



## ***2020 Student Right-to-Know & Campus Security Act Including CLERY Policy Statements***

North Carolina Wesleyan College has a primary concern for the safety and security of all students and employees. This requires a commitment to and from all members of the campus community. To that end, the College has established the policies and procedures listed below. We further recognize that campus safety is a responsibility in which we all share and not one that is left solely to the College's campus safety officers or to a single administrative unit. A false sense of security and invulnerability can lead to a failure of students to take campus safety seriously. Policies and procedures are developed for the protection of the community and must be appropriately heeded by all members of the community. Thus, students are particularly encouraged to carefully read through this document and, if needed, visit the Student Affairs Office or the Office of the Director of Campus Safety for further information. Students are also required to read all safety related training information, monthly safety tips, "Bishop Alerts", and Blackboard emergency notifications and watch any safety video or video link sent to them by the College.

### **Reporting of Emergencies or Criminal Acts.**

It is the policy of NCWC during each academic year to publish the methods, persons and locations of the appropriate parties to which crime, dangerous situations, incidents or other issues that affect the campus community may be reported.

**AT ALL NCWC LOCATIONS ALL LIFE-THREATENING EMERGENCIES OR CRIMES IN PROGRESS SHOULD BE REPORTED TO 911 FIRST.**

#### **At Rocky Mount, NC Main Campus**

All criminal acts, assaults, safety concerns or incidents should also be immediately reported to the appropriate College official. At the Rocky Mount main campus, including the Wesleyan Inn, and the Villas at Wesleyan Townhome Community reports should be directed to the Security Office, Resident Life Staff, the Director of Campus Safety or the Student Affairs Office. Students at all non-Rocky Mount Adult Learning sites should report incidents to the director or instructor of that location.

The College has placed ten (10) 911 call towers throughout the main campus. They are painted Wesleyan Blue with the words "EMERGENCY" located on their side. There is an illuminated blue light on the top of each tower for quick location of these units. All members of the NCWC campus are notified by email each semester of the locations of the towers and the proper use of these for notifying 911 Emergency Operators of any emergency. Emergency and important phone numbers are posted throughout the College. Security or College Officials will respond immediately to all calls for assistance. Matters requiring a continuing investigation are conducted by the Director of Campus Safety or the Student Affairs Office if related to a potential Student Code of Conduct Issue.

As necessary, the College will call upon local law enforcement for further assistance. All serious misdemeanor crimes and all felony crimes will be reported to Rocky Mount Police Department

unless the victim in the matter does not wish that they be notified. In any criminal matter any person may call local authorities as well as the above campus personnel to report any criminal or suspicious activity. Rocky Mount Police may be contacted at 252-972-14111.

All crimes and suspicious activity should be reported to:

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| Campus Security<br>24 hours a day                      | (252) 406-7928 | Hardees Building<br>Room 109                |
| Campus Security Wesleyan Inn<br>24 hours a day         | (252) 406-4686 | Wesleyan Inn Lobby<br>1921 N Wesleyan Blvd. |
| J Wayne Sears<br>Director of Campus Safety             | (252) 985-5585 | Hardees Building<br>Office D                |
| Jason Modlin<br>Dean of Students                       | (252) 985-5404 | Hardees Building<br>Room 111                |
| Steve Burrell<br>Director of Residence Life            | (252) 985-5564 | Pash Hall<br>First Floor                    |
| Janet Morrison<br>Assistant Director of Residence Life | (252) 985-5548 | Collins Hall<br>First Floor                 |
| Nadine Verner<br>Assistant Director of Residence Life  | (252) 985-5288 | Roberson Hall<br>First Floor                |

Survivors of sexual assault may also make anonymous reports of these crimes to any Campus Security Authority (CSA). CSA's include Security Officers, Director of Campus Safety, the Dean of Students, the Provost, any club/organization advisor, all Coaches and Assistant Coaches, Residence Life Staff including Student Activities Director and Assistant Directors, Student Center employees, Resident Advisors and Residential Community Leaders, Desk Workers, and all Officers of the College. CSAs are required to report any such anonymous crime to the Director of Campus Safety, and the reported crime must be included in the Annual Security Report. Survivors of sexual assault shall be encouraged to seek medical assistance. North Carolina has laws in place to allow anonymous reporting and medical treatment of survivors of sexual assault. In this area Nash UNC Health Care employs specially trained Sexual Assault Nurse Examiners or SANE Nurses to assist and treat survivors of sexual assault. Educational information about assistance to a survivor of sexual assault that is provided by UNC Nash Health Care Systems and information about anonymous reporting of this crime is sent to the NCWC community each semester.

### **Jurisdiction**

The Rocky Mount campus including the Wesleyan Inn are patrolled twenty-four hours a day by contract security personnel from Allied Universal Security. These personnel do not possess the powers of arrest. They are, however, authorized to detain a subject under North Carolina State Statutes under certain circumstances.

During periods when traditional students are on campus Rocky Mount Police Officers are hired

during the evening hours from approximately 10:00 pm until 2:00am. These hours are often expanded during special events like Homecoming and school authorized dances. These Officers have the full powers of arrest as granted by the State of North Carolina. Often times our campuses and ASPIRE programs are visited or attended by Sheriffs, State Troopers, Probation and Parole Officers and City Police Officers. In most circumstances each of these individuals maintain the power of arrest through their office even when out of uniform and/or off duty. The NCWC main campus and the Wesleyan Inn Housing complex are in the territorial jurisdiction of many state and local agencies. Presently NCWC hosts a Rocky Mount Police Officer as a live-in resident. He lives in Collins Hall on the first floor. The RockyMount Police Department, headquartered at 300 S. Church Street, Rocky Mount, NC 27802, assumes primary responsibility for NC Wesleyan College. The main campus and the Wesleyan Inn are wholly within the jurisdiction of the Rocky Mount Police Department.

**Reporting Crime at NCWC Durham and Goldsboro Locations.**

Contract security for the NCWC location at Goldsboro is provided by Sentry Security Services, Inc., 229 E. Walnut Street Goldsboro, NC 27533 (919) 736- 7289. Contract security for the NCWC location at Durham, NC is Ultimate Security Agency, Inc. PO Box 51416 Durham, NC 27713 (919)602-6145 usasecuresyou@frontier.com. They also do not have powers of arrest and are unarmed security personnel with an observe, report and assist role.

Any Crime, suspicious circumstance or incident should be reported to the law enforcement authorities with jurisdiction serving the NCWC adult degree sites at Durham or Goldsboro AND the NCWC designated Campus Security Authority as indicated at the following locations; **AT ALL NCWC LOCATIONS ALL LIFE-THREATENING EMERGENCIES OR CRIMES IN PROGRESS SHOULD BE REPORTED TO 911 FIRST.**

|                  |                     |   |
|------------------|---------------------|---|
| <b>Durham</b>    | <b>Durham NC</b>    | <b>NCWC Director Jessica Harrison<br/>(919) 465-4782; AND<br/>Durham Police Dept.<br/>1385 John Small Ave, Washington, NC<br/>27889<br/>Phone: (252) 946-1444</b> |
| <b>Goldsboro</b> | <b>Goldsboro NC</b> | <b>NCWC Director Tyler Barwick<br/>(919)988-9274; AND<br/>Goldsboro Police Dept.<br/>204 S Center St # B, Goldsboro, NC<br/>27530<br/>Phone: (919) 580-4239</b>   |

**Reporting Crime at NCWC’s remote locations within the NC Community College System.**

Please refer to all information available from your Community College location for information on Reporting Crime, as well as Crime Prevention, Title IX, Active Assailant Protocols, Lock Downs, Evacuations and other safety measures at that institution.

Any Crime, suspicious circumstance or incident should be reported to the law enforcement authorities serving the local community college AND the NCWC designated Campus Security Authority as indicated at the following locations:

|   |                        |  |
|---|------------------------|--|
| <b>College of the Albemarle</b>                     | <b>Manteo NC</b>       | <b>NCWC Director Joy Smallwood<br/>(252) 955-5791; AND<br/>Manteo Police Dept.<br/>410 Ananias Dare St, Manteo, NC 27954<br/>Phone: (252) 473-2069</b>                               |
| <b>Craven Community College</b>                     | <b>New Bern NC</b>     | <b>NCWC Admissions Director Chenona<br/>Baldwin (252)-772-4044; AND<br/>Craven County Sheriff's Office.<br/>1100 Clarks Rd, New Bern, NC 28562<br/>Phone: (252) 636-6620</b>         |
| <b>Pitt Community College</b>                       | <b>Winterville, NC</b> | <b>NCWC Admissions Director Christine<br/>Cliff (252)-565-4464; AND<br/>Pitt CC Campus Police<br/>Bull Dog Run, Pitt CC Winterville, NC.<br/>Phone (252)-493-7777</b>                |
| <b>Beaufort Community<br/>College</b>               | <b>Washington NC</b>   | <b>NCWC Director Joy Smallwood<br/>(252) 955-5791; AND<br/>Washington Police Dept.<br/>1385 John Small Ave, Washington, NC<br/>27889<br/>Phone: (252) 946-1444</b>                   |
| <b>Cape Fear Community<br/>College North Campus</b> | <b>Castle Hayne NC</b> | <b>NCWC Associate Dean Katie Farrell<br/>(910)-338-3194; AND<br/>New Hanover County Sheriff's Office<br/>3750 Juvenile Drive<br/>Castle Hayne, NC 28429<br/>Phone (910)-798-4200</b> |
| <b>Cape Fear Community<br/>College</b>              | <b>Wilmington NC</b>   | <b>NCWC Associate Dean Katie Farrell<br/>(910)-338-3194; AND<br/>Wilmington Police Dept.<br/>615 Bees St, Wilmington, NC 28401<br/>Phone (910)-343-3600</b>                          |

**AT ALL NCWC LOCATIONS**

**All incidents involving Assault, Sexual Assault, Harassment, Bias, Intimidation, Dating Violence, Stalking, Threats, Title IX incidents, Fire, Arson, Burglary, Kidnapping, Extortion, Fraud, Missing Persons, Drugs, Alcohol misuse or abuse of Campus Property, Weapons, or any other matter that might or does expose the NCWC Family to danger or threats of harm should additionally be reported to:**

|   |                       |  |
|---|-----------------------|--|
| <b>NCWC Main Campus Security<br/>24 Hour a Day Number</b> | <b>(252) 406-7928</b> | <b>NCWC Rocky Mount Hardees Building<br/>Office 109</b>      |
| <b>J Wayne Sears<br/>Director of Campus Safety</b>        | <b>(252) 985-5585</b> | <b>NCWC Main Campus Rocky Mount, NC<br/>Hardees Building</b> |

|  |                       |   |
|--|-----------------------|---|
| <b>Jason Modlin</b><br><b>Dean of Students</b> | <b>(252) 985-5404</b> | <b>NCWC Main Campus Rocky Mount, NC</b><br><b>Hardees Building</b><br><b>Room 111</b> |
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**AT ALL NCWC LOCATIONS ALL LIFE-THREATENING EMERGENCIES OR CRIMES IN PROGRESS SHOULD BE REPORTED TO 911 FIRST.**

**Timely Warnings**

Timely warnings are an integral requirement of the CLERY act and part of our overall safety plan. It is the policy of NCWC to maintain a communications device to issue such warnings and to issue these warnings as required. NCWC maintains a contract with “Blackboard Connect”, a respected and widely distributed notification system. It is a requirement that all students must keep their personal contact information updated in an effort to ensure the emergency notification system has the ability to make proper notifications.

ALL members of the NCWC Community are reminded through monthly safety tips, orientation and other crime prevention and security forums to report all crime and suspicious activity to Campus Security or local law enforcement. At the main campus and at the two locations where NCWC maintains a separate campus, we request in writing that local law enforcement notify NCWC main Campus Security of any crime in progress at or adjacent to these campuses so we may determine if crimes or criminal activity adjacent or nearby these campuses are a safety concern for those on campus.

Students and employees are to notify 911 and then Campus Security at 252-406-7928 or Wesleyan Inn Security 252-406-4686 of any ongoing campus emergency. Students may report crime and safety issues anonymously. One way this is done is through the NCWC “Bishop Tip Line” which is located on the College Web site under <http://www.ncwc.edu/tipline>.

If we are notified of any crime upon or adjacent to campus that poses any perceived threat to the campus community, the Director of Campus Safety will be notified. In his absence the Dean of Students, Vice President of Administration, the President, or Director of Communications and Marketing shall be contacted in this order until one of these responsible parties is notified of the activity of concern. If the activity poses or presumably poses a threat to the wellbeing of the campus community, an emergency notification will be sent out through the college’s Blackboard Connect system unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Once the Blackboard Connect system is activated, the emergency message will be sent to all members of the college community including contract employees. This message will be in the form of a voice message over phone, a SMS text message and an e-mail message to their *MY.NCWC* email account.

All members of the NCWC community, except contractors, are assigned an e-mail. This is the account to which all emergency emails are sent. All members of the NCWC community are also asked for their cellular phone number and are asked multiple times during the year through *Bishop Monthly Safety Tips* to keep this number current. This is the number utilized by Blackboard Connect for SMS text messaging and phone voice messaging. Blackboard connect is reloaded with the most current data nightly.

For issues affecting the community at large, the NCWC Communications Director will publish such emergency on the NCWC.com web account, the NCWC Facebook, Instagram, and Twitter accounts, as well as activate a media advisory list that is maintained by the College Communications Director.

For issues that require broad parental notification the NCWC Communications Director may publish such emergency to available contact information for parents or responsible parties as listed with the college business office.

More information on emergency notification is located in the Student Handbook at [2020-2021-STUDENT-HANDBOOK](#) . The written policy on timely warnings is located in the office of the Director of Campus Safety, Hardees Student Union room D, and is posted on the NCWC website at [www.ncwc.edu/security](http://www.ncwc.edu/security).

### **Annual Security Report**

The Clery Act requires the collection and dissemination of crime statistics for certain criminal acts. These statistics are gathered from Campus Security, Local Law Enforcement, Campus Administrators and Campus Security Authorities (CSA) which are College Officials, advisors, coaches or other designated authoritarian figures that students might seek to report a crime. These CASs are advised and reminded of their role yearly and all new faculty are trained on this responsibility during their orientation. Additionally, we request from the local law enforcement agency having jurisdiction, all crime statistics that are CLERY required for the three (3) Wesleyan campuses (NCWC Main Campus including the Wesleyan Inn housing unit, Goldsboro campus and Durham campus). These statistics must be compiled and published for the preceding three years by October 1<sup>st</sup> \* of the present calendar year. This report is announced and published by the College President on or about September 30<sup>th</sup> and is located at: ([Annual-Security-and-Fire-Safety-Report-](#)). In addition to this report being published to the NCWC community, its availability is made know to all potential students and employees per Clery directives.

*\*Due to COVID 19 the DOE has extended this date for the 2019 reporting period to December 31<sup>st</sup> 2020.*

### **Registered Sex Offenders**

For information regarding registered sex offenders in North Carolina and in the area of any of the college's locations, please view <http://sexoffender.ncsbi.gov/disclaimer.aspx>. It is the policy of the college to annually request, in writing, that the Nash County Sheriff's Office immediately notify the Director of Campus Safety of any registered sex offender living adjacent to, moving adjacent to or attempting to enroll in the college.

### **Campus Facilities – Access and Security**

Access to non-residential facilities is limited to members of the College community except for those specific events to which the public is invited. All residence halls and most internal stairwells of traditional residence halls (Roberson, Pash, Pettaway and Collins) are accessible by key only. Boddie, Jin, Bradley and Taylor and the Villas at Wesleyan Townhome Community require either a front door, lobby and hall key or electronic access badge to enter. Each individual room is keyed separately and this key is assigned only to the resident student(s). Access to residence halls is limited to the residents of the building and their invited guests. Hours of operation for all buildings are as posted or as stated in College publications. In an effort to ensure these policies

are adhered to, student workers are on duty during the evening hours at each residence hall lobby to oversee the signing in and out of all guest by their student host. Access to any building after normal hours of operation is only allowed following written notice and permission from the Dean of Students or Resident Life Director. All guests are subject to the rules and regulations of the College and are to be in the company of their hosts at all times. The visitation policy for resident students is explained in detail in the Student Handbook. The College reserves the right to deny access to College property to any person who violates College regulations or who exhibits behavior which negatively impacts the mission and purpose of the institution, campus security and local law enforcement. North Carolina Wesleyan College will at all times cooperate with local law enforcement. At North Carolina Wesleyan College, the College's campus security officers are an extension of the College and are charged with assuring the safety and security of the campus through service, patrol, and the enforcement of College's rules and regulations.

Maintenance and housekeeping personnel are only allowed in residence halls for maintenance and housekeeping issues. Unless there is an emergency, they are required to have Campus Security, a member of Residence Life Staff, the on-duty staff person or at minimum a Residence Assistant or second person present whenever they key into a room of a student of the opposite sex unless they are responding to a student request for maintenance/housekeeping assistance and they are expected. In all situations they are to knock and announce themselves. Maintenance and housekeeping do not address non-emergency issues before 9AM and after 4:30 PM. The Wesleyan Inn is exempt from this policy during their routine maintenance and cleaning schedule as it is published and students should be aware of this.

### **Notification of Campus Safety Policies and Crime Prevention**

It shall be the policy of North Carolina Wesleyan College to inform the student population as well as NCWC employees of safety and personal security measures, options, strategies and programs from orientation and pre-orientation visits until graduation.

In addition to the Student Handbook, which is published and distributed annually, the College will inform the College community of campus safety policies and procedures through various publications, programs, workshops and seminars that outline specific steps they can take with regard to crime prevention, personal safety, campus security and reporting options. Periodically during the academic year, the Student Affairs Office and the Office of the Director of Campus Safety in cooperation with other college organizations and departments, present and or publish information on:

- Crime Prevention
- Awareness on Sexual Assault (rape and acquaintance rape)
- Domestic Violence, Dating Violence
- Bystander Intervention
- Reporting Crime and Anonymous Reporting of Crime
- Sexual Assault Survivors Emergency Room Assistance
- Date Rape and Rohypnol and other associated date rape substances of abuse
- Room Burglary, Security and Theft Prevention
- Personal Safety including Self Defense
- Residence Hall Security
- Travel Tips for Off Campus Safety

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own safety and the safety of others. In addition to the above informational topics, placards are placed in every residence hall room and every residential lobby that address the following;

- Evacuation
- Medical Emergencies
- General Safety Tips
- Fire Emergencies
- Severe Weather Emergencies
- Active Assailants
- Emergency Reference Guides are placed in every class room and at other key locations. They provide general guidelines for the following;
- Emergency Numbers
- How to Report a Crime
- Active Shooter / Weapons / Shots Fired
- Bomb Threat
- Evacuation
- Fire / Smoke
- Hazardous Materials Spills
- Mental Health Emergencies
- Noxious Odors
- Medical Emergencies / Serious Accident Or Injury
- Shelter in Place
- Suspicious Package
- Threatening Individual
- Tornado / Severe Weather Emergency
- Power Outage
- Infectious Spills or Fluids

Crime prevention tips and student safety are recurring themes in the monthly *Bishop Safety Tips* newsletter that is emailed to the entire NC Wesleyan family.

### **Off Campus Student Organization Locations and Housing**

North Carolina Wesleyan College does not recognize any student organization as having sanctioned off campus housing or gathering locations.

### **Policies Regarding Alcohol and Drugs**

North Carolina Wesleyan College prohibits the possession or consumption of alcohol and illegal drugs on college property at any time by any person. Further details, including possible sanction or violation of these policies are explained in the Student Code of Conduct in the Student Handbook. In accordance with the Drug-Free Schools & Communities Act Amendments of 1989 (Public Law 101-226), NC Wesleyan College wants all students to be aware of the following policies and information. Any person with questions is encouraged to see the Dean of Students. A full description of the College's policy on alcohol is located in the Student Handbook. These policies include:



## **Standards of Conduct**

**Controlled Substances - Possession/Use** – Any possession or use of controlled, prohibited, or illegal substances, or use of (or intent to use) substances for purposes or in manners not as directed or prescribed by a physician. This includes possession/use of controlled substances in one's room, on one's person, in personal belongings, in one's vehicle, or being in the presence of controlled substances. Examples include but are not limited to: possession or use of illegal substances in any quantity, including residue and seeds; possession or use of prescription drugs without a valid/current medical prescription; use of prescribed medication not as directed; huffing, snorting, smoking or otherwise possessing or using legal substances not as intended; smokable hemp and/or other cannabis genus or species due to the presence of tetrahydrocannabinol (THC). (If any student is in medical danger because of drug overdose or other use, seek medical attention immediately. *(Please review the Medical Amnesty policy.)*)

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

**Distribution/Intent to Distribute** – any sale or distribution (including distribution without financial gain) of controlled or illegal substances or any substances prohibited by policy. This includes sharing of prescription medication. It also includes the aiding and abetting of the possession, sale or use of prohibited, controlled or illegal substances.

**Intoxication** - Intoxication as exhibited by behavior is prohibited. The influence of alcohol or controlled substances will not be considered a legitimate excuse for violation of other college policies and may result in a more severe sanction for such violation. If any student is in medical danger because of intoxication, seek medical attention immediately. *(Please review the Medical Amnesty policy.) (See NC Statute on the unlawful manufacture, sale or delivery, holding, offering for sale, or possession of any controlled substance)*

**Alcoholic Beverages -Possession/Use** – The possession, use, consumption, or distribution of alcoholic beverages or concentrates, including powdered alcohol, is prohibited by all students at any time, regardless of age, anywhere on the College premises. This includes possession of alcoholic beverages in one's room, on one's person, in personal belongings, in one's vehicle, or being in the presence of alcoholic beverages. This also includes possession of empty alcohol containers. Since it must be assumed that the alcohol was consumed on campus, empty containers are treated the same as full containers.

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

## **Health Risks**

The College advises all members of the community to be familiar with the health risks associated with the use of illegal drugs and the misuse of alcohol. Such risks may range from impaired mental

functioning to loss of life. Detailed information on all aspects of such health risks is available at no cost to all students at the College Health Services Office.

### Available Counseling

Students may seek assistance from the Counseling/Disability Services Director, Campus Chaplain, Health Services and Residence Life staff. Information and short-term counseling is available in addition to referrals for treatment and rehabilitation.

### College Sanctions

The College will impose sanctions upon any student who is found responsible for violations of the above Standards of Conduct. Such sanctions may be up to and including permanent expulsion from the College. The Code of Conduct including the hearing process for violations may be found in the Student Handbook. Any College conduct action taken will be separate from any criminal or civil action, even if resulting from the same incident or circumstances. The Director of Campus Safety should be contacted for assistance in locating copies of any applicable local, state or federal laws.

### Policy Statements Regarding Sexual Assault & Sex Offenses

In accordance with the revised requirements of the Student Right-to-Know and Campus Security Act, NC Wesleyan College issues the following guidelines to sexual assault victims when sexual assault is believed to be a violation of Title IX (*Title IX is a portion of the United States Education Amendments of 1972, Public Law No. 92-318, 86 Stat. 235 (June 23, 1972), codified at 20 U.S.C. §§ 1681–1688. It states (in part) that: No person in the United States shall be subjected to discrimination under any education program or activity receiving Federal financial assistance*). Sexual assault must be reported to the Title IX Coordinator who is Dr. Jason Modlin, Dean of Students. For further details the Colleges complete Title IX Policy may be reviewed at the following link "[Title IX Policy](#)".

### Procedures to Follow in the Event of a Sex Offense

In the event of a sex offense or sexual assault, victims are strongly encouraged to immediately contact the appropriate College Official. At North Carolina Wesleyan Main Campus– the Campus Safety Director, Campus Safety Officer on duty, Dean of Students or the Rocky Mount Police. In Durham, Goldsboro, New Bern, Research Triangle Park, Washington, Greenville or Wilmington, Manteo or Winston Salem call the local police and or the director of that location for assistance and to report the incident. That official will then contact the Dean of Students and the Director of Campus Safety. It is very important that any evidence be preserved. For this reason, the student is cautioned not to bathe or shower, not to clean the room or area, and not to throw anything away until he/she has reported the incident and allowed the College officials or law enforcement officers to take control of the scene. Any of the following persons may be contacted to report sexual assault.

|  |  |                               |
|--|--|-------------------------------|
| Rocky Mount Police Department              | 911 (just occurred or in progress)<br>972-1411 (non-emergency) | 330 S. Church St, Rocky Mount |
| J Wayne Sears<br>Director of Campus Safety | (252) 985-5585<br>10   | Hardees Building<br>Office D  |

|  |                |                                  |
|--|----------------|----------------------------------|
| Office of Student Affairs  | (252) 985-5178 | Hardees Building<br>Office 111   |
| Dr. Jason Modlin<br>Dean of Students                                   | (252) 985-5404 | Hardees Building<br>Office 111   |
| Dr. Molly Wyatt<br>Director of Academic Affairs &<br>Provost           | (252) 985-5194 | Braswell Building Provost Office |
| Dr. Barry Drum **<br>Campus Chaplain                                   | (252) 985-5223 | Leon Russell Chapel              |
| Quenetta Johnson **<br>Director of Counseling &<br>Disability Services | (252) 985-5369 | Hardees Building, Room 110A      |
| Jessica Brys-Wilson **<br>Director of Health Services                  | (252) 985-5186 | Health Center                    |

\*\* Confidential reporting available

### **Notification to Local Law Enforcement**

In accordance with the law, North Carolina Wesleyan College will notify local law enforcement in the event a sexual assault is reported to a College official. It is always the right of the student to notify law enforcement authorities directly or to choose not to speak with the authorities. The College will assist the student in contacting local law enforcement upon request. Reporting to law enforcement does not mean that the victim must pursue criminal charges in the matter.

### **Counseling Services for Victims of Sex Offenses**

Victims of sex offenses are strongly encouraged to seek counseling services and support. These services are available in the local area through support groups, crisis centers, and mental health agencies and practitioners. The Student Health Office and the Counseling and Behavior Services Director will assist and encourage any student in seeking these services.

### **Campus Disciplinary Action**

The victim of an alleged sex offense always has the right and the choice to pursue campus disciplinary action. Detailed procedures of the conduct process are outlined in the Student Handbook. To initiate College disciplinary proceedings, the victim must submit a complaint and meet with the Dean of Students, Dr. Jason Modlin. The incident shall be investigated by the Director of Campus Safety, J. Wayne Sears, the Title IX investigator, as soon as possible after the incident is reported. It is possible that, depending on the student's desire for law enforcement involvement, the College's investigation will run parallel to that of law enforcement, in conjunction with law enforcement or actually take a minor role behind Law Enforcement. This decision shall be based on whether such dual or cooperating investigation can occur without any impediment to a successful criminal investigation/prosecution. All expectations and rights of accusers and accused and the full disciplinary process and the appeals process may be located in the Student Handbook and in the College's Title IX Policy under the following link <https://ncwc.edu/policies-and-notices/title-ix/>.

### **Disclosures to Alleged Victims of Crimes of Violence or Non-Forcible Sex Offenses**

NC Wesleyan College will disclose to the alleged victim of a crime of violence, or a non-forcible

sex offense, the results of any disciplinary hearing conducted by the college against a student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, NCWC will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

**Policy Statement in Regards to Dating Violence, Domestic Violence, Sexual Assault or Stalking**

NCWC will protect the confidentiality of survivors and other necessary parties by ensuring that reports involving alleged dating violence, domestic violence, sexual assault or stalking are maintained and stored in locked file cabinets in the Director of Campus Safety's office and/or the College's Title IX Coordinator. *Clergy Act* reporting and disclosures, including Daily Crime Logs, will not contain personally identifying information about the victim.

In addition, NCWC will maintain as confidential any accommodations or protective measures provided to the survivor, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Reports from Campus Security Authorities (CSA) should include sufficient detail such as dates and locations and, where appropriate, personally identifying information, including name and contact information if available. This is important for law enforcement purposes to ensure that all crimes are counted and to avoid double counting crimes. Any CSA report shall be included in the investigative file which shall be secured as detailed above by the Director of Campus Safety. NCWC shall protect a survivor's confidentiality while also recognizing that, in some cases, an institution may need to disclose some information about a survivor to a third party to provide necessary accommodations or protective measures. The Title IX Coordinator shall be responsible for determining what information about a survivor should be disclosed and to whom this information will be disclosed under these circumstances. The Title IX Coordinator shall base such decisions with the understanding that we may disclose only information that is necessary to provide the accommodations or protective measures in a timely manner.

The College shall provide written notification to students and employee survivors about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for survivors, both within the institution and in the community. This statement of available services is updated annually to reflect currently available services.

The College shall provide written notification to survivors about options for, available assistance and how to request changes to academic, living, transportation and working situations for protective measures. The institution will make such accommodations or provide such protective measures if the survivor requests them and if they are reasonably available, regardless of whether the survivor chooses to report the crime to campus police or local law enforcement

The Title IX Coordinator shall decide what measures to take. Under this requirement NCWC is allowed flexibility in terms of what is reasonable. Factors that might be considered during this process include, but are not limited to the following: the specific need expressed by the complainant; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant and alleged perpetrator share the same residence hall, dining hall, class<sup>1</sup>, transportation or job location; and whether

other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

Protective measures should minimize the burden on the survivor. For example, if the complainant and alleged perpetrator share the same class or residence hall, the school should not, as a matter of course, remove the survivor from the class or housing while allowing the alleged perpetrator to remain without carefully considering the facts of the case.

The policy that addresses the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking is addressed in the Student Handbook.

All investigations for sexual assaults, Title IX, VAWA (Violence against Women's Act) or crimes or allegations of this nature will be conducted by the Title IX Investigator. In accordance with the Clery Act this person shall receive yearly training on conducting such investigations.

### **Sexual Harassment Policy**

**Policy:** Harassment on the basis of gender in an academic setting is prohibited by the following: Title IX of the Education Amendment of 1972, Title VII of the Civil Right Acts of 1964, and the Federal Sex Discrimination Act of 1984. But on an even higher plane, it is not consistent with the motto of "Wisdom and Courage through Christian Education".

It is the policy of North Carolina Wesleyan College, in keeping with efforts to establish an environment in which the dignity and worth of all members of the institutional community are respected, that sexual harassment of students is unacceptable conduct and may result in sanctions and/or penalties, including expulsion from the College and/or termination of employment. It is a violation of College policy for anyone to initiate an action as a reprisal against a faculty member, student, or employee for reporting sexual harassment.

It is also the policy of the College that accusations of sexual harassment which are made without good cause shall not be condoned. If a person knowingly files a false statement or tries to use the complaint system in retaliation against an individual, he or she is subject to sanctions up to and including termination or expulsion. However, a complaint that is "not substantiated" does not automatically fall into the "false statement" category.

This policy applies to all College students, faculty, administrators, staff members and employees as well as vendors and guests at all College locations. This includes those members of the College community who are involved in off-campus programs such as internships and cooperative programs. This policy applies to the workplace, recruitment, appointment, and advancement of employees. It also applies to student contact in and out of the classroom and the evaluation of students' academic performance.

The College recognizes that prevention is the best tool for the elimination of sexual harassment. It is the policy of the College to conduct periodic training on this policy, reporting procedures for all employees and students, training for investigations and disciplinary actions for all managerial and supervisory personnel, and educational seminars for students.

## **Definition- Sexual Harassment**

### **Sexual Harassment**

Any unwelcome conduct of a sexual nature, to include sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or conduct of a sexual nature based on a person's gender, gender identity, or sexual orientation, when one or more of the following conditions are present:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's enrollment, employment, academic success, or athletic or other program participation (quid pro quo harassment);
- 2) the behavior is so severe and pervasive and objectively offensive that it deprives an individual of equal educational access;
- 3) such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creates an intimidating, hostile, or offensive work or educational environment.

Conduct is unwelcome when it is not solicited and it is regarded as offensive by the recipient. In determining whether the conduct is harassment and creates a hostile environment, the College will consider the issue from both an objective (reasonable person) and subjective (complainant's) viewpoint. A single incident of harassment may be severe enough to create a hostile environment on its own. A pattern of similar behavior may not be needed in order to determine that the conduct creates a hostile environment. This threshold will be used to determine whether a hostile environment exists, whether in an on-campus or off-campus educational program and/or activity.

In making this determination, the College will consider a number of factors, including:

- \* The nature, severity, duration, and context of the conduct;
- \* The relationship between the respondent and the complainant;
- \* Whether academic freedoms protect the conduct; and
- \* Whether the conduct was part of other discriminatory conduct.

Sexual harassment can include but is not limited to conduct that is:

- \* Physical, such as unwelcome touching, unwelcome sexual advances, blocking another's movements, sexual or physical assault.
- \* Verbal, such as comments of a sexual nature, derogatory comments about another, crude humor, verbal descriptions of another's body, verbal descriptions of sexual activity with another.
- \* Visual, such as the display of sexually-oriented images in public, sexually-oriented gestures toward others.
- \* Quid pro quo, such as offers for academic or work-related benefits in exchange for sexual favors. Such offers can be explicit or implicit.

First amendment protections are appropriate for educational institutions where students are learning, and employees are teaching. Students, faculty, and others should enjoy free speech and academic freedom protections, even when speech or expression is offensive.

The full NCWC Sexual Harassment policy may be viewed within the College's Title IX policy at the following link <https://ncwc.edu/policies-and-notice/title-ix/>

### **Policy Statement in Regards to Counselors and Confidential Crime Reporting**

All reports of criminal activity will be investigated. If you are the victim of a crime and do not want to pursue action within the College System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Title IX investigator or a designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

The State of North Carolina does allow for confidential reporting of sexual assaults. Any case of sexual assault reported to the college will be reported to the Rocky Mount Police Department unless the survivor, after being fully informed of their options, decides that they do not want local law enforcement involved. You will be encouraged to go to a local area hospital and be seen by a Sexual Assault Nurse Examiner (SANE). The SANE will attend to your personal health needs as a result of any assault. They will also ask that you give them permission to gather any evidence of an assault. Even if you desire confidential reporting, the state has made that possible by allowing you to be registered with a confidential number. Any evidence in your assault will be held by the state for up to a minimum one year so you can decide later if you want to pursue a full investigation into your assault. Information on confidential reporting and on the role of a SANE may be obtained from the Campus Health Office or Nash UNC Health Care Emergency Department located on Curtis Ellis Drive in Rocky Mount or at 252-962-8000.

***Pastoral counselors and professional counselors are encouraged to inform, in writing, the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.***

Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Clery defines counselors as:

**Pastoral Counselor:** An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor:** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

### **Family Rights and Privacy Act (Buckley Amendment)**

**Student Right to Privacy: Family Educational Rights and Privacy Act of 1974 Policies and Procedures at North Carolina Wesleyan College**

In accordance with the Family Educational Rights and Privacy Act, North Carolina Wesleyan College has adopted the following policies and procedures. It is the objective of the College to insure that legal rights of students, established under the Family Educational Rights and Privacy Act of 1974, be clearly understood and protected by all those affected.

1. All individuals who are attending or have attended North Carolina Wesleyan College have a right to review and inspect their educational records.
2. Requests by students for access to or copies of their educational records must be completed within a reasonable period of time, not to exceed 45 days from the date of request. (Normally, records are out within a week)
3. An educational record is defined as data, in any form, about a student of the College or a College official except:
  - Records solely in the possession of the maker and not revealed in any form to third party.
  - Records related to employment.
  - Records of physicians, psychiatrists, etc., that are maintained in the course of treating a student and used only for that purpose. Students do not have a right of access to those records, but they will be released to a physician or psychiatrist of a student's choice.
4. Requests by students for access to or copies of their educational records must be made to the institutional official responsible for maintaining those records.
5. All requests by students for access to their educational records may be made verbally to the College official responsible for the record, unless the official asks that the request be in writing. Access to educational records will not be permitted to third parties unless the student has given written consent to release the record or the individual or agency requesting information is included under Section 99.31 of the Federal Regulations, which permits release of an educational record, without the student's consent, to the following organizations or individuals:
  - To North Carolina Wesleyan College school officials who have a legitimate educational interest
  - To officials of other school systems in which the student seeks or intends to enroll
  - To certain Federal and State officials for auditing purposes
  - To persons or organizations involved in financial aid matters related to the student
  - To organizations conducting studies for the College
  - To accrediting organizations
  - To parents of a dependent student
  - To comply with a judicial order or subpoena, provided that a reasonable effort to notify the student is made in advance.
  - To appropriate parties in a health or safety emergency
6. A school official shall be defined as any individual affiliated with the College and carrying out an institutional responsibility. A legitimate educational interest shall be defined as a need of a College official to know the contents of an educational record in a context that is related to an institutional objective and is not in conflict with State or Federal law or College policy.
7. Information from educational records will not be released to a student's parents without the consent of the student, unless the student is a dependent student. A dependent student is defined as a student who is carried as a dependent for federal income tax purposes (as defined by Internal Revenue Code of 1954, Sec.152). Before release of



information, it is the responsibility of the parents and student to file a Certificate of Dependency Form with the Office of the Registrar.

*NOTE: Parents of students under 21 years of age may be notified of any violation of drug or alcohol policy*

### **General Provisions**

With certain exceptions, school officials of North Carolina Wesleyan College will not disclose personal identifiable information from a student's record without prior written consent.

**Directory Information** is information that can be disclosed without the student's prior written consent unless the student has notified the Registrar's Office to restrict release of that information in writing. When a student requests to have any or all directory information restricted their written request to withhold the information will be attached to the inside of the record. No information should be released regarding that student's record. Directory information is defined as:

- Student name, address (local address and grade/billing address), and telephone listing (local and grade/billing)
- Electronic mail address
- Date and place of birth
- County, state, and/or U.S. territory from which the student originally enrolled (if a student enrolled from a foreign country, this is not directory information)
- Major field of study
- Class ranking (freshman, sophomore, junior, senior)
- Enrollment status (full-time, part-time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Anticipated date of graduation
- Degrees and awards received
- Most recent previous educational agency or institution attended by the student

*Note: Parents' names, address, and telephone number are not considered directory information*

### **Missing Person Policy**

If a North Carolina Wesleyan College residential student is suspected missing from the campus, immediately contact campus security at (252-406-7928) or a member of the Residence Life Staff within that student's residential area. All reports of missing persons made to Residence Life and/or Campus Security are followed up with an on-going investigation within 24 hours of notification. If it is determined that a student for whom a missing person report has been filed has been missing for more than 24 hours, then the college will immediately attempt to locate the student to ensure their safety. If unsuccessful within 24 hours of being notified the College shall:

- Notify the individual identified by the student as the missing person contact\*
- In cases where the student has not identified a contact person, the college will notify the parent/legal guardian and/or appropriate law enforcement officials

**\*Missing Person Contact-** *Every student who lives in on-campus student housing, regardless of age, may register one or more individuals to be a contact strictly for notification in the event they go missing. The contact person can be anyone. You have this option even if you have already identified a general emergency contact. A student may identify the same individual for both purposes, but your institution may not assume that a general emergency contact is also the missing person contact.*

*For the spring of 2021 Semester for students to register a missing person contact person you will need to fill out a form for this purpose in the Campus Safety Directors Office or Student Affairs, both in the Hardees Building. Beginning in the fall of 2021 this information will be gathered as part of the student housing application process.*

### **Emergency Operations Plan**

The NCWC Emergency Operations Pan is a multi-faceted approach developed under the Department of Education's *Guide for Developing High-Quality Emergency Operations Plans for Institutions of Higher Education (IHEs)* manual. The Emergency Operations Plan consist of the following levels:

**Prevention-** this means the capabilities necessary to avoid, deter, or stop an imminent crime or threatened or actual mass casualty incident. Prevention is the action IHEs take to prevent a threatened or actual incident from occurring.

**Protection-** this means the capabilities to secure IHEs against acts of terrorism and man-made or natural disasters. Protection focuses on ongoing actions that protect students, teachers, staff, visitors, networks, and property from a threat or hazard.

**Mitigation-** this means the capabilities necessary to eliminate or reduce the loss of life and property damage by lessening the impact of an event or emergency. In this document, mitigation also means reducing the likelihood that threats and hazards will happen.

**Response-** this means the capabilities necessary to stabilize an emergency once it has already happened or is certain to happen in an unpreventable way; establish a safe and secure environment; save lives and property; and facilitate the transition to recovery.

**Recovery-** this means the capabilities necessary to assist IHEs affected by an event or emergency in restoring the learning environment. Emergency management officials and emergency responders engaging

All NCWC students, employees, guests and contractors are participants in the Emergency Management Plan. It is the policy of the College that as part of the Mitigation Phases' lessening impact directive that we conduct emergency drills every semester, provide monthly safety and security tips, post safety guides in all residence halls and other prominent locations, and post in every residential room evacuation procedures, maps, contact information and information on how to respond in an emergency. In addition, the policy of NCWC is to NOT publish its full Emergency Operations Plan to those outside of the NCWC management level of the plan, as to do so would expose critical points of the plan that could be exploited in a man-made situation.