

Anderson University Annual Security and Fire Safety Report 2016

CAMPUS SAFETY ANNUAL REPORT.

The information in this publication is in compliance with requirements set forth under the Student Right-to-Know and Campus Security Act of 1990 (Title II - Public Law 101-542 Nov.1990). This report is updated on an annual basis and is on the University website for all students, faculty and staff to view, upon request this report will also be provided to any applicant for enrollment or employment.

IMPORTANT TELEPHONE NUMBERS

Campus Safety	(864) 231 2060
Heath Center	(864) 622 6063
Campus Ministries	(864) 231 2077
Counseling	(864) 622 6074

UNIVERSITY CAMPUS SAFETY DEPARTMENT OVERVIEW

STAFFING

The University Campus Safety Department provides law enforcement services, communication services, transportation services, crime prevention/education services, traffic/parking services and support services for campus events and activities. There are 16 staff members in the Campus Safety Department: One Director, one assistant director, one administrative coordinator, twelve officers, and one office manager. All of Anderson University's officers are certified with the South Carolina Law Enforcement Division and have the power to arrest.

Patrols on Campus / Investigation of Crimes

It is the responsibility of the Anderson University Campus Safety Office to provide law enforcement deterrence and provide response to violations of state and federal laws and to support physical security programs. The officers provide continuous patrols of university property and facilities to deter acts of crime, and to detect and intervene when criminal activity occurs. Officers will respond to, and follow up on, all reports of criminal activity. In addition to their patrol services, officers investigate traffic accidents, assist in medical emergencies, provide motorist assistance, and enforce campus traffic and parking regulations, provide security escorts, oversee the campus transit system, and provide support services for many campus activities and events.

Working With Area Law Enforcement Agencies

The University Campus Safety Office has an excellent working association with, and the support of, area law enforcement agencies as persons committing similar crimes in adjacent communities may cause some of the criminal violations on campus. Our officers also work with area law enforcement agencies when members of the Anderson University community are involved in crimes and investigations which originate off campus. The Anderson City

Police Department and the Anderson County Sheriff's Department supplement our safety staff for various campus events and activities. As a matter of policy, these agencies furnish the Campus Safety Department Law Enforcement incident reports of criminal acts occurring on campus or university sanctioned off-campus events for use in our required reporting under the Jeanne Clery Act. If any member of the university community has difficulty in filing a report with local law enforcement, Campus Safety staff will assist in any way and will file the report independently if the victim is unable to do so.

Campus Crime Report and Drug and Alcohol Policy 2016

Federal Law requires Campus Security to inform the campus community about the risks of crime and drug use. The Drug-Free Schools and Campuses Regulations of the federal Drug-Free Schools and Communities Act of 1989, requires Anderson University to publish in one document the following which demonstrates the implementation of a program to prevent the illicit use of drugs and the abuse of alcohol by its student and employees. Please read the information and use it in order to foster a healthy and safe environment for yourself and others.

Alcohol and Drug Standards of Conduct Policy

Anderson University is committed to maintaining a safe, healthy, lawful, and productive study and work environment for all employees and students.

Students enrolled in the undergraduate traditional programs of the University are required to refrain from the possession and/or use of alcohol during the academic year. The possession, use, or distribution of alcohol and illicit drugs by students and employees, on University property or as part of any of the University's activities, is prohibited. The University further prohibits employees and students from being under the influence of alcohol, drugs, or other substances or chemicals, such as mind or perception altering drugs, glues, or solvents, on University property or as part of any of the University's activities.

Any student who hosts events off-campus where alcohol and/or illegal drugs are present, any student who permits such a party to be hosted at their residence, and any student who violates South Carolina law by providing alcohol to one under the age of 21, shall be subject to discipline.

The University will impose disciplinary sanctions on students and employees who violate this policy up to and including expulsion or termination and referral for prosecution by law enforcement authorities. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

All applicable federal, state, and local laws concerning drug and alcohol use are fully enforced on University premises. The University prohibits the unlawful manufacture, sale, distribution, dispensation, possession, or use of controlled substances and/or alcohol in the workplace. The University further prohibits the consumption of alcoholic beverages or being under the influence of alcohol or any controlled substances within the workplace or in university-owned vehicles. An individual need not be legally intoxicated to be considered "under the influence of alcohol or a controlled substance."

Employee Notification of Drug-Related Convictions:

In accordance with the federal Drug-Free Workplace Act of 1988, and as a condition of employment with Anderson University, all employees, including student workers, will:

- I. Abide by the terms of this policy; and
- II. Notify, as appropriate, their supervisor, administrator, dean, vice president, or a responsible University official of any criminal drug statute conviction for a violation occurring in the

workplace, NO LATER THAN FIVE DAYS after such a conviction. If a federal grant is involved, the Office of Financial Aid must be notified immediately. Failure to make such notification within the five day time limit may result in disciplinary action, up to and including termination.

Within thirty calendar days of receipt of notice of such conviction, the responsible University official, in coordination with the University President, must take appropriate personnel action regarding the employee, up to and including immediate termination; or, require the employee at his/her own expense to participate successfully, and provide evidence of such participation, in a drug abuse assistance or rehabilitation program, provided for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

A student who receives a federal Pell grant, and who is convicted of a criminal drug offense that occurred during the period of enrollment covered by the grant, must report the conviction in writing to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Room 3124, GSA Regional Service Building No. 3, Washington, D.C. 20202-4571. This report must be made within ten calendar days of the conviction. Failure to report such a conviction may subject the student to suspension or termination of the Pell grant, and ineligibility for other types of federal financial assistance. All relevant employee and student publications will contain a statement of the University's Drug and Alcohol Policy.

Note: a "legal drug" is a prescribed drug or over-the-counter drug which has been legally obtained and is being legally used for the purpose of which it was prescribed or manufactured. An "illegal drug" is any drug or controlled substance, including alcohol, not legally obtainable or possessed, or is legally obtainable but not legally obtained, possessed, or used.

The University recognizes that alcoholism and drug dependency are "illnesses" and "disorders," and the University will provide information to any employee or student seeking assistance. Employees and students will not be discriminated against because they responsibly seek help with their illnesses or disorders, but the institution will have "zero tolerance" for users and abusers who do not responsibly seek and utilize counseling and treatment services. The University will maintain reasonable confidentiality regarding information concerning an employee or student's diagnosis and treatment, except in cases wherein notification to state and federal authorities is required by law.

The University has established a drug and alcohol abuse prevention program for students and employees. The Vice President for Student Development has been designated as the University official primarily responsible for the University's program and for compliance with all drug and alcohol laws applicable to the University, including but not limited to The Drug-Free Schools and Community Act. Students and employees shall receive materials annually that contain standards of conduct regarding alcohol and drugs, a description of the various laws that apply in Anderson and at Anderson University, a description of the various health risks of drug and alcohol abuse, a description of counseling and treatment programs that are available, and a statement on the sanctions the University can impose for a violation of the standards of conduct. The University will conduct a biennial review of the program. A copy of that review and other compliance documents will be maintained for three years after the fiscal year in which the record was created.

Good Samaritan Policy

In crisis situations where a student becomes incapacitated by the overuse of alcohol and/or drugs and where medical attention is necessary for the individual's safety, Anderson University strongly encourages fellow students and/or bystanders to take responsible action by calling emergency personnel at 911 and Campus Safety (231-2060).

When authorities are called in such circumstances, no formal University disciplinary actions or sanctions will be assigned to the reporting student(s) or the effected individual. If the incident occurs on-campus, Residence Life personnel will be included in the response and the Student Development deans will be notified. The incident will still be documented, and education and/or health intervention may be required as a condition of deferring disciplinary sanctions.

This policy is not intended to protect repeated, flagrant, or serious violations of Anderson University policies, nor does this policy preclude or prevent action by police or legal authorities.

Community Standard Violation Levels

In order to remain fair and consistent in how the University responds to conduct violations, the Student Development staff will normally follow the guidelines below. A student's specific behavior and any previous violations will be considered in determining the standing. The following list is not meant to be exhaustive but to provide examples of violations and likely outcomes. The full range of sanctions is always available to the University, for any violation, if warranted by serious and extenuating circumstances. Failure to complete any component of a disciplinary sanction may result in additional disciplinary action.

Level 1

Level 1 violations are generally first time policy infractions that may require a meeting with a Student Development staff member. Some common infractions in this category include, but are not limited to the following:

- Property damage
- Tobacco Policy violation
- Appropriate dress violation
- Residence hall health and safety violation
- Residence hall policy violations (See Residential Housing Policies)

Possible outcomes include but are not limited to warning, loss of privileges, written assignments, restitution, fines, and probation.

Level 2

Level 2 violations include but are not limited to repeat Level 1 violations and the following:

- Failure to comply with University Official
- First-time RSVP violations
- Alcohol policy violation
- Gambling
- Tampering with Fire Safety equipment
- Theft

Possible outcomes include but are not limited to loss of privileges, fines, behavioral agreement, probation, parental notification, and residence hall suspension.

Level 3

Level 3 violations are behaviors that the University considers extremely serious and may lead to suspension or expulsion. Level 3 infractions include but are not limited to repeat Level 2 violations and the following:

- Repeated Alcohol policy violations
- Repeated RSVP violations
- Possession of Firearms
- Cohabitation
- Sexual activity outside of marriage

- Harassment, intimidation, or other forms of bullying
- Providing alcohol to a minor
- Violation of local, state or federal law
- Threats towards individuals or community
- Hazing
- Possession of drug paraphernalia

Level 4

Level 4 violations are behaviors that cannot be tolerated in the University community and are likely to lead to suspension or expulsion. Level 4 infractions include but are not limited to:

- Sexual assault
- Illegal drug use
- Hosting gatherings where alcohol or illegal drugs are provided by the host or permitting your home to be used for such gatherings.
- Violent acts towards individuals or community

Repeated Violations or Non-Compliance

Repeated violations of the Anderson University community values and expectations or non-compliance with sanctions given to the student in response to earlier violations may result in additional and increasingly severe sanctions.

Violation through Implied Consent: Any student's continued presence in a room or other area where an observable violation of the University's standards of conduct is ongoing may be considered to be participating in that conduct violation and may be subject to disciplinary action. The student's implied participation in the misconduct does not depend on whether the student is actively participating in the behavior, is in possession of the prohibited items, or how long the student has been in the room. Examples include, but are not limited to, alcohol/drugs in room or a visitation violation. In order to avoid participation in a conduct violation through implied consent, a student should, if practical, immediately leave the area where a violation of policy is occurring.

Information on Use/Abuse of Alcohol, Tobacco, and Controlled Substances

Effects of Alcohol

Surveys of university students indicate that the drug of choice is alcohol. Student problems associated with alcohol use are many and have an adverse effect on the educational process.

These problems include physical injuries, loss of personal relationships, unwanted/regretted sex, vandalism, poor grades, alcoholism and disciplinary problems. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These

infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. (Taken from: Federal Register. Vol. 55, No. 159. Thursday, August 16, 1990: Rules and Regulations.)

Information about the South Carolina Law

Regarding alcohol

It is illegal:

- To purchase or possess beer or wine if you are under the age of 21. Penalty: A fine of not less than \$25 nor more than \$100, or imprisonment for not more than 30 days.
- To purchase or possess liquor if you are under the age of 21. Penalty: A fine of not less than \$100 nor more than \$200 or imprisonment for not more than 30 days.
- To lie or give false information concerning age in order to purchase beer or wine.
- Penalty: A fine of not less than \$50 nor more than \$100 or imprisonment for not more than 30 days.
- To lie or give false information concerning age in order to obtain liquor. Penalty: A fine of not less than \$100 nor more than \$200 or imprisonment for not more than 30 days.
- To possess an altered or invalid driver's license or personal identification card. Penalty: 1st offense: A fine of not more than \$200 or imprisonment for not more than 30 days; 2nd or subsequent offenses: A fine of not more than \$500 or imprisonment for not more than six months.
- To lend a driver's license or personal identification card to any other person. Penalty: 1st offense: A fine of not more than \$200 or imprisonment for not more than 30 days. 2nd or subsequent offenses: A fine of not more than \$500 or imprisonment for not more than six months.
- To alter a driver's license. Penalty: A fine of not more than \$2500 or imprisonment for not more than six months or both.
- To sell or issue a false driver's license. Penalty: A fine of up to \$2500 or imprisonment for not more than six months, or both.
- To use someone else's driver's license or identification card. Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.
- To use an altered driver's license or identification card containing false information. Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.
- To give beer, wine or liquor to anyone who is under the age of 21. (This law includes serving anyone in your home except your child or spouse.) Penalty: A fine of not more than \$200 or imprisonment for not more than 30 days.
- To sell beer, wine or liquor to anyone under age of 21. Penalty: A fine of not less than \$5000, imprisonment for not exceeding than 5 years, or both.
- To have an open container of beer or wine in a moving vehicle of any kind, except the trunk or luggage compartment. Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.
- To have an open container of liquor anywhere except in a private residence, hotel or motel room, licensed mini-bottle establishment, the luggage compartment of a vehicle or a legally constituted private gathering. Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.
- Display conduct to be grossly intoxicated on any highway or at any public place or public gathering. Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days
- To be driving under the influence (DUI) of alcohol or other drugs. With a Blood Alcohol Content (BAC) level of 0.08% or more (If under the age of 21, BAC level of 0.02% or more), it may be that the person was under the influence of alcohol. With a BAC less than 0.08% (0.02% if under the age of 21) the BAC may be considered with other evidence and the person may be charged with DUI. Penalty: 1st offense: A fine of \$400 or imprisonment for not less than 48 hours nor more

than 30 days; driver's license is suspended for 6 months; 2nd offense: A fine of not less than \$2100 nor more than \$5100 and imprisonment for not less than 120 hours nor more than 1 year; driver's license is suspended for 1 year; 3rd offense: A fine of not less than \$3800 nor more than \$6300 and imprisonment for not less than 60 days nor more than 3 years; driver's license is suspended for 2 years. An ignition interlock device, which attaches to your vehicle's ignition system to test your BAC before you start the car, may be required if you are convicted of too many DUI's or your offense requires it. If under the age of 21, driver's license is suspended for 3 months (1st offense), 6 months (if 2nd offense occurs within two years of first offense), as well as, 6 months if refusal to take BAC/Breathalyzer test.

- Felony driving under the influence (Driving under the influence which results in great bodily harm or death). Penalty: For causing great bodily harm- A fine of not less than \$5000 nor more than \$10,000 and imprisonment for not less than 30 days nor more than 10 years; driver's license is suspended for period of imprisonment plus 3 years. For causing death - A fine of not less than \$10,000 nor more than \$25,000 and imprisonment for not less than 1 year nor more than 25 years; driver's license is suspended for period of imprisonment plus 3 years.

Information On Use/Abuse Controlled Substances

A partial list of South Carolina controlled substance laws follows:

A. Marijuana, Hashish, Methaqualone, Amphetamines.

1. Possession of 1 ounce or less of marijuana or 10 grams or less of hashish. Penalty: 1st offense: not more than 30 days or not less than \$100 nor more than \$200. 2nd or subsequent offenses: not more than 1 year and/or \$200 to \$1,000.

2. Possession of Methaqualone, Amphetamines, or more than 1 ounce of marijuana, or more than 10 grams of Hashish. Penalty: 1st offense: not more than 6 months and/or not more than \$1,000. 2nd or subsequent offenses: not more than 1 year and/or not more than \$2,000.

3. Manufacture, distribution, or possession with intent to distribute. Penalty: 1st offense: not less than 15 years and/or not more than \$25,000. 2nd offense: not less than 5 years and not more than 30 years imprisonment/or not more than \$50,000. 3rd or subsequent offenses: not more than 10 years nor more 30 years and/or not more than \$50,000 or both.

B. LSD, Heroin, Cocaine

1. Possession. Penalty: 1st offense: not more than 2 years and/or not more than \$5,000. 2nd offense: not more than 5 years and/or not more than \$5,000. 3rd or subsequent offenses: not more than 5 years and/or not more than \$10,000.

2. Manufacture, distribution or possession with intent to distribute. Penalty: 1st offense: not more than 15 years and/or not more than \$25,000. 2nd offense: not less than 5 years or more than 30 years and/or not more \$50,000. 3rd or subsequent offenses: not less than 10 years or more than 30 years and/or not more than \$50,000.

C. Ice, Crack, Crack Cocaine

1. Possession of less than 1 gram. Penalty: 1st offense: not more than 3 years and not less than \$5,000. 2nd offense: not less than 5 years or more than 7 years and not less than \$7,500. 3rd or subsequent offenses: not more than 10 years and not less than \$1,250.

Please contact the Anderson University Campus Safety Department, for further information concerning controlled substances. Please note that penalties are subject to change by state

and federal guidelines.

Resources and Student/Employee Assistance

Anderson University is a community and all members of the community are responsible for maintaining order, and discipline on the University campus. The Student Development Division serves the primary role of coordination and implementation of Anderson University's substance abuse policy for students. The division's position emphasizes the early identification and the intervention into substance use problems experienced by persons. Anderson University offers support to students and staff members through the following services:

Information

The University Health Center provides current information on the use and abuse of alcohol, tobacco, and drugs. Programs are provided on topics of health care throughout the year. The director of Health Services is available for consultation with any person.

Information is made available through brochures, journals, books, posters and newsletters to faculty/staff and students. High traffic areas of the campus will be provided with handout materials related to substance use and its consequences.

Education/Programing

Educational experiences are offered by key areas within the University. These experiences include:

- Alcohol Awareness Week - one to two-week emphasis each semester with the focus on substance abuse. Offerings to general campus population and special groups.
- Presentation of videos, films, and invited speakers on issues of substance use and abuse. These will be provided each semester for students and periodically at faculty and staff meetings.

Counseling/Referral

Counselors to University mental health professionals may be able to provide counseling or make referrals when appropriate. The University also has a close affiliation with the Anderson/Oconee Alcohol and Drug Abuse Commission, where persons may be referred for assessment and/or treatment. We also have an agreement with the Vocational Rehabilitation of South Carolina Office to refer individuals for counseling and assistance. Students referred to counseling due to drug/alcohol violations must pay for the costs of counseling materials.

PHONE NUMBERS:

Counseling Center: 622-6074

Anderson University Health Center: 622-6063

Anderson University Campus Safety: 231-2060

Anderson-Oconee Alcohol and Drug Abuse Commission: 260-4168

S.C. Vocational Rehabilitation Office: 224-6391

SECURITY AWARENESS AND CRIME PREVENTION PROGRAM

Anderson University provides the following services and programs to improve safety on campus and to educate the community about security issues.

- Escort Services - Campus Safety personnel provide an escort service after dark for students, faculty, and staff walking on campus or to and from their on-campus residence when requested. Students, faculty, and staff are asked to walk with others when possible and to choose paths that are well lit.
- New Student Orientation - Crime prevention information is provided and questions are answered during new student orientation meetings.

- Personal Safety - Sessions on personal safety, crime and violence prevention, crisis and emergency management planning threat assessment, residence hall safety, rape prevention, fire and life safety, and are offered on campus by appointment. Classes on first aid and CPR will be arranged upon request. Contact Campus Safety at 864 231 2060 or Student Development at 864 231 2075 for more information.
- Emergency Telephones - Campus phones are located throughout the campus. The Campus Safety section of the Anderson University web page lists all locations.
- Electronic Systems - Campus Safety monitors intrusion, fire alarms and security cameras. There are currently over one hundred security cameras on campus.
- Operation Identification - Students are strongly encouraged to mark valuables with driver's license number and to record serial numbers. An engraver for loan is available in the Campus Safety Office or students may bring their property to Campus Safety for this service.
- Crime Prevention Material - Posters related to substance abuse, personal safety, theft preventions are distributed campus wide.
- Community Notification of Criminal Activity - Campus Safety routinely notifies the campus community of ongoing security concerns by sending out campus wide e-mails or text messages. If circumstances warrant, specially printed crime alerts will be prepared and distributed campus wide.

REPORTING CRIMES & OTHER EMERGENCIES ON CAMPUS

Students, faculty, staff and visitors are encouraged to immediately report any criminal offense, suspected criminal activity, fire, traffic accident, and injury or requests for medical assistance, directly to University Campus Safety. This can be done several ways:

- From any campus telephone dial 2060. Off campus dial (864) 231 2060.
- There are emergency telephones located at the access points to residence halls, at the Infirmary entrance and on campus elevators. These telephones require you to only activate the telephone and it will automatically ring the Campus Safety Office.
- Come to Campus Safety Office in person. The office is open 24 hours and is located on level one of the G. Ross Anderson, Jr. Student Center beside the dining commons.
- ANONYMOUS REPORTING: email your report to CrimeWatch@andersonuniversity.edu

Anderson University Campus Safety Department's procedures require an immediate response of emergency calls. Your call is important to us. The Campus Safety officer must respond to the most critical call first.

- 1st Priority response is given to crimes against persons and personal injuries.
- 2nd Priority is provided to crimes not in progress where the victim is not in danger, property crimes, and escort requests.
- 3rd Priority is provided to other services.

Campus Security officers respond to all reports of crimes and emergencies and complete an Incident Report for any crime occurring on or adjacent to University property. As a service to the university community, some reports are made available, free of charge, to complainant to assist in the filing of an insurance claim. Crime /Incident reports may be made at any time.

CRIME STATISTICS MANDATED BY THE JEANNE CLERY ACT

The following statistics reflect crime statistics mandated by the federal "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act". These statistics represent incidents that have been reported to Anderson University Campus Safety as well as other University Officials who have significant responsibility for student and campus activity as defined by the Clery Act. Information is not solicited from the Counseling Office or Campus Ministries since their activities are protected and confidential. Incidents reported in the below tables do not always result in criminal investigation or prosecution when the victim chooses not to pursue the matter criminally and opts for alternative resolution such as the student judicial process. **Additionally, Anderson University adheres to the Campus Sexual Violence Elimination Act (SaVE) and the Violence Against Women Reauthorization Act of 2013 (VAWA). Programming required of these laws is furnished through the Office of Student Development.**

A complaint of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking will immediately be investigated, if apparent danger exists, by the Campus Safety Department and, if the victim wishes, by local law enforcement. Standards of evidence and proof shall follow the accepted standards of reasonable suspicion or probable cause to initiate an investigation. Substantiated complaints will follow the administrative adjudication process set forth in the current Anderson University Harassment and Sexual Misconduct Policy: <http://www.andersonuniversity.edu/sites/default/files/title-ix/title-ix-policy.pdf>. If it is determined that no immediate danger exists, the Office of Student Development shall take charge of any such investigations and shall take necessary steps to insure the well-being of the student. This will include, but may exceed, living arrangements, academic situations, working environments and transportation services and needs. For the purposes of this report the following terms are defined:

Sexual assault is any form of sexual contact directed against another person that occurs without the explicit consent of the recipient, including sexual acts committed against a person who is incapable of giving consent (e.g., due to the individual being under the influence of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give clear, unambiguous consent). Sexual assault may occur through the use of verbal, emotional, or physical force, intimidation, or coercion. Sexual assault includes sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, statutory rape, attempted rape, and non-consensual sexual contact. It also includes any intentional sexual touching, however slight, with any object or body part, by a man or a woman upon a man or a woman, without explicit consent of that individual. Sexual assault can be committed by students, university employees, or third parties visiting or working on the Anderson University campus.

Under South Carolina criminal law, sexual assaults may be prosecuted as Assault and Battery or under the prohibitions of the Criminal Sexual Conduct laws. Criminal Sexual Conduct in the First Degree occurs when the assailant sexually batters a victim with one or more of the following aggravating circumstances: 1) the assailant used aggravated force to accomplish the sexual battery; 2) the victim submits to sexual battery after being a victim of forcible confinement, kidnapping, trafficking in persons, robbery, extortion, burglary, housebreaking, or other similar act; or 3) the assailant causes the victim to become mentally incapacitated or physical helpless by administering, distributing, dispensing, delivering, or causing to be such a controlled substance or intoxicating substance. Criminal Sexual Conduct in the Second Degree occurs where the assailant uses aggravated coercion as defined as threats to use force or violence of a high and aggravated nature, where the victim reasonably believes the assailant has the ability to carry out the threat, or where the assailant threatens to retaliate in the future by infliction of physical harm, kidnapping or extortion. Criminal Sexual Conduct in the Third Degree occurs when the assailant the assailant uses force or coercion to accomplish the sexual battery or the assailant has reason to know the victim is mentally defective, mentally

incapacitated, or physically helpless.

Domestic Violence is defined under state criminal law as “physical harm, bodily injury, assault or the threat of physical harm” directed toward “persons who have a child in common, and persons cohabiting or formerly cohabiting.” Domestic violence may also include a pattern of abusive or violent used by one partner in a domestic relationship to gain or maintain power and control over another partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Dating Violence occurs when one person intentionally hurts or scares someone they are dating and includes physical, emotional, and sexual violence.

- Physical abuse may include hitting, shoving, kicking, biting, or throwing objects.
- Emotional abuse may include yelling, name-calling, bullying, embarrassing, preventing interaction with friends, telling someone that they deserve the abuse, or providing gifts to "make up" for the abuse.
- Sexual abuse and violence is forcing someone to engage in a sexual activity or engaging in sexual activity when one of the persons is unable to consent due to use of alcohol or drugs.

Stalking is defined as a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear. Stalking behaviors may include persistent patterns of leaving or sending the victim unwanted items or presents that may range from seemingly romantic to bizarre, following or lying in wait for the victim, damaging or threatening to damage the victim's property, defaming the victim's character, or harassing the victim via the Internet by posting personal information or spreading rumors about the victim. South Carolina criminal law defines stalking as a “pattern of intentional, substantial and unreasonable intrusion into the private life of a targeted person that causes the person and would cause a reasonable person in their position to suffer mental distress.”

CRIME STATISTICS

CALENDAR YEAR(S)	January 1, 2013 to December 31, 2013	January 1, 2014 to December 31, 2014	January 1, 2015 to December 31, 2015
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*** Required by Clery Act	*A	B	C	D	*A	B	C	D	*A	B	C	D
***Murder												
***Negligent Manslaughter												
***Sex Offenses (Forcible / Non-forcible)					1			1				
***Robbery												
***Aggravated Assault												
***Burglary	2			2	5	5			3	3		
***Motor Vehicle Theft									2	2		
***Arson												
***Domestic Violence	n/a				na							
***Dating Violence	n/a				na							
***Stalking	n/a				na				1		1	1
Simple Assault	2	1		1	2	1		1				
Larceny (theft other than by unlawful entry)	20	13		7	11	7		4	5	3		2
Larceny from Vehicles	7	4		3	8			8	14		2	12
Vehicle Parking Lot Accidents (Non-Injury)	7	7			5	5			6	6		
The statistics below include arrests or referrals to the Campus Judicial Process												
	*A	B	C	D	*A	B	C	D	*A	B	C	D
***Liquor Law Violations	9	2		7	8	1	1	6	19	1	3	15
***Drug Law Violations	1	1			5	1		4	8			8
***Illegal Weapons Violations												
Placed on Trespassing, Disorderly, etc.	4	3		1	2	2			2	2		

Note:

*A=On Campus *** this category includes all on campus incidents, in residence halls or other facilities

Therefore, categories "B", "C", and "D" are not cumulative, but duplicative

B= Non Residence buildings or grounds

C= Public Property (Surround University Property)

D= Residence Hall (Houses included)

Key To Hate Crimes Notations:	Race=ra	Gender=g	Disability =d	Ethnicity =e	Sexual Orientation =s
NO REPORTS					

Campus Residence: Residence halls, apartments and other facilities used for student or staff housing.

Campus Other: All non-residential facilities.

Non-Campus Property: Any building or property owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purpose; or, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

Public Property: There is no public property within the university boundaries.

DAILY CRIME LOG

The Daily Crime Log (DCL), which lists all criminal and serious incidents on campus is located in the Campus Safety Office and is available upon request as a hard copy or electronically.

MAINTENANCE OF CAMPUS FACILITIES / SECURITY OR SAFETY HAZZARD

Campus Safety personnel, as part of their general patrol procedure, generate a work order to the Anderson University Physical Plant when any defective lighting or unsafe conditions on campus are noted. Students, faculty and staff are encouraged to report any safety concerns directly to Campus Safety so their safety concerns may also be addressed.

If you observe a streetlight not working properly or burned out, an inoperable lock, damage to University property or other security hazards, call Campus Safety at (864) 231 2060 to report it. The department will follow up with an appropriate work order and/or notification.

ACCESS TO CAMPUS FACILITIES

Most campus buildings and facilities are accessible during normal business hours, excluding holidays and scheduled breaks in classes. Athletic facilities, computer labs, library, and other select university service areas have varying hours of operation. Since the University cannot ensure that unauthorized persons will not enter into residence halls, students are strongly encouraged to lock their rooms doors at all times. The university has a visitation policy which limits the hours friends of opposite sexes may visit in a residence hall room. The violation of this policy may result in disciplinary proceedings. Resident hall policies may be found in the student handbook.

MISSING STUDENT POLICY AND PROCEDURE

Anderson University takes student safety very seriously. To this end, the following policy and procedure has been developed in order to assist in locating Anderson University student(s) living in University-owned, on-campus housing, who based on the facts and circumstances known to the University, are determined to be missing. This policy is in compliance with Section 488 of the Higher Education Act of 2008.

Most missing person reports in the university environment result from a student changing their routine without informing their roommates and/or friends of the change. However, anyone who believes a student to be missing should immediately report their concern to the

Campus Safety Office or the Residence Life staff. Every report made to the university will be followed up with an immediate investigation once a student has been missing for 24 hours.

Depending on the circumstances presented to University officials, parents of a missing student will be notified. In all cases involving missing students less than 18 years of age and not emancipated, parents or guardians will be notified. In the event that parental notification is necessary, the Vice President for Student Development will place the call. At the beginning of each academic year, residential students will be asked to provide emergency contact information in the event they are reported missing while enrolled at Anderson University. This confidential emergency information will be kept in the Office of Residence Life and will be updated each semester. It will be utilized only by authorized campus officials and law enforcement officers in the furtherance of a missing person investigation. Local law enforcement will be notified that a student is missing even if the student has not registered an emergency contact person.

GENERAL PROCEDURE / MISSING STUDENT:

1. The Anderson University official receiving the report will collect and document the following information at the time of the report:
 - a. The name and relationship of the person making the report.
 - b. The date, time, and location the missing student was last seen.
 - c. The general routine or habits of the suspected missing student (e.g. visiting friends who live off-campus, working a job away from campus) including any recent changes in behavior or demeanor.
 - d. The missing student's mobile phone number (if known by the person making the report).
2. The Anderson University official receiving the report will contact the Residence Life staff person on-call and the Vice President for Student Development in order to update them on the situation and to receive additional consultation. The Vice President for Student Development will ascertain if/when other members of Senior Leadership and the Director of Marketing need to be contacted.
3. Upon notification from any entity that a student may be missing, Anderson University may use any or all of the following resources to assist in locating the student:
 - a. Call the student's room,
 - b. Go to the student's residence hall room,
 - c. Talk to the student's RA, roommate, and floor mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
 - d. Secure a current student ID (from Campus Safety) or other photo of the student from a friend.
 - e. Call and text the student's mobile phone and call any other numbers on record.
 - f. Send the student an email.
 - g. Check all possible locations mentioned by the parties above including, but not limited to, library, residence hall lobbies, student common areas, fitness center, etc. The Campus Safety Office and the Office of Residence Life may be asked to assist in order to expedite the search process.
 - h. Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking a student's social networking sites such as MySpace, Facebook, Twitter, Instagram, Snapchat, and others.

i. Ascertain the student’s car make, model and license plate number. A member of Campus Safety will also check all University parking lots for the presence of the student’s vehicle.

4. The Anderson University Information Technology staff may be asked to obtain email logs in order to determine the last log in and/or access of the AU network.

5. Once all information is collected and documented and the Vice President for Student Development (or his designee) is consulted, Campus Safety may contact the local police to report the information. (Note: If in the course of gathering information as described above, foul play is evident or strongly indicated, the police will be contacted immediately.) If it is necessary to contact the local or state authorities, standard protocol will be followed by the University.

FIRE SAFETY

There have been several dormitory and residential fires on college campuses in the last few years that have claimed the lives of several students. As a result of these recent fires, concern has been raised among fire protection professionals, university officials and the public concerning fire safety in campus housing. That concern was felt strongly at Anderson University. Although Anderson has not experienced a fatal fire since it was founded in 1911, university officials recognized that almost any fire has potentially fatal consequences.

Anderson University has a major residential system on campus consisting of 16 dormitory structures and 8 apartment buildings that house approximately 1280 students. The structures vary considerably in construction and fire protection capabilities as a result of prevailing fire codes in effect at the time of construction.

Although the University fire prevention resources are directed at the entire campus, a major aim of the program is specifically directed at the residence halls. The campus fire prevention program requires a balanced effort consisting of education, emergency planning, and inspection of buildings and testing of fire protection systems. Fire drills are conducted at the beginning of each semester to familiarize the students and staff on proper procedures to follow during fire alarms. Area Coordinators and Residence Life personnel conduct fire safety training with the Anderson City Fire Department before the fall semester starts. In case of an actual fire the following are notified.

<i>Anderson City Fire Department</i>
<i>Director of Campus Safety</i>
<i>Director of Residence Life / Area Coordinators</i>
<i>Director of Physical Plant / On call personnel</i>
<i>Vice President of Student Development</i>
<i>Vice President for Finance and Administration</i>

Fire Statistics	2013	2014	2015
Number of fires and cause of each fire on campus	0	0	0
Number of deaths related to the fire	0	0	0
Number of injuries related that resulted treatment at a medical facility.	0	0	0
Value of property damage related to the fire	0	0	0

Since we feel that early detection is the key to fire safety on campus, we are continuing to upgrade our automatic detection and alarm systems in our residential buildings to ensure the quickest detection and response available.

ELECTRICAL APPLIANCES / COOKING

Due to an increasing demand on the university's electrical system and because of a potential fire hazard, it is important that students comply with the following regulations. Electrical appliances allowed in residence hall rooms are limited to UL approved hot pots, small compact refrigerators (1.5 amps), small microwave ovens (700 watts maximum), hair dryers and curling irons. Irons with automatic shut-off switches are suggested. **MICROWAVE OVENS AND REFRIGERATORS ARE LIMITED TO ONE PER ROOM.**

Electrical appliances that are NOT ALLOWED in rooms include electric blankets, freezers, open-coil appliances, toaster ovens or toasters, hot plates, fondue pots, crock pots, deep fryers, George Forman Grills, or similar grilling devices, and space heaters (unless issued by the Physical Plant Office). Students should have not more than one study lamp each in their rooms. No appliance used in the residence hall room (except hair dryers and irons) should exceed 700 watts of electricity. **Extension cords are prohibited.** A power strip with a "re-set" button in addition to the surge protector is allowed. Due to the size of the rooms and electrical capacity of the residence halls, students should consult with their roommates before deciding which appliances each person will bring to campus. Candles are not allowed in the residence halls or apartments due to potential fire hazards that result from an open flame. The burning of incense is also prohibited.

FIRE ALARMS AND EQUIPMENT

Fire drills are held at the beginning of each semester to ensure that students know proper emergency procedures. When a fire alarm sounds, students should:

1. Close all windows, if time and safety permit.
2. Leave the room and proceed in an orderly manner through an assigned exit to a safe distance from the building.
3. Remain outside the building until Campus Safety, Residence Life, or Fire Department personnel declare it safe to re-enter the building.

Fire exit routes are posted on every hall. Residence hall staff members will check all rooms during a fire drill to make certain the building is vacant. Failure to leave the building in a timely manner when a fire alarm sounds may result in a fine and additional disciplinary action may be taken.

Fire equipment is provided for the safety of all residents. **Misuse of fire alarms or fire safety equipment is a serious infraction as it potentially endangers the lives of students and staff personnel.**

At no time is any item to be hung from a fire sprinkler system or any items stored in front of a fire pull station. Fire egress areas and stairways cannot be used for storage and access to a fire extinguisher must not be blocked.

A student found to be involved in setting off a false fire alarm, discharging a fire extinguisher when there is no fire, or tampering with any part of a fire alarm or fire safety equipment may be evicted from the residence halls as a minimum penalty.

Physical Plant Preventative Maintenance program changes all smoke detector

batteries twice per year regardless and any other time a work request is submitted by a student of a noise problem. These are changed during the summer repair program and before the spring semester starts. All portable batteries are recycled in the university hazards waste program due to radiation element of smoke detectors.

Setting a fire on campus is reason for automatic suspension from the University.

University activities that involve bonfires or other open flames outside of the residence halls require the prior approval of the Director of Campus Safety.

SMOKE DETECTORS

Battery operated smoke detectors have been installed in each room in North Rouse, South Rouse, and Lawton Hall to provide an additional safety measure for the occupants. If a battery becomes weak, the smoke detector will begin to beep. When this occurs, residents in these buildings should remove the old battery and carry it to the Residence Life Office. Once the old battery is received, a new one will be installed by the Physical Plant personnel. Failure to follow the above procedure may result in disciplinary sanctions.

Smoke detectors in all other residence halls/apartments are electronically controlled by a fire safety system in each building.

On-Campus Residential Facilities	Fire Alarm Monitoring by ACFD via phone lines	Automatic Fire Sprinkler System	Fire Pump	Fire Alarm Initiating Smoke Detection	Battery Operated, Single Station Smoke Detection	HAAC Duct Detection	Portable Fire Extinguisher Devices	Kitchen Hood Suppression System	Posted Evacuation Plans	Number of evacuation (fire) drills each academic year	External annunciators and bldg. ID	Fire Drills held for 2015
Pratt		X		X		X	X		X		X	2
Denmark		X		X		X	X		X		X	2
S. Rouse					X		X		X		X	2
N. Rouse					X		X		X		X	2
Lawton					X		X		X		X	2
Kingsley				X			X		X			2
The Village		X	X	X			X		X		X	2
College Ave 501					X		X					1
College Ave 503					X		X					1
Boulevard "A-B"					X		X					1
Boulevard Hall "C"	X	X		X			X	X	X			2
Boulevard Hall "D"	X	X		X			X	X	X			2
Boulevard Hall "E"	X	X		X			X	X	X			2
Boulevard 307					X		X					1
Boulevard 305					X		X					1
Boulevard 319	X	X		X				X	X			1
Stringer Commons A				X			X		X			2
Stringer Commons B				X			X		X			2
Stringer Commons C				X			X		X			2
Stringer Commons D				X			X		X			2
Stringer Commons E							X		X			2

Virginia Circle					x							1
Williamston Road					x							1
Springdale 1226					x							1
Kingsley 304					x							1
Heritage Dr. 109					x							1
Heritage Dr. 111					x							1
Heritage Dr. 113					x							1
Heritage Dr. 115					x							1
Heritage Dr. 117					x							1

AU EMERGENCY PROCEDURES PLAN

The Emergency Procedures Plan is a guide to provide students, faculty and staff with an emergency and crisis management system when responding to major disaster or disturbances to the university. University personnel designated to carry out specific responsibilities are trained to know and understand the University's policies and procedures. The University will operate a Crisis Management Team (CMT) in the event of an emergency. The Emergency Procedure Plan is designed to effectively coordinate the use of university and community resources to protect life and property both during and immediately following a major crisis or disturbance on or near the university. All faculty and staff are informed of the Emergency Procedures Plan in the new hire introduction orientation.

CAMPUS EMERGENCY NOTIFICATION SYSTEM

Anderson University has an emergency notification system which will provide emergency information to students, faculty and staff through their mobile telephones and email. (AU SAFETY ALERT) To update your contact information go to the Campus Safety area of the AU web site.

The University will, without delay, immediately notify the campus community upon the confirmation of a significant emergency involving an immediate threat to the health or safety of all personnel occurring on the campus.

After the initial notification, follow-up information may be disseminated to the campus community via AU SAFETY ALERTS and/or email.

POLICY FOR MASS NOTIFICATION

The AU SAFETY ALERT system will be used for distribution of emergency alerts to students, faculty and staff that would be affected directly by a critical incident which poses an imminent threat to their health or safety given their presence on university property.

EMERGENCY ALERTS

Notifications are made regarding critical incidents that pose an imminent threat to health or safety of the University community. Examples of such emergency include, but not limited to severe weather, fire in a building, criminal violence that broadly threatens the safety of the University community.

Designees from the following Anderson University offices have authority to approve dissemination of AU ALERTS:

Office of the President
Office of the Executive Vice President and CFO
Office of the Provost
Vice President for Student Development
Director of Marketing & Communication
Office of Campus Safety

POLICY PROHIBITING HARASSMENT AND SEXUAL MISCONDUCT

Note: The University will be updating this policy frequently because of the rapidly developing progression of "best practices" in this area and ongoing changes in the regulatory environment. Students and employees are encouraged to review this section regularly in order to remain current on these important policies.

Anderson University is a Christ-centered academic community, committed to providing and maintaining a learning and working environment that is free from sexual, racial, and other forms of harassment and misconduct. Anderson University believes its students, faculty members, employees, and campus guests should be able to enjoy an environment free from sexual misconduct and from harassment based on an individual's race, sex, age, national origin, disability, military service, or any other legally protected status.

In compliance with federal and state laws, it is the policy of Anderson University to prohibit unlawful harassment and sexual misconduct by any person and in any form. As a Christian institution of higher education, Anderson University reserves the right to take its religious tenets into consideration when making employment decisions.

No student, faculty member, supervisor, employee, or other individual shall engage in sexual misconduct, threaten, or harass any other individual or insinuate harassment toward another individual through their conduct, or through any communication of any nature. Anderson University will investigate all complaints of harassment or sexual misconduct, formal or informal, verbal or written, and take appropriate action or discipline against any person who is found to have violated this policy.

Anderson University recognizes that it may be difficult to specifically define what constitutes harassment under the law. As a result, Anderson University will not tolerate any type of inappropriate behavior that may lead to forms of illegal harassment. Inappropriate behavior includes, but is not limited to, unwanted physical contact; foul language; sexually oriented explicit pictures, cartoons, or other materials such as graffiti that may be offensive to another employee or student; ethnic jokes or racial slurs; and teasing about religious or cultural observance. Because many of the above may be considered offensive to another individual, these activities are prohibited at Anderson University.

A. Statement of Compliance with Title IX

It is the policy of Anderson University to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual misconduct or violence) based on sex in the University's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination, harassment, or misconduct.

Anderson has designated the Vice President for Student Development as the Title IX Coordinator and has appointed four individuals to serve as Deputy Coordinators who will collectively insure the University's compliance with Title IX. The University will also train faculty or staff to serve as investigators in potential Title IX violations. The Title IX Coordinator's responsibilities include the development, implementation, and monitoring of meaningful efforts to comply with Title IX legislation. At Anderson University, the Title IX Coordinator oversees monitoring of University policy, implementation of grievance procedures, including notification, investigation and disposition of complaints; distribution of educational materials and training for the campus community; conducting and/or coordinating investigations of complaints received pursuant to Title IX and ensuring a fair and neutral process for all parties.

Title IX Deputies are appointed by the University's President to assist with the implementation of the Title IX policy

and education. Investigators are also appointed by the President to coordinate all investigations regarding potential Title IX violations.

In order to take appropriate corrective action, officials at Anderson University must be aware of harassment, sexual misconduct, or related retaliation. Therefore, any member of the Anderson University community who believes that he or she has been the subject of or has witnessed any form of discrimination, harassment, sexual misconduct, or related retaliation should promptly report such behavior to a University official as outlined below. Additionally, anyone in a supervisory, advisory or evaluative role (e.g. supervisors, managers, department chairs or faculty members) who experiences, witnesses or receives a written or oral report or complaint of harassment, sexual misconduct, or related retaliation shall promptly report it to the appropriate University official as outlined in the “Reporting Harassment or Sexual Misconduct” section of this policy.

Title IX Coordinator

Dr. Jim Ferreira

Vice President for Student Development

Location: First Floor Merritt Administration Office

Phone: 864-231-2075

Email: jferreira@andersonuniversity.edu

B. Sexual Harassment & Sexual Misconduct

Anderson University is committed to encouraging and maintaining an educational, working, and living environment reflective of our Christian faith and characterized by civility and mutual respect. Sexual harassment or sexual misconduct, in any form, does not reflect the high standards and ideals of our community and will not be tolerated at Anderson University. As an institution of higher education, Anderson University has adopted this sexual harassment and sexual misconduct prevention and response policy in an effort to eliminate sexual misconduct and sexual harassment on our campus through education, training, clear policies, and serious consequences for violations of these policies. The University’s Title IX Coordinator has responsibility for ensuring compliance with Anderson’s policies regarding sexual misconduct.

Sexual Harassment

Sexual harassment and gender-based harassment that create a hostile environment are forms of sex discrimination prohibited by Title IX of the Education Amendments of 1972, and may violate other federal and state law, including Title VII of the Civil Rights Act of 1964, and South Carolina state law. Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances; requests for sexual favors; and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault or acts of sexual violence. Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Sexual harassment and gender-based harassment of a student

create a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the recipient's program.

Sexual harassment includes incidents in which the harasser either provides or denies an employment or educational benefit in exchange for sexual favors, or makes an adverse employment or educational decision on the basis of rejection of sexual advances.

Sexual harassment also occurs when the working, learning, or living environment is made hostile or abusive. An abusive or hostile environment is one that is reasonably and actually perceived by the complaining party as abusive such that it makes it difficult to perform job duties or to pursue one's education.

Sexual harassment is defined by the perception of the person who feels harassed: that is, whether it involves sexual conduct unwelcome to that person. In other words, harassment is subjective and it is "in the eye of the beholder." Conduct can be sexual harassment whether or not any harassment or hostile feelings were intended.

Examples of sexual harassment may include, but are not limited to, the following:

- Pressure for a dating, romantic, or intimate relationship
- Unwelcome touching, kissing, hugging, or massaging
- Pressure for or forced sexual activity
- Unnecessary references to parts of the body
- Remarks about a person's gender or sexual orientation
- Sexual innuendoes or humor
- Obscene gestures
- Sexual graffiti, pictures, or posters
- Sexually explicit profanity
- Bullying (conduct that may be physically threatening, harmful, or humiliating)
- Stalking or cyber-bullying that is based on gender or sex
- E-mail, texting ("sexting") and Internet use that violates this policy
- Sexual misconduct (sexual violence, sexual assault, domestic violence, dating violence or stalking)

A hostile environment can exist by virtue of a combination of individual incidents that would not, individually, constitute sexual harassment. Even one serious incident may, however, constitute hostile environment harassment.

Both women and men are protected from sexual harassment under these policies, whether the harassment is perpetrated by a member of the same or the opposite sex. Sexual harassment may be committed by a male or a female toward either a male or a female.

Sexual Misconduct

Members of the Anderson University community, including students, staff, faculty, and guests, have the right to be free from sexual misconduct. Sexual misconduct is non-consensual sexual activity and is a violation of Title IX. Sexual misconduct **includes, but is not limited to, sexual violence, sexual assault, stalking, and dating and domestic violence. Anderson University will not tolerate sexual misconduct of any form. Such conduct violates the values and principles of our community and disrupts the living, learning, and working environment for students, faculty, staff and guests.**

Students and employees are expected to comply with the University's policies on discrimination, sexual harassment, sexual misconduct, sexual assault, and stalking whether on or off campus. Any student or employee who violates these University's policies on or off campus is subject to disciplinary sanctions.

Definitions for the Policy

Consent is affirmative, conscious, and voluntary agreement to engage in sexual activity. Past consent does not imply future consent. Silence or absence of resistance does not imply consent. Consent must be clearly demonstrated through mutually understandable words and/or actions. Consent can be withdrawn at any time. Consent to one form of sexual activity cannot be assumed to be consent to any other form of sexual activity. Relying on non-verbal communications can lead to misunderstandings. Whether consent has been given will be determined contemporaneously with the activities in question.

If the victim is mentally or physically incapacitated or impaired so that the victim cannot understand the fact, nature or extent of the sexual situation, and the condition was or would be known to a reasonable person, there is no consent. This includes conditions due to alcohol or drug consumption, or being asleep or unconscious.

Sexual assault is any form of sexual contact directed against another person that occurs without the explicit consent of the recipient, including sexual acts committed against a person who is incapable of giving consent (e.g., due to the individual being under the influence of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give clear, unambiguous consent). Sexual assault may occur through the use of verbal, emotional, or physical force, intimidation, or coercion. Sexual assault includes sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, statutory rape, attempted rape, and non-consensual sexual contact. It also includes any intentional sexual touching, however slight, with any object or body part, by a man or a woman upon a man or a woman, without explicit consent of that individual. Sexual assault can be committed by students, university employees, or third parties visiting or working on the Anderson University campus.

Under South Carolina criminal law, sexual assaults may be prosecuted as Assault and Battery or under the prohibitions of the Criminal Sexual Conduct laws. Criminal Sexual Conduct in the First Degree occurs when the assailant sexually batters a victim with one or more of the following aggravating circumstances: 1) the assailant used aggravated force to accomplish the sexual battery; 2) the victim submits to sexual battery after being a victim of forcible confinement, kidnapping, trafficking in persons, robbery, extortion, burglary, housebreaking, or other similar act; or 3) the assailant causes the victim to become mentally incapacitated or physical helpless by administering, distributing, dispensing, delivering, or causing to be such a controlled substance or intoxicating substance. Criminal Sexual Conduct in the Second Degree occurs where the assailant uses aggravated coercion as defined as threats to use force or violence of a high and aggravated nature, where the victim reasonably believes the assailant has the ability to carry out the threat, or where the assailant threatens to retaliate in the future by infliction of physical harm, kidnapping or extortion. Criminal Sexual Conduct in the Third Degree occurs when the assailant the assailant uses force or coercion to accomplish the sexual battery or the assailant has reason to know the victim is mentally defective, mentally incapacitated, or physically helpless.

Non-consensual sexual contact includes any form of sexual touching, however slight, with any object or body part, by a man or a woman upon a man or a woman, without the consent of that individual. It may include, but is not limited to, sexual assault or sexual violence as described above.

Domestic Violence is defined under state criminal law as “physical harm, bodily injury, assault or the threat of physical harm” directed toward “persons who have a child in common, and persons cohabiting or formerly cohabiting.” Domestic violence may also include a pattern of abusive or violent used by one partner in a domestic relationship to gain or maintain power and control over another partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Dating Violence occurs when one person intentionally hurts or scares someone they are dating and includes physical, emotional, and sexual violence.

- Physical abuse may include hitting, shoving, kicking, biting, or throwing objects.
- Emotional abuse may include yelling, name-calling, bullying, embarrassing, preventing interaction with friends, telling someone that they deserve the abuse, or providing gifts to "make up" for the abuse.
- Sexual abuse and violence is forcing someone to engage in a sexual activity or engaging in sexual activity when one of the persons is unable to consent due to use of alcohol or drugs.

Stalking is defined as a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear. Stalking behaviors may include persistent patterns of leaving or sending the victim unwanted items or presents that may range from seemingly romantic to bizarre, following or lying in wait for the victim, damaging or threatening to damage the victim's property, defaming the victim's character, or harassing the victim via the Internet by posting personal information or spreading rumors about the victim. South Carolina criminal law defines stalking as a "pattern of intentional, substantial and unreasonable intrusion into the private life of a targeted person that causes the person and would cause a reasonable person in their position to suffer mental distress."

C. Sexual Misconduct Prevention and Response Policy

Anderson University provides education on Sexual Harassment and Sexual Misconduct, including sexual assault, sexual violence, domestic violence, dating violence, and stalking to all members of the University community through mandatory training, campus programs, printed educational materials, and official campus policies. In addition, mandatory training for all new students is provided at the start of the school year to educate students about sexual harassment and sexual misconduct. All students are required to participate in this training.

Reporting Sexual Harassment or Sexual Misconduct

Any member of the staff or faculty, or any guest, who believes he or she has been the victim of sexual misconduct or harassment based on an individual's sex, pregnancy, race, color, religion, national origin, age, disability, military service, or any other legally protected status by a student, faculty member, member of the staff, or other university personnel, or who has knowledge of or has observed such behavior, should immediately report the alleged acts to an appropriate individual who, depending on the circumstances, may be, the chief administrator in his/her division, the Title IX Coordinator or one of the deputy coordinators.

If any member of the Anderson University community believes that he or she has been subjected to sexual misconduct, discriminated against, or harassed by the person to whom he or she would normally report the incident, then the report should be made to one of the other officials listed below.

Any student who believes that he or she has been the victim of sexual misconduct or harassment based on the student's sex, gender, pregnancy, race, color, religion, national origin, age, disability, military service, or any other legally protected status by another student, faculty member, member of the staff, guest, or any other University personnel, or who has knowledge of or has observed such behavior, should immediately report the alleged acts to an appropriate individual who, depending on the circumstances, may be a faculty member, their residence director, a student development dean or staff member, the Title IX Coordinator, or one of the Deputy Coordinators. A report can also be made to any one of the other officials listed below:

Title IX Coordinator

Vice President for Student Development, Dr. Jim Ferreira
Location: First Floor Merritt Administration Office
Phone: 864-231-2075
Email: jferreira@andersonuniversity.edu

Title IX Deputy Coordinators

- Dr. Dianne King, Dean of Student Success
- Robyn Sanderson, Dean of Student Development
- Rose Mariee Allison, Director of Human Resources
- Dr. Tim Turner, Dean of the School of Criminal Justice
- Dr. Tim McKnight, Assistant Professor of Christian Studies

A complaint may be made by telephone, email, regular mail, or in person. A student has the right to make an anonymous complaint; however, it may be more difficult to prove the alleged misconduct that is the subject of the complaint and to take action against the respondent without the evidence and information, which the reporter may have or be able to provide. Students may also submit complaints to the Department of Education, Office of Civil Rights.

This complaint procedure applies to complaints alleging harassment by University employees, other students, or third parties.

The University will take appropriate steps to eliminate illegal discrimination or sexual harassment, prevent its recurrence, and remedy its discriminatory effects on the complainant and others as quickly as possible. In some cases, interim measures may be taken before the investigation and disciplinary process has been completed in order to eliminate or diminish the opportunity for additional discrimination or harassment or to alleviate the effects of the conduct that is the subject of the complaint. Any interim sanctions will respect the rights of all students to be treated with fundamental fairness.

Rights of the Complainant and Respondent

The University strives to provide a prompt and fair process for investigating and resolving complaints related to sexual assault or other sex-related misconduct. Throughout this process, both the complainant and respondent have the following rights, many of which are described in greater detail in this policy:

- To be treated with respect and dignity.
- To receive assistance from the University in reporting the incident to law enforcement at any stage of the process.
- To receive information about the process the University will employ for conducting the investigation, hearing, determination, and appeal.
- To receive information about support available from University or community resources.
- To privacy to the extent possible consistent with applicable law and University policy.
- To have an advisor present throughout the process.
- To choose whether or not to participate in the investigation process.

- To a prompt and thorough investigation of the allegations.
- To have a reasonable time to provide information, including any oral or written statement, to the investigator.
- To raise any question regarding a possible conflict of interest on the part of any person involved in the investigation or determination.
- To appeal the decision and any sanctions made by the investigators.
- To notification, in writing, of the case resolution, including the outcome of any appeal.

Investigating Sexual Misconduct or Sexual Harassment

In accord with the Anderson University policy concerning harassment and sexual misconduct, the University will thoroughly investigate and review the facts and circumstances of each allegation of harassment or sexual misconduct involving a student, faculty member, staff member or campus guest. The University may impose a sanction against the accused individual that is appropriate for the act committed. In accordance with Title IX of the education amendments of 1972, Anderson University will make every effort to conduct investigations that are prompt and equitable and intended to eliminate sexual misconduct on our campus.

Confidentiality and Reporting

The University strongly supports a student's interest in confidentiality in cases involving sexual violence. However, there are situations in which the University must override a student's request for confidentiality in order to meet its obligations under federal law to provide an educational environment that is safe and free from sexual harassment or sexual violence. To the extent possible, information regarding alleged incidents of sexual violence will be shared only with individuals who are responsible for handling the University's response.

Honoring a request that the complainant's name not be revealed to the accused person or that the University not investigate or seek action against the accused person may limit the University's ability to respond fully to the incident and pursue appropriate disciplinary action.

If a student requests that his or her name not be disclosed to the accused person or that the University not investigate or seek action against the accused person, the University will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students. If the University determines that it can respect a student's request not to disclose his or her identity to the accused person, it will take all reasonable steps to respond to the complaint consistent with the request.

The University will consider a range of factors when weighing a student's request for confidentiality that could interfere with a meaningful investigation or potential discipline of the accused person. If the factors indicate an increased risk of the accused person committing additional acts of sexual violence or other violence, the University may be unable to honor the request for confidentiality. A student may withdraw a request for confidentiality, in which case a full investigation will be conducted to the extent possible.

The Title IX Coordinator is responsible for evaluating requests for confidentiality.

Making a Confidential Report

Students may be assured of confidentiality by reporting a sexual assault only to a therapist, doctor, attorney, or other person who is legally obligated to maintain patient or client confidentiality. If you choose this option, please consider asking your doctor, therapist, or counselor to make a confidential report of the assault without including facts that would reveal your identity. While the University will probably not be able to take any disciplinary action against the

person who assaulted you, university officials will have a better picture of crime on the campus and may be able to warn the campus community about methods or patterns of attacks.

The following are campus or community resources that can provide counseling, advocacy, and support and may be able to accommodate confidential reports of sexual assault. (Jaime)

- Erin Maurer, University Counseling center
- Carlene Roberts, University Counseling Center
- Deb Taylor, University Health Services
- Sarah Forsythe, University Health Services
- Bob Cline, Campus Ministries
- Becky Walker, Campus Ministries

All other Anderson University staff and faculty members are required by University policy to report observations or actual knowledge of incidents of sexual harassment or sexual misconduct. In addition, reports made to other employees may have to be disclosed in criminal or civil court proceedings.

Whether or not a student or employee requests confidentiality, Anderson University is committed to maintaining confidentiality throughout the entire investigatory process to the extent that is practical and appropriate. When a formal report is made, persons have the right and can expect to have incidents of sexual misconduct or harassment impartially investigated and properly resolved through administrative procedures. Confidentiality implies that only people who need to know will be informed, and that information will be shared only as necessary with investigators, witnesses, and the accused individual.

Investigation Procedure and Follow Up

Upon receipt of a complaint of sexual harassment or sexual misconduct, the Title IX Coordinator or a Deputy Coordinator will designate one or more Title IX investigators who will conduct an adequate, reliable, and impartial investigation of all complaints of sexual harassment or sexual misconduct, and all complaints will be resolved promptly and fairly. After a thorough investigation, the Investigators will deliver a report and recommendation to the Title IX Coordinator or Deputy Coordinator. The Title IX Coordinator or Deputy Coordinator will normally render a finding to the complainant and respondent within 60 days after the complaint was received. An investigation may occasionally take longer because of unusual circumstances or the availability of necessary parties critical to the investigation process.

Investigation of complaints will be as confidential as possible to acquire the information needed and will respect the rights of both the complainant and the respondent. Both parties will have the opportunity to present witnesses and other evidence to the Title IX investigators. The complaint will be decided using a preponderance of evidence standard. A preponderance of evidence means deciding whether the respondent is more likely than not to have committed the behavior for which they have been accused.

In the course of the investigation, the University may seek to use voluntary informal discussions or mediation for resolving some types of sexual harassment complaints. However, the complainant has the right to end the informal process at any time, in which case the investigation will continue to its conclusion. In cases involving allegations of sexual assault, mediation is not appropriate and will not be used. Any agreed resolution of a complaint should fully and effectively address safety, fairness, and other appropriate concerns of the complainant, the respondent, and the University as a whole.

Advisors

Both the complainant and the respondent will have the same opportunities to have others present during any part of the proceedings, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The role of the advisor is limited to providing support, guidance, or advice to the student throughout investigation and disciplinary process.

During meetings and hearings, the student and advisor may talk quietly with each other. Advisors do not have the right to question or cross-examine witnesses, present arguments, answer questions posed to a student, or otherwise take an active role in the disciplinary proceedings. Advisors cannot disclose to other persons any confidential student information, which is disclosed to the advisor in the course of the proceedings. The University will remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation.

Notice of Outcome

Both parties will be promptly notified in writing of the outcome of the complaint process. With respect to complaints of sexual harassment or sexual violence, the University will disclose to the complainant information about any sanctions imposed on the respondent. In order to comply with the Clery Act, both parties will also be informed of all sanction information if the offense involved is a sex offense.

Individuals who are accused of sexual misconduct will be subject to disciplinary action in accordance with Anderson University's Community Values and Expectations (see the Anderson University Student Handbook). At the discretion of the Title IX Coordinator or Deputy Coordinator overseeing the case, an individual accused of sexual misconduct or harassment may be immediately suspended or restricted from campus pending final disposition of any disciplinary proceedings. Individuals found to have committed harassment or sexual misconduct will be subject to disciplinary sanctions, up to and including suspension or expulsion from the University.

Request for Reconsideration

Either party may make a request for reconsideration of the initial decision by providing a written request for reconsideration to the Title IX Coordinator within three (3) days after written notice of the decision has been given. Both the complainant and the respondent will be given notice of the request and an opportunity to respond. A request for reconsideration may be made exclusively on one of the following grounds:

1. There is new and significant evidence that has not yet been considered.
2. The published student conduct process was not followed.
3. The sanctions imposed are not appropriate to the investigation finding.

The Title IX Coordinator will consider the request and issue a final written decision within twenty (20) days after receiving the written request. A decision may occasionally take slightly longer because of unusual circumstances or the absence of necessary parties during school breaks.

Interim sanctions, including sanctions previously imposed and any additional appropriate sanctions, may be imposed or continued during the time the request is under consideration. The University shall respect and protect the rights of both parties until the request for reconsideration is resolved.

Both parties will be promptly notified in writing of the outcome of the request for reconsideration, which shall be final. The respondent will be notified of any changes to the sanctions, and the complainant will be given any notice of sanctions or changes in sanctions to which he or she is entitled, as described above.

Right to File a Criminal Complaint

Many forms of sexual misconduct are also prohibited by South Carolina and federal law and could result in civil liability or criminal prosecution. The university encourages students to contact the Anderson City Police at 864-260-4444 (in an emergency call 911) for more information about how to report a crime and the criminal process. At the student's request, the Campus Safety Office and the Office of Student Development can assist him/her in contacting local authorities. A criminal investigation does not relieve the University of its obligation to respond under Title IX, and both a criminal and University investigations may proceed simultaneously.

Retaliation

Any individual who is found, after appropriate investigation, to have engaged in harassment of or retaliation against another individual who reports an incident of alleged harassment or sexual misconduct, or any person who testifies, assists, or participates in a proceeding, investigation, or review relating to such reports of harassment or sexual misconduct will be subject to appropriate disciplinary actions, up to and including immediate termination or dismissal from the University. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

False Reports

A complainant, whose allegations are found to be false and brought with willful intent, will be subject to disciplinary action under the Community Values and Expectations code found in the Anderson University Student Handbook, which may include, but is not limited to, written warning, demotion, transfer, suspension, dismissal, termination, or expulsion.