Respondent may share with their advisor notices and information provided to them in relation to complaint resolution under this Policy, provided that the advisor shall keep such materials confidential unless the advisor is otherwise authorized to disclose the information contained therein.
- E. The accuser and the accused will be notified simultaneously, in writing, of the result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking.

- F. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding.
- G. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved

Whether or not criminal charges are filed, the College or a person may file a complaint under the following policy: Title IX Policy.

A full copy of the policy can be found at: <https://www.louisburg.edu/titleIXPolicy.pdf>

Students & Employees: Policies, Procedures, and Information on Sexual Misconduct, Relationship Abuse and Violence, and Stalking

How to File a Disciplinary Complaint under this Policy

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

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

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

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This initial information will also be helpful in determining if any immediate and interim actions need to be taken to ensure the safety of the complainant, respondent, and the campus community as a whole. Additional information will be gathered if an investigation is deemed necessary.

At any time that a serious, imminent, and continuing threat exists, Campus Safety will be notified and an LC Alert will be issued to the campus community.

Where to Make a Complaint

If you believe you or someone you know has experienced sexual harassment, discrimination, and misconduct, you should promptly report the incident. When reporting a complaint, it is important to know the most appropriate person to whom the report should be made and what will happen after a report is made. There are three groups of people affiliated with the college who must take specific actions once notified of a Title IX complaint: *Non-confidential faculty and staff*; *Confidential staff*; and, *Campus Safety*. No employee is authorized to investigate or resolve complaints of sexual harassment, discrimination, and misconduct without the involvement of the Title IX Coordinator. If you are unsure about what constitutes sexual harassment, discrimination, and misconduct at Louisburg College, please contact the Title IX Coordinator.

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

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Title IX Coordinator

Brandon Moyer
Dean of Students
bmoyer@louisburg.edu
919-497-3290
Davis Hall 110

Deputy Title IX Coordinator for Student Life

Benjamin Slate
Assistant Professor of Theatre, Norris Theatre
bslate@louisburg.edu
919-497-3324
Norris Theatre

Deputy Title IX Coordinator for Human Resources

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

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

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Counselors in the
Joel Porter Counseling Center
919-497-3205
Davis 104

College Chaplain
919-497-3231
Benson Chapel

Campus Health Clinic
919-497-1399
Kenan 110

Campus Safety
919-497-3400
Davis 100

Campus Safety: Louisburg College Campus Safety are responsible employees of the College and have the same obligation to report possible violations of the Title IX Policy to the Title IX Coordinator as non-confidential faculty and staff. If a violation of the Title IX Policy is also a violation of the law, Campus Safety may assist in the filing of a criminal complaint and guide the complainant through the criminal process.

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

How the College Determines Whether This Policy will be used

Louisburg College expressly reserves its right to bring charges against any student under the Student Conduct Process for misconduct which does not constitute a violation of the Louisburg College Sexual Harassment, Discrimination, and Misconduct Policy. When a student is reported to have engaged in sexual harassment, discrimination, or other types of misconduct, the College will review the reported sexual harassment, discrimination, or other types of misconduct pursuant to the Title IX Policy. The Title IX investigator will investigate the reported other types of misconduct and the final Title IX investigative report will reach conclusions concerning whether the respondent violated the Sexual Harassment, Discrimination, and Misconduct Policy and any other sections of the Student Code of Conduct using a preponderance of the evidence standard. If the Title IX report concludes that the respondent violated the Sexual Harassment, Discrimination, and Misconduct Policy and any other sections of the Student Code of Conduct, the College Review Board will determine the sanctions for all misconduct in accordance with the process described in Part III of the Title IX Policy. If the Title IX report concludes that the respondent did not violate the Sexual Harassment, Discrimination and Misconduct Policy but that the respondent did violate other sections of the Student Code of Conduct, the Title IX report will be referred to the Coordinator for Student Advocacy and Accountability for resolution in accordance with the Student Conduct Process set forth in the Student Code of Conduct.

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Steps in the Disciplinary Process

Resolution Options

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

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

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

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

Formal resolution: The formal resolution process consists of:

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1. Unbiased and fair investigation;
2. Recommendation of violations and outcomes;
3. Title IX Coordinator accepts, rejects, or returns report;
4. Respondent(s) and complainant(s) notified of violations and outcomes;
5. College Review Board assigns sanctions (if there was an outcome of “Responsible” for any Title IX policy violation);
6. Respondent(s) and complainant(s) notified of sanctions.

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

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

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

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

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is being biased or unfair, they should inform the Title IX coordinator immediately in writing. The Title IX Coordinator will examine the information, make further inquiries if necessary, and determine if the investigator should be replaced.

During the investigation, the assigned investigator will determine any sources of relevant information necessary to make an informed, unbiased, and fair decision. The investigator will review the initial complaint and notify the respondent(s) of the alleged violations of the Title IX Policy and any other possible policy violations (Student Code of Conduct, Employee Handbook, etc.). The respondent will have the right to know the approximate date(s) and location(s) of the incidents and who is the named complainant. Any requests for information or interviews will be made through College email. The investigator will request that the complainant(s) and respondent(s) provide a list of any individuals who should be interviewed as witnesses to the incident; witnesses should have first-hand knowledge of the incident. The investigator will interview the complainant(s), respondent(s) and all possible witnesses. The investigator may gather additional information that may include, but is not limited to: reviewing campus and community law enforcement investigation documents, if applicable; reviewing student and employee files; images/video from security cameras; texts and social media posts; and examining other relevant document and evidence.

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

The investigator will compile all of the information gathered during the investigation. A report will be written stating the agreed upon facts, disputed facts and statements, and evidence gathered. The investigator will notify the complainant(s) and respondent(s) once the report is complete and allow each to review the report, in person and in the presence of the investigator or designated staff member. No recording, copying, or removing of the report will be allowed. The complainant and respondent will each be able to submit written statements to (1) dispute a statement they believe misrepresents what they said, (2) dispute a statement made by another person, or (3) include new or clarifying information. The investigator will review the statements and determine if the report should be altered, corrected, or amended. If the report is altered, corrected, or amended, the respondent and complainant will be able to review the final report. Additional changes will be conducted in a similar manner.

Recommendation of violations and outcomes: Once the investigative report has been completed, the Title IX Investigator will review the Title IX Policies and Student Conduct

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Policies or Human Resource Policies and make a recommendation of which policies the respondent may have violated. If the investigator does not believe any policies were violated, a “no findings” recommendation will be made. The investigator shall write a statement giving the reasoning he/she believes it is more likely than not the respondent either violated each of the policies to which a recommendation of “responsible” is being made or that there was “no finding” of responsibility for a violation in the complaint.

Title IX Coordinator accepts, rejects, or returns report: The investigator will submit the investigative report to the Title IX Coordinator with a *recommendation of violations and outcomes* or a *recommendation of “no findings”*. The Title IX Coordinator will either accept the recommendations, reject the recommendations (in full or part), or return the report to the Title IX Investigator with a request for further information/investigations. If the Title IX Coordinator rejects the recommendations, in full or in part, he/she will write a statement as to reasoning of the new outcome (including if a new violation is determined). If the Title IX Coordinator returns the report, he/she will instruct the investigator on what actions he/she wishes the investigator to take and/or what information he/she believes is missing.

Respondent(s) and complainant(s) notified of violations and outcomes: Once the recommendations are accepted, the Title IX Coordinator will notify the respondent(s) and complainant(s) of the violations and outcomes via campus email and/or in person. If a responsible finding was made, the complainant and respondent will be notified that the College Review Board will be convened to determine appropriate sanctions for the respondent. The complainant will be notified that that they may submit an impact statement to be considered as part of the sanctioning process. Impact statements are meant to allow the complainant to express how the actions of the respondent have impacted his/her life since the incident. The respondent will be notified that they may submit a mitigating circumstances statement to be considered as part of the sanctioning process. Mitigating circumstances statements are meant to convey circumstances or reasoning behind the respondent’s behavior. Impact and mitigating circumstances statements must be in writing and submitted to the Title IX Coordinator within two business days from the notification of violations and outcomes.

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College Review Board assigns sanctions: If there was an outcome of “Responsible” for any Title IX policy violation, the Title IX Coordinator will convene the College Review Board (CRB) within five (5) business days from the notification of the respondent and complainant of the violations and outcomes. The CRB is responsible for assigning appropriate sanctions, conduct status, and/or disciplinary actions (students). Employees with an outcome of “Responsible” will be subject to disciplinary actions as outlined by the employee handbook. The Title IX Coordinator will compile and provide the investigative report (including the violations and outcomes with reasoning statements), any impact statements, and any mitigating circumstances statements to the members of the CRB. The members of the College Review Board shall be one representative from the faculty appointed by the Provost, the Registrar, and one staff member appointed by the President. The Vice President for Student Life shall serve as a non-voting chair of the Committee. Three committee members are required for a quorum for all meetings. The College Review Board shall consider all documentation and information from all applicable sources in reaching their decision. The College Review Board will not rehear the case or make judgements on if the findings are appropriately substantiated. The Title IX Coordinator and/or designee will be available to provide technical assistance on procedural and policy matters. The Board will receive training on Title IX Policy procedures, sexual harassment, discrimination, and misconduct information/sensitivity, and member responsibilities.

Standard of Proof

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

Possible Sanctions

Students:

A student found responsible for violating a Title IX Policy will be assigned a conduct status and educational sanctions, provided the conduct status is not suspension or expulsion. Conduct statuses include written warning, conduct probation, suspension, and expulsion. Educational sanctions may include, but are not limited to, CHOICES Workshop, Counseling Referral, Educational Workshops, Loss of Privileges, Restorative Justice,

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

Employees:

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

Range of Protective Measures Available to a Victim Alleging Misconduct

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

Interim actions: Interim actions are meant to be temporary and have the least amount of impact on a respondent's academic activities weighed against the need to protect the safety of the complainant(s) and campus community. Interim actions are not decisions about responsibility. The Title IX Coordinator will issue an interim action when the College feels that there is an imminent or ongoing threat to the campus community. Interim actions may include, but are not limited to: Counseling Referral; Housing reassignment or removal; Temporary Removal from Campus; No Contact Orders; *Persona non grata* Notice (No Trespass). These actions are described in the Student Conduct Process section of the Student Handbook

Accommodations: A complainant and respondent may request reasonable accommodations be made to help him/her during or after the resolution process. Accommodations must be requested and all requests must be approved by the Title IX Coordinator in consultation with appropriate faculty and staff. A request for an accommodation does not guarantee the approval of the accommodation. The Title IX Coordinator will work with the complainant and respondent to identify ways to alleviate any concerns he or she may have resulting from the complaint. Accommodations may include, but are not limited to: request rearrangement of class schedule or housing assignment; request arrangement for the complainant to have additional time to complete a course or retake/withdraw from a class without academic or financial penalty; housing reassignment; providing an escort between classes; or, request that the Title IX Coordinator or Dean of Students address the complainant's concerns with the respondent.

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College-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a College order of no contact, residence hall relocation, adjustment of course schedules a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Louisburg College.

Notification to Victims of Crimes of Violence

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Sex Offender Registry:

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In North Carolina, convicted sex offenders must register with the Sheriff's Office of the county where they reside. You can link to this information, which appears on the North Carolina Department of Public Safety website, by accessing the website at <http://sexoffender.ncsbi.gov/>

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Missing Student Notification

Louisburg College takes student safety and security very seriously. As such, and in accordance with federal law, the following policy and procedure has been established to assist the College in locating students who, based on information and circumstances known to the College, are determined to be missing.

Policy-

All reports of missing students shall be directed to Louisburg College Campus Safety. Campus Safety will investigate each report to determine if the student is missing. At the beginning of each academic year, all residential students will have the opportunity to identify an individual that will be contacted by the College in the event that student is determined to be missing. This emergency contact information will be kept confidential, is only accessible to authorized campus officials, and will not be disclosed to anyone except law enforcement personnel in furtherance of a missing person investigation. If the student has identified an individual to contact, the College is required by law to notify the identified emergency contact of the missing student no later than 24 hours after the determination that the student is missing. If the student is under the age of 18 and not emancipated, the College is required to notify the parent/guardian in addition to the designated contact person no later than 24 hours after the determination that the student is missing. Additionally, Campus Safety will also notify the Louisburg Police Department and the Franklin County Sheriff's Office within 24 hours of determination that the student is missing.

Procedure-

Reporting:

- Any report of a missing student, regardless of origin, must be immediately directed to Campus Safety.
- Upon receipt of a missing student report, Campus Safety shall:
 - Initiate an investigation to determine the validity of the report,
 - Contact the Vice President for Student Life, and
 - Make a determination of the status of the student.

If student is determined to be missing and has been missing more than 24 hours:

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- Notify the emergency contact provided by the missing student OR the parent/guardian of students under age 18 or who have not provided an emergency contact, and
- Notify the Louisburg Police Department and the Franklin County Sheriff's Office

Investigation:

Upon receipt of a missing student report, Louisburg College Campus Safety may employ any of the following methods to assist in locating the student:

- Contact the student's Residence Hall Mentor (if a residential student) to key into the student's room
- Search of campus facilities
- Issuance of student photo to campus community
- Contact the student's known associates, including the student's instructors for last sightings or additional contact information
- Review ID card access logs and dining logs to track student movement
- Access vehicle registration information for vehicle location and for distribution to off-campus authorities
- Contact Information Technology to review last dates/times of email/portal logins
- Other methods as necessary

Campus Communication:

External Inquiries: All inquiries to the institution regarding missing students will be referred to the Office of Marketing and Publications. The Director of Marketing and Communications, in close consultation with the Director of Campus Safety and local law enforcement authorities, will determine an appropriate response.

Internal Communication: It is likely that other students along with faculty and staff will be concerned and anxious about the missing student. The Vice President for Student Life, in collaboration with the Director of Counseling Services and Campus Safety, will coordinate personal safety education and disseminate information as appropriate to the campus community regarding efforts to locate the missing student. Additionally, the

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Counseling Center will coordinate emotional support and counseling for concerned members of the College community as needed.

Campus Crime Statistics

The criminal offense statistics reported in the following charts are classified using the FBI's uniform crime reporting system definitions. The location categories are defined by the *Jenne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. The reader should keep in mind that some crime victims choose not to report offenses to campus law enforcement personnel. "On Campus" refers to campus grounds and buildings, including residential facilities. "Residence Halls" refers only to violations occurring in a residence hall or other campus housing facility. "Public Property" is public property adjacent to the campus and "Non-Campus" refers to college property owned, leased, or controlled by the college but not part of the main campus at 501 N. Main St., Louisburg, NC.

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Criminal Offenses	On-Campus			Residence Halls			Non-Campus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder	-	-	-	-	-	-	-	-	-	-	-	-
Negligent Manslaughter	-	-	-	-	-	-	-	-	-	-	-	-
Rape	-	-	1	-	-	1	-	-	-	-	-	-
Fondling	1	-	1	-	-	-	-	-	-	-	-	-
Incest	-	-	-	-	-	-	-	-	-	-	-	-
Statutory Rape	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-	-	-
Aggravated Assault	2	1	-	2	-	-	-	-	-	-	-	-
Burglary	1	-	-	1	-	-	-	-	-	-	-	-
Motor Vehicle Theft	-	-	-	-	-	-	-	-	-	-	-	-
Arson	-	-	-	-	-	-	-	-	-	-	-	-
Domestic Violence	-	-	-	-	-	-	-	-	-	-	-	-
Dating Violence	15	5	2	15	5	2	-	-	-	-	-	-
Stalking	5	-	-	1	-	-	-	-	-	-	-	-
Liquor Law Violations												
Arrests	-	-	-	-	-	-	-	-	-	-	-	-
Disciplinary Referrals	40	18	27	37	18	27	-	-	-	-	-	-
Drug Law Violations												
Arrests	1	-	-	-	-	-	-	-	-	-	1	-
Disciplinary Referrals	31	65	45	24	64	43	1	-	-	-	-	-
Weapons Possession												
Arrests	-	-	1	-	-	1	-	-	-	-	-	-
Disciplinary Referrals	-	1	2	-	1	1	-	-	-	-	-	-
Unfounded Crimes†												

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Hate Crimes	On-Campus			Residence Halls			Non-Campus			Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder	-	-	-	-	-	-	-	-	-	-	-	-
Negligent Manslaughter	-	-	-	-	-	-	-	-	-	-	-	-
Forcible Sex Offense	-	-	-	-	-	-	-	-	-	-	-	-
Non-Forcible Sex Offense	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-	-	-
Aggravated Assault	-	-	-	-	-	-	-	-	-	-	-	-
Burglary	-	-	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Theft	-	-	-	-	-	-	-	-	-	-	-	-
Arson	-	-	-	-	-	-	-	-	-	-	-	-
Domestic Violence	-	-	-	-	-	-	-	-	-	-	-	-
Dating Violence	-	-	-	-	-	-	-	-	-	-	-	-
Stalking	-	-	-	-	-	-	-	-	-	-	-	-

*The symbol - represents the number zero (0).

**NR means “not reportable” – data for these categories was not required to be reported for the years and crimes indicated.

†Unfounded Crimes – If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded”.

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Fire Safety Report

Fire Safety Systems:

Each on-campus student housing facility has an intelligent fire alarm system that is monitored off-site by a monitoring company. This company directly contacts the local fire department in the event of an alarm. Each individual residence room has a battery-operated smoke detector. Hillman-Morris, Kenan, Merritt, and Joyner halls are equipped with a sprinkler system that includes individual rooms and hallways.

Fire Drills/Evacuation Procedures:

Our response to a fire alarm or fire drill places specific responsibilities on students, faculty, staff, and emergency personnel. Fire alarms or fire drills in an academic area may be brief, or may continue for an extended amount of time. Faculty and/or staff should assist with evacuation and accountability procedures.

Upon hearing/seeing a fire alarm, students should immediately and safely evacuate the building. Room doors should be checked for heat prior to opening. If a student is unable to exit the room, s/he should place towels or clothing at the base of the door to prevent smoke from entering the room. Upon exiting the building, proceed to the rally point (Jordan Student Center) for accountability. Once at the rally point, they will be included in the head count prior to release by a residence life staff member.

Students should remain at the rally point until cleared to return to their hall. Any students last known to be inside the affected hall that are not accounted for at the student center rally point shall be reported to emergency officials.

If all residence halls are forced to simultaneously evacuate, the rally point shall be the Seby Jones Performing Arts Center (Auditorium).

Each student housing facility holds a minimum of two fire drills each semester and a minimum of one drill for summer terms. Fire safety information is communicated to students during the initial community meeting of each term. Students should, following notification of emergency personnel, report all fires to Campus Safety or the Student Life Office.

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Fire Safety:

Louisburg College continually reviews fire safety and evacuation plans as well as fire safety education in an effort to improve safety on campus.

Policies regarding appliances, smoking, and open flames:

Electrical power, especially in the older buildings, is limited. Heavy duty grounded extension cords or grounded "power strips" with an integrated circuit breaker are permitted. Light duty, ungrounded, two prong extension cords may be used for lamps, alarm clocks and other low wattage appliances only. Any other use of light duty extension cords is a fire hazard and is not permitted in the residence halls.

For safety/community living purposes, prohibited items include but are not limited to:

Air conditioners, automatic drip coffee makers, candles/incense, ceiling fans, cinder blocks, crockpots, charcoal grills, drum sets, electric blankets, electric or kerosene heaters, electric woks/frying pans, George Foreman grills, halogen lamps and cooking devices with exposed heating surfaces (i.e. hotplates), multi-plug outlets (unless w/ surge protector), sandwich makers, subwoofers/amplifiers, and toaster/toaster ovens.

Permitted items include but are not limited to:

Can openers, coffee makers (automatic shut-off only), fans, floor lamps (except halogen), irons, microwaves, multi-plug outlet w/ surge protector, personal computer w/ surge protector, TV, refrigerator (4 cu. ft. or less), and vacuum cleaners.

Unauthorized appliances may be confiscated by the Residence Hall Staff until arrangements can be made to return the appliance to the student's home. All appliances should be the lowest wattage models available. Appliances must be turned off or unplugged when not in use.

The Residence Life Staff will conduct two fire drills per semester. It is the responsibility of each student to become familiar with the location of building exits, smoke detectors, and fire extinguishers.

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Fire Report

Fire Data	Davis			Franklin			Hillman-Morris			Joyner		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Fires	1	-	1	1	-	1	-	-	-	-	-	-
Injuries	0	-	0	0	-	0	-	-	-	-	-	-
Deaths	0	-	0	0	-	0	-	-	-	-	-	-
Damage Value	Minor	-	Minor	Minor	-	Minor	-	-	-	-	-	-
Fire Drills	5	5	1	5	5	1	4	5	1	4	5	1

Fire Data	Kenan			Merritt			Patten			Wright		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Fires	-	-	-	-	-	-	-	-	-	-	-	-
Injuries	-	-	-	-	-	-	-	-	-	-	-	-
Deaths	-	-	-	-	-	-	-	-	-	-	-	-
Damage Value	-	-	-	-	-	-	-	-	-	-	-	-
Fire Drills	4	5	1	4	5	1	4	5	1	5	5	1

*All residence halls are located at 501 N. Main Street, Louisburg, NC

*The symbol - represents the number zero (0).

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Appendix A - Clery Act Definitions

Definitions of Reportable Crimes:

Crimes The DPS prepares the Annual Security and Fire Safety Report by collecting crime and fire statistics from State and local agencies as well as CSA's, DPS reports and Office of Residence Life and Housing so that we may disclose crime and fire statistics in the following reported crime to our community and prospective students and employees.

Criminal homicide

- Murder and non-negligent manslaughter. The willful (non-negligent) killing of one human being by another.
- Manslaughter by Negligence. The killing of another person through gross negligence.

Sex Offenses

Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

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

Robbery

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

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Aggravated Assault

An aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

Burglary is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft

Motor vehicle theft is the theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)

Arson

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

Domestic Violence

A Felony or Misdemeanor crime 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 in which the crime of violence occurred; 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 in which the crime of violence occurred.

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Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Stalking

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

Other Offenses:

Liquor law violations:

The violation of laws or ordinances prohibiting: The manufacture, sale, transporting furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

North Carolina General Statutes regarding alcohol violations can be found at:

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_18B/Article_3.html

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_18B/Article_4.html

Drug abuse violations:

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

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North Carolina General Statutes regarding drug violations can be found at:

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_90/GS_90-95.html

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_90/Article_5A.html

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_90/Article_5B.html

Weapon law violations:

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

North Carolina General Statutes regarding weapons violations can be found at:

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_14/GS_14-269.2.html

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

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

- **Domestic Violence**

- i A Felony or Misdemeanor crime of violence committed-

- A By a current or former spouse or intimate partner of the victim;

- B By a person with whom the victim shares a child in common;

- C By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.

- D By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

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- **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification without the consent of the victim including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity
- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking**
 - i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
 - A. Fear for the person’s safety or the safety of others; or
 - B. Suffer substantial emotional distress.
 - ii. For the purposes of this definition-
 - A. *Course of conduct* means two or more acts, including , but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observers, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - B. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - C. *Substantial emotional distress* means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling
 - iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

- **Domestic Violence:** The State of North Carolina defines domestic violence as follows:
 - A. Domestic Violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship but does not include acts of self-defense:
 - i. Attempting to cause bodily injury, or intentionally causing bodily injury; or
 - ii. Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in G.S. 14-277.3A, that rises to such a level as to inflict substantial emotional distress; or
 - iii. Committing any act defined in G.S. 14-27.2 through G.S. 14-27.7.
 - B. For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:
 - i. Are current or former spouses;
 - ii. Are persons of opposite sex who live together or have lived together;
 - iii. Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;
 - iv. Have a child in common;
 - v. Are current or former household members.

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- **Dating Violence:** The state of North Carolina does not have a definition of dating violence.
- **Sexual Assault:** The state of North Carolina defines sexual assault as follows:
 - **G. S. 14-27.2 First Degree Rape:** A person is guilty of rape in the first degree if the person engages in vaginal intercourse
 - i. With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim: or
 - ii. with another person by force and against the will of the other person, and: a. employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon; or b. inflicts serious personal injury upon the victim or another person; or c. the person commits the offense aided and abetted by one or more other persons.
 - **G. S. 14-27.3 Second Degree Rape.** A person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person:
 - i. by force and against the will of the other person; or
 - ii. who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated, or physically helpless.
 - **G. S. 14-27.4 First Degree Sexual Offense.** A person is guilty of a sexual offense in the first degree if the person engages in a sexual act:
 - i. With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim: or

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- ii. With another person by force and against the will of the other person, and: a. employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon; or b. inflicts serious personal injury upon the victim or another person; or c. the person commits the offense aided and abetted by one or more other persons.
- **G. S. 14-27.5 Second Degree Sexual Offense.** A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person:
 - i. by force and against the will of the other person; or
 - ii. who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated, or physically helpless.
 - iii. NOTE: for G. S. 14-27.4 and 14.27.5 Sexual Act means cunnilingus, fellatio, analingus, or anal intercourse but does not include vaginal intercourse. Sexual Act also means the penetration, however slight, by any object into the genital or anal opening of another person's body.
- **G.S. 14-27.5A Sexual Battery.** A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person:
 - i. by force or against the will of the other person; or
 - ii. who is mentally disabled, mentally incapacitated, or physically helpless, and person performing the act knows or should reasonable know that the other person is mentally disabled, mentally incapacitated, or physically helpless.
- **G. S. 14-178 Incest.** A person commits the offense of incest if the person engages in carnal intercourse with the person's
 - i. grandparent or grandchild,
 - ii. parent or child or stepchild or legally adopted child,

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- iii. brother or sister of the half or whole blood, or
- iv. uncle, aunt, nephew, or niece.
- **G. S. 14-27.7A Statutory Rape.** A defendant is guilty of a Class B1 felony if the defendant engages in vaginal intercourse or a sexual act with another person who is 15 years of age or younger and the defendant is at least six years older than the person, except when the defendant is lawfully married to the person.
 - i. a defendant is guilty of a Class C felony if the defendant engages in vaginal intercourse or a sexual act with another person who is 15 years of age or younger and the defendant is more than four but less than six years older than the person, except when the defendant is lawfully married to the person.
- **Stalking:** The State of North Carolina defines stalking as follows: G. S. 14-277.3A - A defendant is guilty of stalking if the defendant willfully, on more than one occasion, harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following;
 - i. Fear for the person's safety or the safety of the person's immediate family or close personal associates.
 - ii. Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.
- 1. **Consent:** The state of North Carolina does not have a definition of consent, in relation to sexual activity
 - **Louisburg College's Definition of Consent** – words or actions that show an active knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, by ignoring or acting without regard to the objectives of another, or by taking advantage of the incapacitation of another, where the student knows or reasonably should have known of such incapacity. Use of alcohol or drugs may impair an individual's capacity to freely consent and may render an individual incapable of giving consent.

Consent may not be implied by silence or any other absence of active resistance. Prior consent does not imply consent to future sexual acts, nor doesn't consent to one type of sexual act imply consent to another type of sexual act.

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

Consent may not be given by the following persons:

- * Individuals who are mentally incapacitated at the time of the sexual contact in a manner that prevents him or her from understanding the nature or consequences of the sexual act involved;

- * Individuals who are unconscious or otherwise physically helpless;

- * Minors.

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

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

A person violates the Sexual Harassment, Discrimination, and Misconduct Policy if he or she has sexual contact with someone he or she knows or should know is mentally incapacitated or has reached the

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

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