



Belmont Abbey.  
COLLEGE

*That in all things God  
may be glorified*

# 2019 Security & Fire Safety Report



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## **Belmont Abbey College Mission Statement**

Our mission is to educate students in the liberal arts and sciences so that in all things God may be glorified. In this endeavor, we are guided by the Catholic intellectual tradition and the Benedictine spirit of prayer and learning. Exemplifying Benedictine hospitality, we welcome a diverse body of students and provide them with an education that will enable them to lead lives of integrity, to succeed professionally, to become responsible citizens, and to be a blessing to themselves and to others.

## **Vision Statement**

Vision Belmont Abbey College finds its center in Jesus Christ. By His light, we grasp the true image and likeness of God that every human is called upon to live out. We strive to renew that likeness in all dimensions of College life through curricular and co-curricular programs of excellence and virtue based in the liberal arts, as practiced in the Catholic and Benedictine intellectual traditions.

By excellence and virtue, we mean the skills, attitudes, and stable dispositions of character that make possible the consistent practice of the good throughout the full range of human pursuits (scholarly, professional, and personal). Recognizing that each field has its own standards of excellence, we strive to achieve them, led by St. Benedict's desire "that in all things God may be glorified."

As a Benedictine institution, we find this glory especially revealed in the development of the whole person. Guided by the liberal arts, our goal is to be responsible stewards of the true, the beautiful, and the good. We welcome the talents of everyone, from any background and tradition, who is committed to fostering that development and contributing to the mission of the College. To the members of the Belmont Abbey College community, we offer a community animated by this vision where they may work towards their own full potential.

Major institutional objectives:

- Embrace and instill the habit of excellence and virtue in all that we do.
- Foster the development of each member of the Belmont Abbey College community as a whole person in keeping with the Rule of St. Benedict.
- Provide our students with a liberal arts education that prepares them—mind, body and spirit—to pursue the good for themselves and for their communities.
- Share the richness of our Catholic and Benedictine identity through College activities and communications so that we inspire others to become part of the worldwide Belmont Abbey College community.

## **Policy for Preparing the Annual Report**

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, commonly referred to as the Clery Act, requires institutions of higher education receiving federal financial aid to report specified crime statistics on college campuses and to provide other safety and crime information to members of the campus community. Campuses must publish an Annual Security Report detailing statistics regarding reported crimes committed on campus and at affiliated locations for the previous three calendar years, and describing specified policies, procedures and programs regarding safety and security. This report also describes the College's timely warning and emergency notification policies and procedures as well as a fire log and related information for our residential facilities. This requirement of the *Clery Act* is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about the safety of the campus so that they can make informed decisions.

Belmont Abbey College prepares an Annual Security Report to comply with the Clery Act. The Chief of Police and Dean of Student Life are responsible for compiling referrals for criminal offenses and disciplinary actions, respectively. Campus Police works closely with all constituencies of the College to provide security and safety on campus. Strong working relationships will be fostered by invitations from College staff to Campus Police officers to participate in events, programming, training and educational efforts.

The Annual Security and Fire Safety Report is published and disseminated to the campus community by October 1 of each year covering the previous calendar year. Hard copies of this report can be obtained at no cost by contacting Campus Police during normal business hours: [campuspolice@bac.edu](mailto:campuspolice@bac.edu) – 704-400-6200 – Raphael Arthur Hall Lobby (Office location).

# Quick Reference Emergency Contacts



**911**

**Emergencies**

**704-400-6200**

**BAC Campus Police**

**704-913-7799**

**Residence Life On-Call**

**Belmont Police (non-emergency) 704-825-3792**

**Gaston Police (non-emergency) 704-825-3792**

**Belmont Fire (non-emergency) 704-825-0502**

**Wellness Center**

**704-461-6877**

**Health and Counseling**

**Lower Level Haid**

**9:00a-4:30p Mon-Fri**

**Urgent Care-Belmont**

**704-631-1820**

**8:00a-8:00p; 7 days**

## Hotlines

Phoenix Crisis Counseling	855-527-4747
Partners Counseling	888-235-4675
National Suicide Hotline	800-784-2433
Self Harm Hotline	800-366-8288
SAFE Alliance (Sexual Assault & Violence)	704-375-9900

## BAC Offices

Residence Life	704-461-7371
RA On-Duty 24/7	704-913-7799
National Suicide Hotline	800-784-2433
Student Life	704-461-6724
Campus Ministry	704-461-6545
Title IX Coordinator	704-461-6714

# Campus Police & General Safety Information

## Belmont Abbey College Campus Police Mission Statement

The mission of the Belmont Abbey College Campus Police Department is to assist Belmont Abbey College in providing a safe and inviting environment for students, staff, faculty, and visitors and to support Belmont Abbey College in their mission.

## Authority and Jurisdiction of the Belmont Abbey Campus Police Department

Campus Police officers are empowered with full law enforcement/arrest powers under North Carolina General Statute 74E. Their jurisdiction includes all property owned or controlled by Belmont Abbey College and all state-owned or maintained roadways that bisect or run adjacent to campus property and all properties owned by the Monastic Community. Belmont Abbey Campus Police officers are charged with the apprehension of criminal offenders, criminal investigation, traffic enforcement/accident investigation, enforcement of all local, state, and federal laws, parking and traffic management and enforcement, community service, security of people and property, public safety, and serving warrants and summons on campus property.

Belmont Abbey Campus Police officers are responsible for deterring crime, maintaining the peace, and protecting lives and property within the "campus" community which has a high density of population. Methods employed by campus police officers to make the campus safe include high visibility patrol, intervention in criminal acts in progress, investigation of criminal violations and mediation of disputes before they result in crimes.

### Customer Service

We recognize that as campus policers, we serve a different clientele than most police agencies and we understand that one of our most important responsibilities as campus police offices is education and that every one of our officers must be an educator.

### Enforcement Policy

We recognize that members of our community will from time to time violate rules, policies, and laws. Even under our service oriented philosophy, we also understand that the concept that college students and employees who violate the law should be treated differently than members of the general public who violate rules or laws, sets up some difficult moral and ethical questions. Should a college student who violates a law on campus be treated differently than a non-student between the ages of 18 and 25 who violates a law off campus?

The decision to prosecute criminally must rest with the officer addressing a violation in consultation with the victim of the offense, when a victim exists. Officers are trained thoroughly in applying laws and rules in an impartial manner. The officer makes a decision based on what is fair to the offender, what is fair to the victim, what is fair to the College, and what is fair within the larger society. The officer also bases the decision on the seriousness of the offense, prior offenses committed by the person in question, the amount of harm done to the victim or the victim's property, the potential for property loss or injury for the violator, the victim, or innocent bystanders, the number of innocent people affected, the amount of disruption and disorder caused by the offense, the attitude of the offender, and the potential for additional harm or injury to the offender, the victim, or the victim's property in the future.

Finally, officers factor in their own role as an educator. What level of action is necessary to provide an "educational experience" necessary to prevent future violations?

In most cases, our individual officers make these decisions. In some cases, they consult their supervisors. In other cases, a decision is made jointly among the officer, the supervisor, the Chief of Campus Police, the Dean of Student Life, the District Attorney, Student Affairs representatives, and other key players.

## **Enforcement Alternatives**

Every officer has these alternatives when making an enforcement decision when a violation of criminal law occurs:

- Verbal Warning;
- Referral to College judicial channels for on-campus hearings and disciplinary action;
- Initiation of criminal charges through issuance of a state citation or arrest in the case of traffic violations and minor misdemeanors (which also initiates College judicial action).

## **Community Policing**

### **Community Policing**

Our Community Policing approach involves being engaged in all aspects to campus life, and when needed, conducting building surveys, distributing literature, and solving problems. Each campus police officer at Belmont Abbey College engages in community policing activities throughout the year to foster trust and build community between the police and our students and employees.

### **Directed Patrol**

In normal circumstances, campus police officers do not patrol the living area of residence halls. Directed Patrol gives an officer a valid reason to enter the living area of a residence hall that can be easily explained to members of the public. Those reasons are (1) response to calls for service; (2) investigation of incidents which have occurred including the search for evidence and witnesses; and (3) distribution of information about crimes and violations which have occurred which may help members of the community learn how to protect themselves.

In situations where major crimes have occurred in a residence hall or any other building or area on campus, where a series of events have occurred which disrupt the peaceful atmosphere of a living area (such as repeated fire alarms, vandalisms, or thefts), or where reports are received of frequent underage drinking or drug use, officers will be instructed by the Chief of Police or by their supervisor to initiate directed patrol in that specific area. This may include the living areas of the residence halls. The focus of the patrol will be to prevent repeated offenses, restore order, identify and apprehend violators, collect evidence and identify witnesses, and distribute crime prevention information.

### **Support for Residential Living Staff**

While officers generally do not conduct routine patrol activities within the living areas of the residence halls, they will gladly accompany Residence Life staff members on rounds in the residence halls upon request when their workload allows.

## **Reporting a Crime on Campus**

All students, employees, and guests are encouraged to accurately and promptly report all criminal incidents, accidents, and other emergencies to Campus Police (or to the appropriate police agency if the crime occurs off campus). For criminal activity or emergencies, dial 911. For crimes that have already occurred and there is not danger of immediate further criminal activity and/or no one needs immediately medical assistance, call Campus Police at 704-400-6200.

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

## **Crime Prevention and Access to Buildings**

Belmont Abbey College Police Department has officers on duty 24 hours a day 365, days a year. Officers make routine patrol of campus and ensure buildings are secured at set times based on events, classes, and business needs. In addition, these officers routinely look for security related maintenance issues (for example: light bulb) and report these issues to maintenance for repair.

Students are issued keys which allow them access to their building, suite and room. These keys are coded to prevent a lost key from being associated with a particular room.

All students, faculty and staff are asked to stay alert at all times and use best practices for securing rooms, belongings, spaces on campus and being safe:

- Do not prop suite doors, room doors, office doors or leave rooms unlocked
- Do not lend keys, ID cards or access codes to anyone
- Campus Police is available 24/7 for escort across campus
- Register your car (if applicable) with Campus Police and park in designated areas. Lock all valuables in your trunk, if they need to stay in your car at all
- Report any and all harassing phone calls, emails, text messages or social media posts to the appropriate offices
- If you see something or someone suspicious on campus, contact Campus Police (704-400-6200) right away.

Through periodic education and awareness initiatives, Belmont Abbey College strives to inform and empower each member of the campus community to help provide a safe and welcoming environment. A sample of these programs and initiatives are included below. This list is not meant to be exclusive:

- Campus Police and other offices routinely review safety procedures for buildings on campus.
- Campus Police will communicate en masse with the College community if there are non-Clery crimes happening of which students, faculty and staff should be aware (ex. Online scams affecting multiple students, etc).
- Emergency procedures posters are posted around campus in high traffic areas. An example of this poster is included towards the back of this report.
- Resident Assistants receive yearly and ongoing training in critical response procedures, crisis management, conflict resolution and facilities maintenance
- Residence Life staff make multiple nightly rounds of all residential facilities and report and safety, conduct or maintenance issues to appropriate offices
- Alcohol and drug education programming is provided through the student conduct system, clubs and organizations and the Wellness Center
- New students receive important safety and security information through the New Student Orientation process. This applies to all new students to Belmont Abbey College including: residential, commuter, transfer and newly matriculated students.

## **Campus Security Authorities**

Campus Security Authorities (CSA) are officials of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Those responsible for issuing timely warnings and proper reporting of crime include, but are not limited to:

- |                                 |  |
|---------------------------------|--|
| - Chief Financial Officer (CFO) | - Director of Residence Life               |
| - Director of Campus Safety     | - Vice President of Academic Affairs       |
| - Chief of Police               | - Adult Degree Program Director            |
| - Title IX Coordinator          | - Director of Marketing and Communications |
| - Dean of Student Life          |  |

## **Timely Warnings**

The College will issue a timely warning when it receives a report of a crime that represents a serious or ongoing threat to the safety of members of the campus community. The College may also issue a warning to the campus community when other instances pose a safety concern.

The Gaston County Police Department 911 Communication Center also has the capability of issuing warnings to the College as well. This 911 Center provides dispatch service to Campus Police as well as the Belmont Police Department, Belmont Fire Department and EMS providers. If the 911 Center becomes aware of a threat on campus they will dispatch Campus Police as well as any other needed emergency resources and will also activate the warning siren and Crusader Alert systems.

The College in conjunction with various campus offices, will distribute timely warning announcements when there appears to be an ongoing threat to the safety and security of persons on campus for the following crimes:

- Murder/non-negligent manslaughter
- Manslaughter by Negligence
- Sexual offenses/assaults
- Domestic violence, dating violence, and stalking
- Robbery
- Crime That May Target Certain Campus Populations
- Burglary
- Motor Vehicle Theft
- Arson
- Violation of Weapons Possession Law
- Aggravated Assault

Decisions concerning whether to issue a timely warning will be made on a case-by-case basis using the following criteria:

- Nature of the crime
- Continuing danger to the campus community
- Possible risk of compromising law enforcement efforts

If the threat is sudden and serious, a warning will be issued immediately and will be continually updated until the threat is contained or neutralized. If a threat is less immediate, the warning will be fully developed and distributed after the point in time. The warning contains sufficient information about the nature of the threat to allow members of the campus to take protective action:

- A succinct statement of the incident
- Possible connection to previous incidents if applicable
- Date, time and location of the warning
- Description of the Suspect, if available
- Risk Reduction and Safety Tips

A victim's name or any other information that might identify a victim is always withheld from timely warnings. In some cases, the College may need to keep some facts confidential to avoid compromising an ongoing investigation.

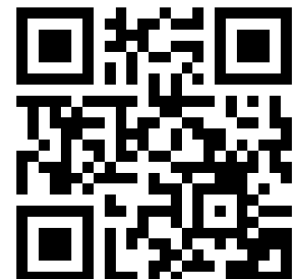
The Chief of Police (or his designee), Dean of Student Life or the Director of Marketing and Communications (or his designee) or the can issue timely warnings to the campus community. Emergency notifications can be communicated to students, faculty, and staff in one or all of the following ways:

- CrusaderAlert Text Message
- CrusaderAlert Phone Call
- BAC email notification
- Personal email notification
- Verbal communication in the moment

## CrusaderAlerts

Belmont Abbey College uses Everbridge for our mass emergency notification system. It is the main way that the College will communicate with all members of the Belmont Abbey College community in the event of an emergency or situation necessitating the community's attention and awareness. The system has the capability to text personal cell phone numbers, make phone calls with verbal directions and Students and all Belmont Abbey College employees are strongly encouraged to opt-in to the CrusaderAlert system to receive notifications on their mobile devices in the event of an emergency. Directions communicated to students on how to enroll in the Crusader Alert are as follows:

Log into [MyAbbey](#) (Self-Service) and click on the "CrusaderAlert" tab on top. Enter your personal cell phone number and personal email address.





# Campus Emergency Response

When the College determines that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and employees occurring on campus, an emergency notification will be issued. In order to confirm the emergency, the Chief of Police (or his designees), or the Director of Marketing and Communications (or his designees) will consult with appropriate local enforcement authorities, weather reporting stations, government emergency managers and other officials within the College or in the local community to confirm the emergency.

Upon confirmation, the College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification 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. The segment or segments of the College community to which it should be sent will be determined by the Chief of Police (or his designee), Dean of Student Life or the Director of Marketing and Communications (or his designee).

The Chief of Police (or his designee), Dean of Student Life or the Director of Marketing and Communications (or his designee) or the Gaston County Police Department 911 Communications Center can make emergency notifications to the College. Emergency notifications can be communicated to students, faculty, and staff in one or all of the following ways:

- CrusaderAlert Text Message
- CrusaderAlert Phone Call
- BAC email notification
- Personal email notification
- Verbal communication in the moment
- Activation of the Emergency Notification Siren and loudspeaker to communicate
- Alertus will take over the screen of any computer connected to the BAC network with emergency information
- Banner and updated information on BAC home website and all social media outlets

## Active Shooter

An active shooter is one or more suspect(s) who, as police respond to the scene, are actively killing and/or causing serious, life-threatening bodily injury to multiple victims. The overriding objective of the suspect(s) appears to be that of mass murder, rather than other criminal conduct such as robbery or hostage taking. Often the threat is not contained and there is immediate risk of death and injury. These types of dynamic situations are considered the greatest threat on college campuses. Because these situations happen very quickly, leaves little or no time for proper planning and requires law enforcement to take immediate action. Active shooter events can and often develop into hostage situations upon the arrival of law enforcement.

Belmont Abbey Campus Police Department's officers are trained to deal with active shooter situations. Officer's primary objective will be to confront the suspect(s) and neutralize the threat.

The Campus Police Department can and will supply training and safety tips to the students, faculty and staff of the Belmont Abbey College community. This topics will include but not limited to:

- History of school shootings
- Active shooter in class or office
- Trapped with gunman
- Safety Tips
- Mentality of an active shooter
- Active shooter in the hallways
- Police response

Whether you are coming to class or working on campus, take ownership of making sure your location is safe.

- Be aware of your surroundings (e.g. location of exits, doorways, etc.)
- Report suspicious person to BACPD immediately
- Program BACPD patrol phone (704)-400-6200 in your cell phone
- 911 Calls from cell phones go to the Gaston County Police Department 911 Communications Center

**Awareness, preparation and rehearsal are keys to staying safe on campus.**

## Shelter-in-Place Protocol

The purpose of an emergency shelter-in-place alert on campus is to limit human exposure to an apparent life-threatening, hostile or hazardous situation. A shelter-in-place alert is necessary in situations where there is reason to believe that exiting a sheltered area will expose individuals to greater danger than remaining in place.

The primary authority to initiate a shelter-in-place order will be Campus Police and/or the Gaston County Police Department 911 Communications Center. Should the situation warrant it, all faculty and staff have the authority to initiate an emergency shelter-in-place alert.

Situations where an emergency shelter-in-place order may be warranted include, but are not limited to:

- observing an armed intruder or shooter,
- a serious crime being committed in close proximity to campus, or
- any situation where exposure to outside hazards may endanger staff, faculty, students and/or visitors.

Anyone observing any one of these situations should immediately call 911 at and be prepared to answer detailed questions to describe the location and description of the perpetrator or event.

The Belmont Abbey College community will be notified through the CrusaderAlert system and by means of our Emergency Notification Siren. When the siren is sounded, everyone is to shelter in place in whatever building they are in at the time. And if outdoors they are to immediately move inside a building or structure and secure any outside doors. The CrusaderAlert system and Emergency Notification Siren will be utilized both to communicate a shelter in place/lockdown order and to communicate any specifics of the threat as the information becomes available. The College will test the Crusader Alert system periodically throughout the year.

In addition, individuals may be told by Campus Police personnel and/or Staff to go into lockdown, and encounter security personnel making their "lockdown rounds." However, Campus Police personnel will be performing critical duties, locking buildings and communicating with other law enforcement agencies during the lockdown and may not be able to stop and provide individual directions. Therefore, it is important to know and follow the steps listed below.

## Personal Response to Threats of Harm

The activation of the Emergency Notification Siren will signal the immediate need to lockdown and shelter in place. Persons who are outside (ex. on the Athletic fields, Abbey Lane, Quad, etc) should come inside the closest indoor facility if it is safe to do so. The CrusaderAlert will also be utilized to provide specific details as to the type emergency the campus is facing and will provide specific information and instructions as they become available.

Please note that most emergencies such as active shooter situations are fast moving and rapidly changing. This means the situation may have changed even before the previous known information can be transmitted. It is therefore vitally important that all students, faculty, and staff be observant to their surroundings at all times.

For this reason the following options for other responses during a lockdown/active shooter situation are therefore given: Please note the following response types **SHOULD NOT REPLACE** common sense and/or experience. Students/staff should not typically deviate from **Lock Down/shelter in place** mode unless instructed through the CrusaderAlert, Campus Police, or emergency responders. But based on their observation of the situation in their particular location, if the situation warrants it, the following response options are provided:

### 1. RUN

- In extreme cases WITH NO OTHER OPTIONS and you face an imminent threat, the situation may dictate that you RUN
- Run if you are outside on a athletic field or parking lot
- If you are near a wooded area, these provide a very good option for cover and concealment
- Leave your belongings behind
- Keep your hands visible if law enforcement officers are present
- Follow directions of law enforcement officers
- Dial 911 when you are safe

## 2. BARRICADE

- If evacuating is not possible, find a place to hide where the Active Shooter is less likely to find you
- Hide if you cannot reach a secure classroom or you are unable to secure your door
- Be out of the shooter's view and away from doors and windows
- Provide protection if shots are fired in your direction
- Try to hide in a place that will not trap you or restrict your options for escape if that becomes possible
- Lock the door (if possible) and barricade the door with desks or filing cabinets
- Dial 911 if possible; if you cannot speak, leave the line open to allow the dispatcher to listen

## 3. FIGHT

- Use this response only as a LAST RESORT and only if your life or the lives around you are in imminent danger
- Use chairs, heavy objects or improvise a weapon to attack the shooter
- Yell or shout at the shooter
- Seek control of the shooter's hands
- Dial 911 as soon as possible
- If you use this response type, stick with your decision and fight to survive.

When an intruder on campus is actively causing deadly harm or the threat of imminent deadly harm to people, you must immediately seek cover and call 911. Give as many details as possible relative to location, number of assailants, means of aggression, and other pertinent information.

General instructions for individuals on campus during an emergency lockdown:

- Remain calm.
- Do not sound the fire alarm to evacuate the building. People may be placed in harm's way when they are attempting to evacuate the building. If a fire alarm does go off during a lockdown, do not evacuate unless you smell smoke.
- Do not gather in open areas or hallways. These ARE NOT areas of shelter. Stay away from windows and doors.
- Do not leave until police or campus safety personnel contact you to confirm it is safe; follow instructions from police

Designated areas used for shelter depends on the situation at hand and what is the most efficient and safest at that time. Outside agencies and departments are also available to assist with locations such as Gaston County Office of Emergency Management during a potential fire or other hazardous situations.

Shelter-in-Place alerts may be used in the following situations:

- Active Shooter or serious crime (occurring or being committed) in close proximity to Campus
- Hazard material incident
- Extreme or dangerous weather condition.

## Severe Weather

The region in which Belmont Abbey College is located is prone to snow and ice storms during the winter months. Additionally, the area is prone to tornadoes. When the National Weather Service is predicting such a storm, please use good judgment when venturing out and regularly check your email if possible. Do not call Residence Life or Campus Police about closings. This ties up the phone lines and prevents these offices from dealing with the emergency as is necessary. The primary means the college will employ to alert students to immediate threats from severe weather or closings will be the Crusader Alert. Please make sure to sign up through Self-Service.

- Threat assessments:
  - **Severe Thunderstorm/Tornado Watch:** Conditions are favorable for the development of severe weather.
  - **Severe Thunderstorm/Tornado Warning:** Imminent danger – storms or a tornado has been spotted
- If you are outside a building:
  - Move to the shelter area of the nearest buildings as quickly as possible.
  - Do not seek shelter under trees, near metal fences, or in exposed locations. Avoid open fields and tall objects.
  - Avoid conductive objects, such as utility lines and metal pipes.

- If you cannot get into a building, seek shelter in a vehicle, ravine or ditch and lay flat. Stay away from water.
- Do not park vehicles under electrical lines or trees. If you are in a vehicle, stay inside of it.
- If you are inside a building:
  - Stay indoors and stay away from doors, windows, metal objects, appliances and plumbing
- Avoid using land line telephones or computers. Lightning will travel through data lines.

## **Public Broadcast Information of Closings and Delays**

In the event that Belmont Abbey College makes the decision to close or delay due to weather, the college will alert the following media outlets. Faculty, staff and students can consult these outlets for up to date information, in addition to the CrusaderAlert emails, phone calls and text messages. All social media and home webpages will be updated as well.

### **Alert Information**

**Listen: WFAE 90.7 FM, WSOC 103 FM**

**Watch: WBTV, WSOC, WCNC**

# **Policies for Preparing the Annual Disclosure of Campus Crime Statistics**

## **Statistics from Local Law Enforcement Agencies**

Each year the Chief of Police will collect any crime statistics of criminal activity that may have been investigated or controlled by an outside law enforcement that occurred on listed Belmont Abbey College property and territory. This effort is documented and maintained on file within the Belmont Abbey College Campus Police Department.

## **Mutual Aid Agreement**

One of the most valuable tools North Carolina law enforcement agencies have at their disposal is the ability to share resources and expertise among agencies pursuant to mutual aid agreements. From the occasional need to borrow equipment to an extended undercover drug investigation and from the need for additional officers in time of a natural disaster to the ability of an officer from a city being able to assist an officer in the county, mutual aid agreements are exercised daily throughout the state. Departments both large and small occasionally need additional help, and mutual aid agreements enable officers to lend a helping hand in times of need. The Belmont Abbey College Campus Police Department is a participating member of the Centralina Council of Governments Regional Law Enforcement Mutual Aid Agreement. This agreement is renewed each year by June 1<sup>st</sup>, and a copy of the notarized agreement is kept on file within the Campus Police Department.

## The Daily Crime Log

The Belmont Abbey Campus Police Department records all alleged criminal incidents including non-Clery Act crimes that are reported to the Campus Police and Safety Officers regardless of how much time has passed since the alleged incident occurred. Crimes are recorded in the crime log by the date they are reported. This log is available for review by the public. There will be hard copy log backed up by an electronic crime log that includes information on all reported crimes including:

- The nature of the crime
- The date and time the crime occurred
- The general location of the crime
- The disposition of the complaint, if known

At least one officer at all times besides the Chief of Police will be trained to maintain the crime log. Instructions on how to review the log will be explained when contacting the Campus Police Department. Records are available for review in the Campus Police Office Located in Raphael Arthur Hall during normal business hours: Monday-Friday from 9:00am – 5:00 pm

## Crime Definitions

**\*Crime definitions for Title IX and VAWA crimes can be found on pages 32-35.**

- **Murder and Non-Negligent Manslaughter:** The willful killing of one human being by another.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)
- **Burglary:** Burglary is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.
- **Motor Vehicle Theft:** Motor vehicle theft is the theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Liquor Law Violation:** The violation of laws or ordinances prohibiting: The manufacture, sale, transporting furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition).
- **Drug Abuse Violation:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).
- **Weapons Violation:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as, the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

## 2018 Campus Crime Statistics

	On Campus			On Campus Student Housing Facilities			Non-Campus Buildings and Grounds			On Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder and Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault												
Rape	1	1	2	0	1	2	1	0	0	0	0	0
Fondling	0	1	1	0	1	1	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	1	1	1	1	1	0	0	0	0	0	0
Burglary	6	5	9	4	5	5	2	0	4	0	0	0
Motor Vehicle Theft	2	0	0	0	0	0	2	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Liquor Law Violations	15	1	3	2	0	2	9	1	0	4	0	1
Drug Abuse Violations	7	5	2	3	3	1	2	2	1	2	0	0
Weapons Violations	0	1	0	0	0	0	0	1	0	0	0	0
Disciplinary Actions												
Liquor Law Violations	139	138	133	121	138	122	16	2	11	2	0	0
Drug Abuse Violations	39	47	44	27	44	32	12	3	12	0	0	0
Weapons Violations	3	2	12	3	0	10	0	2	2	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	1	2	0	0	2	0	1	0	0	0	0	0
Stalking	0	1	1	0	0	1	0	1	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0

- 2016:** No hate crimes reported
- 2017:** No hate crimes reported
- 2018:** No hate crimes reported

- Note 1:** An incident appearing in *On-Campus Housing Facilities* will also appear in *On-Campus*.
- Note 2:** A crime is considered “unfounded” for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.
- Note 3:** 12 Disciplinary Actions for Weapons in 2018 was from one incident involving a BB gun game and 12 students.

## Alcohol and Drug Policies, Awareness and Education

In compliance with Section 120(a) through (d) of the HEA, Belmont Abbey College implements drug and alcohol abuse education programs, including sessions during annual New Student Orientation, annual Resident Assistant training, and educational sanctions as part of the student conduct process, including referrals to College counseling services and online alcohol and drug educational programs.

The College upholds civil law, whether it pertains to traffic, drugs, disorderly conduct, alcohol, felonies, or other offenses. Each student is liable to sentence and appropriate penalty when he or she is found guilty of an infraction of law by civil authority or court. The College does not grant—indeed it cannot grant—immunity to a student simply because he or she is a student. Violations of civil law may result in additional sanctions imposed by the College, including penalties above and beyond those imposed by civil authorities.

The College's alcohol policy is in accordance with North Carolina State Law. According to North Carolina General Statute 18B-300—18B-302, use or possession of alcohol is restricted to those who are at least 21 years of age. In addition to sanctions issued by the Residence Life Department, legal sanctions for the unlawful possession, use, or distribution of alcohol can be imposed by the Campus Police Department of the College, the City of Belmont, Gaston County, or the federal government.

The College's drug policy is in accordance with Federal and North Carolina State Law. The unlawful use, possession, manufacture, or distribution of drugs, narcotics, drug paraphernalia, or other controlled and/or illegal substances on Belmont Abbey College property will not be tolerated under any circumstances. Legal sanctions for the unlawful use, possession, manufacture, or distribution of drugs, narcotics, drug paraphernalia, or of other controlled and/or illegal substances can be imposed by the Campus Police Department, the City of Belmont, or any other appropriate civil entity. Those found to be responsible for the manufacturing and/or distribution of drugs will be subject to suspension.

Violations of this policy will be treated severely. Sanctions for violations of the Drug Policy range from dismissal from the residence halls, suspension from the college and up to and including expulsion from the College. The College reserves the right to notify parents and/or guardians informing them of the violation.

Belmont Abbey College's full alcohol and drug policies can be found in the [Student Handbook](#).

## **Firearms, Weapons and Dangerous Materials**

Any failure to comply with these rules shall be subject to penalty by local, state, and federal law and also referred to the College's student conduct system. Firearms and other dangerous weapons are absolutely prohibited at all times on all College property. Firearms and weapons as defined in this Handbook cannot be stored in vehicles.

Weapons include but are not limited to firearms, knives with a blade longer than 2 inches, dangerous weapons, slingshots, water guns, explosives, airsoft guns, bb guns, pellet guns, paintball guns, unapproved flammable fluids and materials, kerosene heaters, dangerous chemical mixtures, fireworks, or propelled missiles or any item which is used or could be used in a threatening manner.

Belmont Abbey College's full firearms, weapons and dangerous materials policies can be found in the [Student Handbook](#).

## **Missing Persons Policy**

This policy establishes the protocol followed at Belmont Abbey College in the event of that a residential student is reported missing in compliance with the Higher Education Act of 2008. Anyone concerned that a residential student may be missing should report this concern immediately to a college official: Dean of Student Life, Chief of Campus Police, Director of Residence Life or other appropriate college personnel.

Upon receiving the report, the college will make a good faith effort to contact the student by all means necessary if the student has been missing from campus for more than 24 hours for no known reason. During this outreach, the Dean of Student Life will also gather pertinent information (attendance records, dining hall use, printing, etc) to help gauge the student's interactions with various campus services and offices.

- The Office of Residence Life and Campus Police will work together to cover the campus in search of the student while tracking down further information of the student's last whereabouts.
- During this time, Campus Police will also be notified that a report of a missing student has been reported and is being investigated internally.

When a student is officially reported missing and all other avenues to locate the student internally have been exhausted, the College will locate and verify emergency contact information from various sources (housing forms, wellness records, student information system, etc). The Dean of Student Life or his designee will attempt contact with the student's emergency contacts.

- Emergency contact information is only accessible to authorized campus officials. This information can be shared with Belmont Abbey Campus Police to aid in the investigation.

- If the student is under the age of 18 and is not emancipated, the College will make a good faith effort to contact the student's custodial parent, legal guardian or designated emergency contact of the student.

Regardless of age, the college will officially notify Campus Police and other constituencies (if needed) within 24 hours of a determination that the student is confirmed missing. The above directive holds in cases where Campus Police was not the first entity informed of a missing person. At the time of registering for classes and/or signing up for housing for each semester, students will be asked to update their emergency contact information.

## **Sex Offender Registry**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers' services or is a student. In North Carolina, this information is accessible at <http://nc.gov/sex-offender-registry>



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## SEXUAL MISCONDUCT POLICY AND PROCEDURES

**IF YOU OR SOMEONE YOU KNOW MAY HAVE BEEN A VICTIM OF SEXUAL ASSAULT OR ANY OTHER TYPE OF SEXUAL MISCONDUCT PROHIBITED UNDER THIS POLICY, YOU ARE STRONGLY ENCOURAGED TO CONSULT EXHIBIT A TO THIS POLICY AND TO SEEK IMMEDIATE ASSISTANCE FROM ONE OR MORE OF THE SOURCES LISTED THERE.**

### ARTICLE I. INTRODUCTION

**(a) Notice of Nondiscrimination.**

As a recipient of federal funds, Belmont Abbey College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.* ("Title IX"), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, Sexual Misconduct (as defined below) constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to Belmont Abbey College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. Belmont Abbey College's Title IX Coordinator is Mrs. Cheryl Trotter, whose office is located in Stowe Hall, Suite 115. Mrs. Trotter may be contacted by phone at 704-461-6714 or by email at [cheryltrotter@bac.edu](mailto:cheryltrotter@bac.edu).

**(b) Overview of This Policy.**

Belmont Abbey College ("Belmont Abbey" or the "College") is a Catholic, Benedictine learning community committed to developing each member of the college community in mind, faith, and character for a life of meaningful work and service. Our identity as a Catholic, Benedictine institution is central to all we do and teach at Belmont Abbey College.

Belmont Abbey is owned by and affiliated with the Southern Benedictine Society of North Carolina, Inc. whose Members are Benedictine Monks. The Monks founded the college on the basis of, and as an expression of, their Catholic faith. The Monks and the College itself, believe that the Bible is the divinely inspired Word of God and thus has authority for all Christian life. On the basis of the Catholic faith, the Monks and the College also believe that the Church was founded by Jesus Christ and given authority by him authentically to interpret the Word of God and to teach with binding authority on questions of faith and morals. This authoritative teaching includes teaching about human sexuality and provides norms for morally acceptable behavior.

We affirm the dignity of all human beings and distinguish the inalienable dignity of each person from the behavioral choices a person makes. We believe that, as Catholics, we are called to treat all people with charity and respect, including those whose beliefs and behaviors differ from the teachings of the Catholic Church. We are not able, however, in good conscience to support or affirm choices and behaviors that conflict with our identity as a Catholic, Benedictine institution. We will make institutional decisions in light of this policy regarding housing, student admission and retention, appropriate conduct, employment, hiring and retention, and other matters.

The College is committed to maintaining and strengthening an environment founded on civility and respect. The College also is committed to providing programs, activities and an educational environment free from sex discrimination. The College is committed to fostering a community that promotes prompt reporting of all types of Sexual Misconduct and timely and fair resolution of reports of Sexual Misconduct, and in furtherance of that commitment, this Policy sets forth available resources ([Exhibit A](#)), describes prohibited conduct (Article II), and establishes procedures for responding to reports of Sexual Misconduct (Articles III-VI).

The College will make this Policy and information about recognizing and preventing Sexual Misconduct readily available to all Students and other members of the College community.

**(c) Applicability of This Policy.**

This Policy applies to any allegation of Sexual Misconduct made by or against a Student or an employee of the College or a third party, regardless of where the alleged Sexual Misconduct occurred, if the conduct giving rise to the report is related to the College's academic, educational, athletic, or extracurricular programs or activities. The College's disciplinary authority, however, may not extend to third parties who are not Students or employees of the College. Additionally, although there is no geographical limitation to invoking this Policy, Sexual Misconduct that is alleged to have occurred at a significant distance from the College and/or outside of College property may be more difficult for the College to investigate.

**In the case of allegations of Sexual Misconduct, unless otherwise stated, this Policy supersedes and applies in lieu of all other procedures and policies set forth in any other document containing College policies and / or procedures.**

**(d) Period of Limitations.**

A Complaint of Sexual Misconduct may be filed at any time, regardless of the length of time between the alleged Sexual Misconduct and the decision to file the Complaint. However, the College strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding. A delay in reporting may compromise the subsequent investigation, particularly if neither the alleged victim nor the Respondent is employed by or enrolled at the College at the time.

**(e) Definitions Applicable to this Policy.**

Capitalized terms used in this Policy but not defined have the meanings set forth in [Exhibit B](#).

**ARTICLE II. STATEMENTS OF POLICY****(a) Prohibition on Sexual Misconduct.**

This Policy is designed to protect the rights and needs of alleged victims and Respondents. Creating a safe environment is the responsibility of all members of the College community.

The College strongly encourages prompt reporting of all types of Sexual Misconduct and is committed to fostering a community that promotes timely and fair resolution of Sexual Misconduct cases. To that end, the College has defined Sexual Misconduct broadly to include any unwelcome conduct of a sexual nature, and the College will investigate all allegations of Sexual Misconduct.

However, not all unwelcome conduct of a sexual nature rises to the level of warranting adjudication and/or discipline pursuant to this Policy. Although the College will investigate all allegations of Sexual Misconduct, this Policy uses the term “Material Sexual Misconduct,” as defined in Exhibit B, to identify those acts of Sexual Misconduct that do warrant adjudication under, and discipline pursuant to, this Policy.

**(b) Prohibition on Retaliation.**

Retaliation against any person for filing, supporting, or providing information in good faith in connection with a Complaint of Sexual Misconduct is strictly prohibited. Violations of this prohibition will be addressed through this Policy and/or other College disciplinary procedures, as deemed appropriate in the College’s discretion. Any person who feels that he or she has been subjected to Retaliation should make a report to the Assigned Title IX Coordinator.

**(c) Prohibition on Providing False Information.**

Any individual who knowingly files a false report or Complaint under this Policy, who knowingly provides false information to College officials or who intentionally misleads College officials who are involved in the investigation or resolution of a report or Complaint may be subject to disciplinary action.

**(d) Confidentiality.**

- (i) Standard of Confidentiality (Applicable to All Complaints).** The College will respect and will make every feasible effort to properly preserve the confidentiality of the information shared by and the identities of the parties involved in Sexual Misconduct matters.

In keeping with this respect for confidentiality (and except as set forth in Section II(d)(ii) below), information regarding alleged Sexual Misconduct will generally be disclosed by College personnel only as follows:

- 1)** The College’s Responsible Employees will (and are obligated to) report information regarding alleged Sexual Misconduct to the Title IX Coordinator.
- 2)** College personnel will (and are obligated to) handle information regarding alleged Sexual Misconduct in accordance with applicable local, state, and federal laws. For example, under conditions of potential imminent harm to the community, the College may be required by federal law to inform the community of the occurrence of the alleged incident(s) of Sexual Misconduct. Similarly, information regarding the alleged Sexual Misconduct may be used as an anonymous report for data collection purposes under the Clery Act.

- 3) College personnel may report alleged Sexual Misconduct to local law enforcement if warranted by the nature of the allegations at issue.
- 4) College administrators will share information regarding alleged Sexual Misconduct, as appropriate and necessary, in order to address and resolve the Complaint at issue, prevent the recurrence of similar Sexual Misconduct, and address the effects of the Sexual Misconduct.

Please note that the College cannot control disclosures by students or third parties.

**(ii) Strict and Heightened Confidentiality.**

- 1) **Strict Confidentiality.** Individuals may discuss alleged Sexual Misconduct in strict confidence with College employees working in the following offices ("Strictly Confidential Resources"):
  - (a) The College's Counseling Services; and
  - (b) Campus Ministry.

This means that Personally Identifiable Information shared with Strictly Confidential Resources is not part of students' or employees' College records and will not be reported to other College personnel, to the Respondent, or to others (unless the disclosing individual gives his or her consent to the disclosure or the law requires it (as may be the case with alleged Sexual Misconduct involving a minor or under conditions of imminent physical harm, for example)).

Strictly Confidential Resources are not Responsible Employees and therefore are not required to (and will not, absent direction from the disclosing individual to do so) report incidents of alleged Sexual Misconduct to the Title IX Coordinator. For purposes of clarity, please understand that College employees who are not Strictly Confidential Resources are Responsible Employees. Communications made to Responsible Employees (and others) are not entitled to the same confidentiality protections as those made to Strictly Confidential Resources.

- 2) **Heightened Confidentiality.** If information regarding alleged Sexual Misconduct is shared with a Responsible Employee, the Responsible Employee is obligated to report that information to the Title IX Coordinator. If the alleged victim to whom the information pertains desires that the Title IX Coordinator not share the information with the Respondent or with others, even as appropriate and necessary to address the allegations, such individual must request that the College apply heightened confidentiality to such information. This request must be made to the Title IX Coordinator.

The College takes requests for heightened confidentiality seriously; however, such requests may limit the College's ability to investigate and take reasonable action in response to a Complaint.<sup>1</sup> The College must therefore evaluate heightened confidentiality requests in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh requests for heightened confidentiality against the following factors:

- (a) the seriousness of the alleged Sexual Misconduct;
- (b) the alleged victim's age;
- (c) whether there have been other Complaints of Sexual Misconduct against the Respondent;
- (d) the Respondent's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA; and
- (e) the applicability of any laws mandating disclosure.

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<sup>1</sup> A Respondent has a right to know the name of the accuser and information regarding the nature of the allegations in order to defend against the Complaint; thus, the College may not be able to both adjudicate the Complaint and maintain the confidentiality of the Complainant during that process.

The Title IX Coordinator will inform the person requesting heightened confidentiality of the College's limitations on maintaining heightened confidentiality and whether the College intends to pursue investigation and/or resolution in spite of the person's request.

Even when the College determines to abide by a request for heightened confidentiality (and even if such request limits the College's ability to take disciplinary action against the Respondent):

- (i) To the extent practicable and appropriate, the College will take prompt action to limit the effects of the alleged Sexual Misconduct and to prevent its recurrence. For instance, the College may take appropriate interim measures to ensure an individual's safety even in the absence of a College proceeding.
- (ii) Information regarding the alleged Sexual Misconduct may be included in College records, as necessary and appropriate.
- (iii) College personnel will (and are obligated to) handle information regarding alleged Sexual Misconduct in accordance with applicable local, state, and federal laws. For example, under conditions of potential imminent harm to the community, the College may be required by federal law to inform the community of the occurrence of the alleged incident(s) of Sexual Misconduct. Similarly, information regarding the alleged Sexual Misconduct may be used as an anonymous report for data collection purposes under the Clery Act.

Please note that the College cannot control disclosures by students or third parties.

**(e) Requests Not to Investigate and Refusals to File a Complaint or to Cooperate.**

Alleged victims may (i) request that the College not investigate the information or allegation(s) reported, (ii) refuse to file a Complaint, and/or (iii) refuse to cooperate in the investigation and/or resolution of allegation(s).

The College takes such requests and decisions seriously; however, such requests and decisions may limit the College's ability to investigate and take reasonable action in response to a Complaint. In such cases, the College will evaluate such requests and decisions in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment.

In order to make such an evaluation, the Assigned Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh such requests and decisions against the following factors:

- (i) the seriousness of the alleged Sexual Misconduct;
- (ii) the alleged victim's age;
- (iii) whether there have been other Complaints of Sexual Misconduct against the Respondent;
- (iv) the Respondent's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA; and
- (v) the applicability of any laws mandating disclosure.

The Assigned Title IX Coordinator will inform the person requesting that the College not pursue an investigation, refusing to file a Complaint and/or or refusing to participate in the investigation or resolution of allegations of Sexual Misconduct if the College intends to pursue investigation and/or resolution in spite of the person's request or refusal.

Regardless of an individual's requests or decisions, Title IX requires the College to take reasonable action in response to the information known to it. Thus, the College may take such measures as are deemed necessary by the Assigned Title IX Coordinator.

Additionally, even if the College cannot take disciplinary action against the Respondent because of a refusal to file a Complaint or participate in the investigation and/or resolution of allegations, to the extent practicable and appropriate, the College will take prompt action to limit the effects of the alleged Sexual Misconduct and to prevent its recurrence. For instance, the College may issue a "no-contact" order or take other appropriate interim measures to ensure an individual's safety even in the absence of a formal proceeding.

The Complaint or other information regarding alleged Sexual Misconduct may also be used as an anonymous report for data collection purposes under the Clery Act.

**(f) Limited Immunity.**

The College considers the reporting and adjudication of Sexual Misconduct cases on campus to be of paramount importance. The College does not condone underage drinking or the use of illegal drugs; however, the College may extend limited immunity from punitive sanctioning in the case of illegal alcohol or drug use to victims, witnesses and those reporting incidents and/or assisting the victims of Sexual Misconduct, provided that they are acting in good faith in such capacity and, in limited circumstances, may also extend such immunity to a Respondent.

**(g) Individuals with Disabilities.**

The College will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in the steps and procedures outlined in this Policy. Requests for accommodations must be made to the Office of Students with Disabilities located in the Academic Resource Center, lower of Vincent Taylor Library.

**ARTICLE III.  
HOW AND WHERE TO REPORT ALLEGED SEXUAL MISCONDUCT**

*For information regarding seeking medical assistance and emotional support as well as important contact information for local law enforcement agencies and hospitals, see Exhibit A attached to this Policy.*

Because Sexual Misconduct may in some instances constitute both a violation of College policy and criminal activity, and because the College grievance process is not a substitute for instituting legal action, **the College encourages individuals to report alleged Sexual Misconduct promptly to campus officials and to law enforcement authorities, where appropriate.**

Individuals may choose not to report alleged Sexual Misconduct to such campus officials and / or law enforcement authorities. The College respects and supports the individual's decision with respect to reporting; nevertheless, the College may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations at issue.

**(a) Reporting to Local Law Enforcement:**

Individuals may file a complaint directly with local law enforcement agencies by dialing 911. Individuals may contact any of the following for assistance in filing a complaint with local law enforcement:

- (i)** The Belmont Abbey Campus Police Department, 24 hours a day, seven days a week available by phone at 704-400-6200 and located in Raphael Arthur Hall residence hall,
- (ii)** The College's Title IX Coordinator, Mrs. Cheryl Trotter, from 8:00 a.m. to 5:00 p.m., Monday through Friday available by phone at 704-461-6714 or by email at cheryltrotter@bac.edu and located in Stowe Hall, Suite 115.
- (iii)** The Office of Residence Life, from 8:00 a.m. to 5:00 p.m. Monday through Friday available by phone at 704-461-6893 and located in O'Connell Hall.

Individuals may inform law enforcement authorities about Sexual Misconduct and discuss the matter with a law enforcement officer without making a formal criminal complaint (or a College Complaint). Individuals who make a formal criminal complaint may also choose to pursue a College Complaint simultaneously.

A criminal investigation into the matter does not exempt the College from conducting its own investigation. However, the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the College may take interim measures when necessary to protect the alleged victim and/or the College community.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate the matter is determinative of whether Material Sexual Misconduct, for purposes of the Policy, has occurred.

**(b) Reporting to College Administration:**

Individuals may choose not to report alleged Sexual Misconduct to campus officials. The College respects and supports the individual's decisions with respect to reporting; however, if information about Sexual Misconduct comes to the attention of the College, the College may (1) start an investigation even in the absence of a filed Complaint and / or (2) notify appropriate law enforcement authorities if required or warranted by the nature of the information of which it becomes aware.

Anyone wishing to make a Complaint under this Policy should contact one of the following individuals or offices:

- (i) Title IX Coordinator. The College's Title IX Coordinator is Mrs. Cheryl Trotter, whose office is located in Stowe Hall, Suite 115. Mrs. Trotter may be contacted during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at 704-461-6714 or by email at cheryltrotter@bac.edu.
- (ii) Campus Police Department. The Belmont Abbey Campus Police Department is located in Raphael Arthur residence hall. The Campus Police Department is also available by phone at 704-400-6200. Campus Police Officers are available 24 hours a day, seven days a week.
- (iii) Office of Residence Life. The Office of Residence Life is located O'Connell Hall. The Office of Residence Life is available during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at 704-461-6893.
- (iv) Human Resources Office. The Human Resources Office is located Stowe Hall, Suite 115. The Human Resources Office is available during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at 704-461-6714.

*If any of the parties designated above is the Respondent or is otherwise at issue in a Complaint, or if an individual is otherwise uncomfortable making a complaint to one or more of the parties listed above, he or she may report alleged Sexual Misconduct to any other party or office listed above.*

If an employee of the Belmont Abbey Campus Police Department, the Office of Residence Life, or the Human Resources Office receives a report of alleged Sexual Misconduct, that employee must promptly notify the College's Title IX Coordinator.

An individual may report alleged Sexual Misconduct to a faculty or staff member other than those referenced above. No member of the College community may discourage an individual from reporting alleged incidents of Sexual Misconduct.

A faculty or staff member with any knowledge (including firsthand observation) about a known or suspected incident of Sexual Misconduct must report the incident to the College's Title IX Coordinator, (Excluded from this requirement are the College's Strictly Confidential Resources. Also excluded from this requirement are College students who are also employees, except the Resident Advisors.) No employee is authorized to investigate or resolve Complaints without the involvement of the College's Title IX Coordinator or an Assigned Title IX Coordinator.

#### **ARTICLE IV. PROCEDURES APPLICABLE TO ALL COMPLAINTS OF SEXUAL MISCONDUCT**

**(a) Overview.**

- (i) **Oversight.** The Assigned Title IX Coordinator will be responsible for overseeing the prompt, fair, and impartial investigation and resolution of reports of Sexual Misconduct to the College.
- (ii) **Conflicts.** If any administrator designated by this Policy to participate in the investigation or resolution of a Complaint is the Respondent (including, but not limited to, the Title IX Coordinator), then the Chief Financial Officer will appoint another College administrator to perform such person's duties under this Policy. (If the Chief Financial Officer is the Respondent, then the Title IX Coordinator will appoint another College administrator to perform the Chief Financial Officers' duties under this Policy.)
- (iii) **Support Persons.** Parties and witness may be accompanied by a support person of their choice during any meeting or interview held pursuant to this Policy. The support person may consult with the person her or she is there to support but may not participate in the meeting or interview by asking or answering questions or by making statements to the interviewer(s).
- (iv) **Timing.** The College will make every reasonable effort to ensure that the investigation and resolution of a Complaint occurs in as timely and efficient a manner as possible. The College's investigation and resolution of a Complaint (not including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances.

Any party may request an extension of any deadline by providing the Assigned Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Assigned Title IX Coordinator may modify any deadline contained in this Policy as necessary and for good cause.

**(v) Interim Measures.** If at any point during the complaint, investigative or disciplinary processes, the Assigned Title IX Coordinator deems it necessary for the protection of any member of the College community the Assigned Title IX Coordinator may take actions such as the following:

**1) For Student Respondents:**

- a) requesting that the Registrar cause a transcript hold to be placed on the Respondent's transcript; or
- b) requesting that the Dean of Residence Life:
  - i) summarily suspend the Respondent from campus housing on an interim basis and/or restrict his or her movement on campus, or
  - ii) summarily suspend the Respondent;

**2) For employee Respondents, requesting that the individual authorized to make personnel decisions regarding the employee at issue:**

- a) take such steps as are reasonable, appropriate and necessary to restrict the Respondent's movement on campus; or
- b) reassign or place on administrative leave such Respondent.

These actions may be appealed to the Chief Financial Officer, whose decision regarding their imposition will be final.

**(b) Initial Meetings with the Assigned Title IX Coordinator.**

**(i) Alleged Victim's Initial Meeting with the Assigned Title IX Coordinator.** As soon as is practicable, the Assigned Title IX Coordinator will contact the Complainant to schedule an initial meeting. At this initial meeting, the Assigned Title IX Coordinator will, as applicable:

- 1) provide the alleged victim a copy of this Policy;
- 2) explain avenues for formal resolution and informal resolution (mediation) of a Complaint;
- 3) explain the steps involved in a Sexual Misconduct investigation;
- 4) discuss confidentiality standards and concerns with the alleged victim;
- 5) provide the alleged victim a Sexual Misconduct Complaint Form (a copy of which is attached to this Policy as Exhibit C) and determine whether the alleged victim wishes to file a Complaint and participate in the College's investigation and resolution of the Complaint<sup>2</sup>;
- 6) refer the Complainant to the College's Counseling Services office or other resources, as appropriate;
- 7) discuss protection from, and reporting of, Retaliation; and
- 8) discuss with the alleged victim, as appropriate, possible interim measures that can be provided to the alleged victim during the pendency of the investigative and resolution processes. The College may implement such measures if appropriate and reasonably available, whether a formal Complaint has been filed (with either campus administrators or law enforcement agencies) or whether an investigation (by either campus administrators or law enforcement agencies) has commenced. Interim measures may include, but are not limited to:

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<sup>2</sup> An alleged victim who elects to file a Complaint and participate in the College's investigation and resolution of the Complaint becomes a Complainant for the purposes of this Policy. Even when an alleged victim is not cooperative or requests that the College not pursue an investigation, Title IX requires the College to take reasonable action in response to the information known to it. Thus, the College may take such measures as are deemed appropriate by the Assigned Title IX Coordinator.



- a) issuing no-contact orders to prevent any contact between the alleged victim, the Respondent, witnesses, and/or third parties;
- b) providing the alleged victim an escort to ensure that he or she can move safely between classes, work, and/or other activities;
- c) changing an alleged victim's or a Respondent's on-campus housing, if any, to a different on-campus location and providing assistance from College support staff in completing the relocation;
- d) arranging to dissolve a campus housing contract and offering a pro-rated refund;
- e) changing work arrangements;
- f) rescheduling class work, assignments, and examinations;
- g) arranging for the alleged victim to take an incomplete in a class;
- h) moving the alleged victim or the Respondent from one class section to another;
- i) permitting a temporary withdrawal from the College;
- j) providing alternative course completion options;
- k) providing counseling services; and
- l) providing academic support services.

Following the initial meeting with the alleged victim, the Assigned Title IX Coordinator will, if applicable, promptly determine the interim measures to be provided to the alleged victim. Such determination will be promptly communicated to the alleged victim (and in no event later than the point at which it is communicated to the Respondent) and the Respondent.

**(ii) Respondent's Initial Meeting with the Assigned Title IX Coordinator.** If the alleged victim wishes to pursue a formal or informal resolution through the College or if the College otherwise deems that further investigation is warranted, as soon as is reasonably practicable after the Assigned Title IX Coordinator's initial meeting with the alleged victim, the Assigned Title IX Coordinator will schedule an initial meeting with the Respondent. During the initial meeting with the Respondent, the Assigned Title IX Coordinator will, as applicable:

- 1) provide the Respondent, in writing, sufficient information consistent with state and federal privacy laws and, if applicable, the alleged victim's request for confidentiality, to allow him or her to respond to the substance of the allegation, including, if possible, the name of the Complainant and the alleged victim (if not the Complainant) and the date, location and nature of the alleged Sexual Misconduct;
- 2) provide the Respondent a copy of this Policy;
- 3) explain the College's procedures for formal resolution and informal resolution (mediation) of the Complaint;
- 4) explain the steps involved in a Sexual Misconduct investigation;
- 5) discuss confidentiality standards and concerns with the Respondent;
- 6) discuss non-Retaliation requirements with the Respondent;
- 7) inform the Respondent of any interim measures already determined and being provided to the Complainant and the alleged victim (if not the Complainant) that directly affect the Respondent (e.g., changing his or her class schedule, or moving him or her to an alternate residence hall);
- 8) refer the Respondent to the College's Counseling Services office and other resources, as appropriate; and
- 9) discuss with the Respondent, as appropriate, possible interim measures that can be provided to the Respondent (such as those set forth above) during the pendency of the investigative and resolution processes. The College may implement such measures if appropriate and reasonably available, whether a formal Complaint has been filed or whether an investigation by either campus administrators or law enforcement agencies has commenced.

**(c) The Investigation.**

**(i) The Assigned Title IX Coordinator's Initial Determination.**

The Assigned Title IX Coordinator will determine that further investigation of a Complaint should be conducted unless it is clear on the face of the Complaint and/or based on the Assigned Title IX Coordinator's initial meetings with the parties that no reasonable grounds exist for believing that the Respondent engaged in Material Sexual Misconduct.

In the event that the Assigned Title IX Coordinator determines that further investigation is not warranted, he or she will determine and document (in consultation, as necessary, with the Complainant, Respondent, and other College administrators) the appropriate resolution of the Complaint and inform the parties of the same.

The Complainant and/or the Respondent may appeal the Assigned Title IX Coordinator's decision in writing to the Chief Financial Officer of the College within ten days of receipt of the notice of closure.<sup>3</sup> Following the receipt of an appeal, the Chief Financial Officer will make a determination as to whether the Complaint should proceed or the case should be closed and whether any additional or different remedial action is necessary. The Chief Financial Officer will notify the Complainant and the Respondent concurrently of his or her decision, which shall be final.

**(ii) The Appointment of the Investigator.**

If the Assigned Title IX Coordinator determines that further investigation is warranted, he or she will promptly appoint an Investigator and will share his or her name and contact information with the Complainant and the Respondent and will forward the Complaint to the Investigator.

Within three days of such appointment, the Investigator, the Complainant or the Respondent may identify to the Assigned Title IX Coordinator in writing any real or perceived conflicts of interest posed by assigning such Investigator to the matter. The Assigned Title IX Coordinator will carefully consider such statements and will assign a different individual as Investigator if it is determined that a material conflict of interest exists.

**(iii) The Investigator's Activities and Report.**

Upon receipt of the Complaint, the Investigator will promptly begin his or her investigation, taking steps such as

- 1) conducting interviews with the Complainant, the Respondent, and third-party witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form;
- 2) visiting, inspecting, and taking photographs at relevant sites; and
- 3) where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal complaints, this step may be coordinated with law enforcement agencies).

Throughout the investigation, the Investigator will remain neutral.

The Investigator should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure, as contemplated by this Policy, of any Personally Identifiable Information contained in the Complaint, the Investigative Report, and/or any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of the Complaint.<sup>4</sup>

The Investigator will complete a written investigative report that includes items such as summaries of all interviews conducted, photographs, and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events in question (the "Investigative Report"). The Investigator will share the Investigative Report with the Assigned Title IX Coordinator, who will distribute it, concurrently, to the Complainant and the Respondent. All parties to whom the Investigative Report is distributed pursuant to this Policy must maintain it in confidence.

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<sup>3</sup> If the Chief Financial Officer is the Respondent, then the Title IX Coordinator will appoint another College administrator to stand in the Chief Financial Officer's shoes in performing the duties under this Policy.

<sup>4</sup> If the Investigator is unable to obtain the consent of such third-party witnesses, he or she will redact the Investigative Report to the extent necessary to avoid inappropriate disclosure of such witness's Personally Identifiable Information, while ensuring that such redaction does not prevent resolution of the Complaint.

**(iv) The Assigned Title IX Coordinator’s Evaluation of the Investigative Report.**

The Assigned Title IX Coordinator is responsible for determining and documenting, based on the Investigative Report and other available information, whether reasonable grounds exist to believe that the Respondent engaged in Material Sexual Misconduct.

The Assigned Title IX Coordinator will direct that the case will proceed unless it is clear from the Complaint and the Investigative Report that no reasonable grounds exist for believing that the conduct at issue constitutes Material Sexual Misconduct. The Assigned Title IX Coordinator will specify which allegations and, if applicable, which other, related alleged misconduct, will go forward for resolution under this Policy.

If the Assigned Title IX Coordinator finds no reasonable grounds to believe that the Respondent engaged in Material Sexual Misconduct, then the Assigned Title IX Coordinator will determine (in consultation, as necessary, with the Complainant, Respondent, and other College administrators) and document the appropriate resolution of the Complaint and will promptly notify the parties of that determination.

The Complainant and/or the Respondent may appeal the Assigned Title IX Coordinator’s decision in writing to the Chief Financial Officer of the College within 10 days of receipt of a notice of closure. Following the receipt of an appeal, the Chief Financial Officer will make a determination as to whether the Complaint should proceed to resolution pursuant to Article V or Article VI of this Policy or the case should be closed and whether any additional or different remedial action is necessary. The Chief Financial Officer will notify the Complainant and the Respondent concurrently of his or her decision, which shall be final.

**(d) Formal versus Informal Resolution.**

At any time before the Assigned Title IX Coordinator appoints the Sexual Misconduct Panel, the Complainant may elect to resolve his or her Complaint through the informal resolution (mediation) process in accordance with Article VI of this Policy, provided that (i) the Complainant is the alleged victim, (ii) the Respondent agrees to such resolution, (iii) the Complainant and the Respondent are both Students or are both employees of the College, (iv) the Assigned Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving the Complaint, and (v) the Complaint does not involve Sexual Assault. Otherwise, a Complaint that is not closed pursuant to the Assigned Title IX Coordinator’s initial determination or evaluation of the Investigative Report will proceed to formal resolution in accordance with Article V of this Policy.

**ARTICLE V. FORMAL RESOLUTION**

**(a) Respondent’s Acknowledgement of Responsibility.**

At any time the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such a situation, the Assigned Title IX Coordinator will propose sanction(s) for the Respondent. If the Complainant and the Respondent agree to such proposed sanction(s), then the Complaint will be resolved without any further proceedings and without any further rights of appeal by any party. If either the Complainant or the Respondent objects to such proposed sanction(s), then the Sexual Misconduct Panel will convene for the exclusive purpose of determining a sanction, which determination may be subject to appeal pursuant to Section V(b)(v) of this Policy.

**(b) The Formal Resolution Process.**

In the case of formal resolution, a Sexual Misconduct Panel will determine whether the Respondent engaged in Material Sexual Misconduct and which sanctions, if any, are appropriate. To do so, the Sexual Misconduct Panel will review the Investigative Report and other available evidence and will interview the Complainant, Respondent, and witnesses as the Panel deems necessary.

**(i) The Sexual Misconduct Panel.** The Assigned Title IX Coordinator will appoint the members of the “Sexual Misconduct Panel,” to include at least three faculty and/or staff members. The Assigned Title IX Coordinator will designate one member of the Panel as the Chair of the Panel. The Assigned Title IX Coordinator will share the Complaint and the Investigative Report with the Chair and, if only a portion of the misconduct alleged in the Complaint justifies continuing to formal resolution, the Assigned Title IX Coordinator will specify which part(s) of the alleged misconduct will be the subject of formal resolution.

**(ii) Notice of the Composition of the Panel.** Promptly after appointing the members of the Panel, the Assigned Title IX Coordinator will provide concurrent written notice to the Complainant and the Respondent, setting forth the names of the individuals selected to serve on and chair the Panel. If only a portion of the alleged misconduct justifies continuing to formal resolution, the Assigned Title IX Coordinator will also specify in the notice which part(s) of the alleged misconduct will be the subject of formal resolution.

The parties may challenge the participation of any member of the Panel by submitting a written objection to the Assigned Title IX Coordinator within three days of receipt of the notice of the composition of the Panel. Such objection must state the specific reason(s) for the objection. The Assigned Title IX Coordinator will evaluate the objection and determine whether to alter the composition of the Panel. Failure to submit a timely and proper objection will constitute a waiver of any right of objection to the composition of the Panel. Any changes in the composition of the Panel will be provided in writing to both parties.

**(iii) Submission of Written Materials by the Parties.** Within five days of receipt of the notice of composition of the Panel, the Complainant and the Respondent may provide the Chair of the Panel with (1) a list of witnesses, if any, that they propose that the Panel call and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute, and (2) a written statement of position.

**(iv) Interviews.** Both parties will have the opportunity to appear (separately) before the Panel, and the Panel also will interview other individuals as it deems necessary.

The Respondent may choose not to appear before the Panel; however, his or her exercise of that option will not preclude the Panel from making a determination regarding the Complaint filed against the Respondent.

**(v) Outcome.**

**1) The Decision of the Panel.** Following the conclusion of its interviews, the Panel will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties' written statements, if any, and the testimony of the parties and witnesses) establishes that it is more likely than not<sup>5</sup> that the Respondent committed Material Sexual Misconduct.

**2) Sanctions.**

**a) Generally.** Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for Sexual Misconduct, or both. Sanctions may include, without limitation, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, compensation adjustments, expulsion or suspension from the College, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions deemed appropriate by the Panel. The Panel will determine recommended sanctions, giving consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Panel will forward its determinations regarding sanctions to the Assigned Title IX Coordinator.

**b) Implementation of Sanctions.** Sanctions imposed are not effective until the resolution of any timely appeal pursuant to Section V(b)(v), below. However, if it is advisable in order to protect the welfare of the Complainant or the College community, the Panel may recommend and the Assigned Title IX Coordinator may determine that any sanctions be effective immediately and continue in effect until such time as the appeal process is exhausted.

**3) Final Accommodations and Corrective Action.** In addition to any sanctions imposed on the Respondent, promptly following the Panel's issuance of a determination of responsibility, the Assigned Title IX Coordinator will determine the final accommodations to be provided to the Complainant, if any, and the Assigned Title IX Coordinator will communicate such decision to the Complainant and, to the extent that it affects him or her, to the Respondent. Such accommodations may include, but are not limited to those listed in the discussion above regarding interim measures.

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<sup>5</sup> In other words, the standard of proof will be the preponderance of the evidence standard.

The Assigned Title IX Coordinator will also take steps, where necessary, to prevent the further harassment of or Retaliation against the Complainant, the victim, or third parties, such as informing them about how to report subsequent problems, following-up with them to ensure that there are no subsequent problems, providing trainings for the College community, and providing Sexual Misconduct-related or other counseling for the Respondent. The Assigned Title IX Coordinator will also, where appropriate, take steps to prevent the harassment of the Respondent.

Furthermore, the Assigned Title IX Coordinator will take prompt corrective action if the Complainant or the victim (if not the Complainant) experiences Retaliation or is subjected to further Sexual Misconduct or if the original sanctions imposed on the Respondent are ineffective to protect the safety and well-being of the Complainant or other members of the College community. In cases involving Sexual Harassment, the Assigned Title IX Coordinator will also take reasonable steps to eliminate any hostile environment that has been created, such as conducting trainings and disseminating informational materials. In taking the above-outlined steps, the Assigned Title IX Coordinator will make every reasonable effort to minimize the burden on the Complainant.

- 4) Final Outcome Letter.** The Panel will issue a written decision letter (the "Final Outcome Letter") concurrently to the Respondent and the Complainant.

For employee and third-party Respondents, the Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible or a statement that the Respondent was found not to have violated this Policy, and (3) the sanctions imposed on the Respondent. Where appropriate, the Final Outcome Letter may set forth names of other individuals, such as a victim or witness, if such other individuals provide their written consent to such inclusion.

For student Respondents alleged to have committed Sexual Assault and/or Non-forcible Sex Acts, the Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible or a statement that the Respondent was found not to have violated this Policy, and (3) the sanctions imposed on the Respondent, if any (setting forth only a description of the disciplinary action taken, the date of its imposition, and its duration), and where appropriate, it may set forth names of other individuals, such as a victim or witness, if such other individuals provide their written consent to such inclusion.

For student Respondents alleged to have committed any other form of Sexual Misconduct, the Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible or a statement that the Respondent was found not to have violated this Policy, and (3) the sanctions imposed on the Respondent, if any (setting forth only a description of the disciplinary action taken, the date of its imposition, and its duration), and where appropriate, it may set forth names of other individuals, such as a victim or witness, if such other individuals provide their written consent to such inclusion. To the extent that the sanctions imposed on the Respondent do not constitute part of the Complainant's "education record" (as that term is defined by FERPA), then such information will be redacted from the version of the Final Outcome Letter that is provided to the Complainant.

- 5) Confidentiality and Disclosure.** In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the formal resolution process is not open to the general public. Accordingly, documents prepared in connection with the formal resolution process may not be disclosed outside of that process except as may be required or authorized by law.

If it is determined, however, that the Respondent committed Material Sexual Misconduct, College policy does not prohibit the further disclosure of the Final Outcome Letter by either the Complainant, the victim (if not the Complainant) or the Respondent.

- (vi) Appeals.** The Complainant or the Respondent may appeal the decision of the Panel and/or the sanction imposed on the Respondent within 14 calendar days from the date of the Final Outcome Letter. The decision of the Panel and the sanction imposed on the Respondent may, if desired, be appealed simultaneously.

- 1) Appeals of the Decision of the Panel Regarding Responsibility for Sexual Misconduct.** The only permissible grounds for an appeal are (a) availability of germane new evidence and/or (b) procedural errors that significantly impacted the outcome.

Appeals of the decision of the Panel must be made in writing to the Chief Financial Officer of the College, unless the Respondent is a member of the faculty or the Executive Staff, in which case appeals must be made in writing to the Chair of the Board of Trustees, who will refer the matter to the Executive Committee of the Board of Trustees (the "Executive Committee"). The Assigned Title IX Coordinator will promptly inform the other party (i.e., the Complainant or the Respondent) of the filing of the appeal.

The Chief Financial Officer (or the Executive Committee, in the case of a Respondent who is a member of the faculty or the Executive Staff) will make a determination (i) that the decision of the Panel should stand; or (ii) that the decision of the Panel should be overturned.

In the event that the Chief Financial Officer or Executive Committee determines that the decision of the Panel should be overturned, the Chief Financial Officer or Executive Committee will specify, after consultation with the Assigned Title IX Coordinator and other College administrators, as necessary, the appropriate steps to be taken to come to a final resolution of the Complaint. The Chief Financial Officer or Executive Committee will notify the Complainant and the Respondent concurrently of the decision or action.

## **2) Appeals of Sanctions.**

The sanctions imposed on the Respondent may be appealed on grounds that the severity of the sanction imposed is incommensurate to the gravity of the Sexual Misconduct for which the Respondent was found responsible. Appeals must be made in writing to the Chief Financial Officer of the College, unless the Respondent is a member of the faculty or the Executive Staff, in which case appeals must be made in writing to the Chair of the Board of Trustees, who will refer the matter to the Executive Committee. The Assigned Title IX Coordinator will promptly inform the other party (i.e., the Complainant or the Respondent) of the filing of the appeal.

The Chief Financial Officer or Executive Committee will make a determination (a) that the decision of the Panel should stand; or (b) that the decision of the Panel should be overturned. In the event that the Chief Financial Officer or Executive Committee determines that the decision of the Panel should be overturned the Chief Financial Officer or Executive Committee will specify (after consultation with the Assigned Title IX Coordinator and other College administrators, as necessary) the final sanctions to be imposed on the Respondent. The Chief Financial Officer or Executive Committee will notify the Complainant and the Respondent concurrently of the decision.

- (vii) Documentation.** The College will retain documentation (including but not limited to the written Complaint, notifications, the Investigative Report, any written findings of fact, petitions for appeal, and any written communication between the parties), for at least seven years. Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

## **ARTICLE VI. INFORMAL RESOLUTION (MEDIATION)**

Informal resolution is only appropriate if (i) the Complainant requests it, (ii) the Respondent agrees to it, (iii) the Complainant and the Respondent are both Students or are both employees of the College, (iv) the Assigned Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving the Complaint, and (v) the Complaint does not involve Sexual Assault.

Informal resolution may not be selected for less than all of the misconduct alleged in the Complaint (for example, the parties may not choose to resolve a claim of Sexual Assault according to the formal resolution process but mediate all other claims.) If the parties agree to informal resolution (and informal resolution is appropriate for all of the claims at issue), then all of the claims must be resolved according to the informal resolution process.

Either party has the right to terminate the informal resolution process at any time and proceed with formal resolution. Furthermore, the Assigned Title IX Coordinator may, where appropriate, terminate or decline to initiate informal resolution, and proceed with formal resolution instead. In such cases, statements or disclosures made by the parties in the course of the informal resolution process may be considered in the subsequent formal resolution proceedings.

**(a) The Informal Resolution Process.**

**(i) The Mediation; the Presiding Officer.** When the Complainant's Complaint is to be resolved according to the informal resolution process, there will be a mediation overseen by a Presiding Officer. The purpose of the mediation is to allow an opportunity for resolution of the Complaint without using the formal resolution process. The Assigned Title IX Coordinator will appoint the Presiding Officer.

**(ii) Notice of the Mediation.** Promptly after the Assigned Title IX Coordinator has appointed the Presiding Officer, the Assigned Title IX Coordinator will provide concurrent written notice to the Complainant and the Respondent, setting forth (1) the date, time and location of the mediation, and (2) the name of the individual selected to serve as the Presiding Officer. If only a portion of the alleged misconduct justifies continuing to adjudication, the Assigned Title IX Coordinator will also specify in the notice which part(s) of the alleged misconduct will be the subject of the mediation.

Any party may challenge the participation of the Presiding Officer by submitting a written objection to the Assigned Title IX Coordinator within three days of receipt of the notice of the mediation. Such objection must state the specific reason(s) for the objection. The Assigned Title IX Coordinator will evaluate the objection and determine whether to change the Presiding Officer. Failure to submit a timely and proper objection will constitute a waiver of any right of objection. Any substitution of the party serving as the Presiding Officer will be provided in writing to both parties at least one day prior to the date of the mediation.

**(iii) No Contact Prior to Mediation.** The parties may not contact each other outside of the mediation, even to discuss the mediation.

**(iv) Attendance.** Both the Complainant and the Respondent are expected to attend the mediation. If either party fails to appear at the mediation, and such party was provided proper notice of the mediation as set forth above, then absent extenuating circumstances, the Presiding Officer may direct that resolution of the Complaint be determined according to the formal resolution process set forth above.

**(v) The Mediation.**

**1) Rights of the Parties.** During the mediation, the parties may

- a) confront each other in the presence of, and facilitated by, the Presiding Officer,
- b) communicate their feelings and perceptions regarding the incident and the impact of the incident, and
- c) relay wishes and expectations regarding protection in the future.

**2) Resolution.** During the mediation, the Presiding Officer will attempt to facilitate the parties' resolution of the Complaint. If the mediation results in a resolution between the parties and the Assigned Title IX Coordinator finds the resolution to be appropriate under the circumstances (giving consideration to the extent to which the resolution will protect the safety of the Complainant and the entire school community), the informal disciplinary procedure will be concluded and the Complaint will be closed. If the parties are unable to reach a resolution, the formal resolution process outlined in Article V of this Policy will promptly commence.

**(vi) Privacy and Disclosure.** In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the informal resolution process is not open to the general public. Accordingly, documents prepared in anticipation of the mediation (including the Investigative Report and the notice of the mediation) and other information introduced at the mediation may not be disclosed outside of the mediation, except as may be required or authorized by law.

**(b) Documentation.** The College will retain any documentation of the mediation for at least seven years.

## EXHIBIT A

### SEXUAL MISCONDUCT POLICY AND PROCEDURES Suggested Actions for Victims of Sexual Assault

While all types of Sexual Misconduct are inappropriate and taken seriously by the College, actions involving Sexual Assault (as defined in Exhibit B) are particularly concerning. Thus, if you are the victim of a Sexual Assault, the College's first priority is to help you take steps to address your safety, medical needs and emotional well-being. You are encouraged to take the following actions, as applicable, regardless of whether you have made a decision about whether to pursue criminal or College disciplinary charges.

#### 1. Ensure Your Physical Safety.

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

#### 2. Seek Medical Assistance and Treatment.

Local hospitals can provide medical care. It is crucial that you obtain medical attention as soon as possible after a Sexual Assault to determine the possibilities of physical injury and to prevent or treat sexually transmitted diseases (such as HIV). Medical facilities can also screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs).

Employees at a local hospital can help you obtain transportation to Gaston Memorial Hospital and can help you contact a support person, such as a family member, a friend or roommate.

If you choose to have an evidence collection kit (or "rape kit") completed, it is important to do so within 72 hours. Even if you have not decided to file charges, it is advisable to have the evidence collection kit completed so that you can preserve the options of obtaining a protective order and filing charges at a later date. Local hospitals administer evidence collection kits. Individuals may go directly to a local hospital or may be referred to the hospital by Belmont Abbey College Health Services.

In order to best preserve evidence for an evidence collection kit, it may be advisable to avoid showering, bathing, going to the bathroom or brushing your teeth before the kit is completed. You should also wear (or take with you in a paper – not plastic – bag) to the hospital the same clothing that you were wearing during the assault. An evidence collection kit can still be completed even if you have showered or bathed.

#### 3. Obtain Information / Report Misconduct

You are encouraged to report incidents of Sexual Misconduct to the College's Title IX Coordinator (even if you have filed a report directly with law enforcement). Further information about how to report Sexual Misconduct is provided in the body of the Belmont Abbey College Sexual Misconduct Policy and Procedures. College personnel can help you access resources and can provide you with support and information, including information on the College's procedures for investigating and addressing instances of Sexual Misconduct.

## Important Contact Information

### College Resources

Belmont Abbey College's **Title IX Coordinator** is Mrs. Cheryl Trotter, whose office is located in Stowe Hall, Suite 115. Mrs. Trotter may be contacted during business hours by phone at 704-461-6714 or by email at [cheryltrotter@bac.edu](mailto:cheryltrotter@bac.edu).

The **Belmont Abbey Campus Police Department** is located in Raphael Arthur residence hall and is available by phone at 704-400-6200. College Security Officers are available 24/7.

**Belmont Abbey College Health Services** is located The Haid and is available by phone at 704-461-6877. The office is staffed from 9:30 a.m. until 4:30 p.m. Monday through Friday.

The **Belmont Abbey College Office of Residence Life** is located in O'Connell Hall and is available by phone at 704-461-6893. The office is staffed from 8a.m. – 5p.m., Monday through Friday.

The **Belmont Abbey College Human Resources Office** is located Stowe Hall, Suite 115 and is available by phone at 704-461-6714. The office is staffed from 8a.m. – 5p.m., Monday through Friday.

The **Belmont Abbey College Counseling Center** is located The Haid and is available by phone at 704-461-5065. The Center is staffed from 8a.m. – 5p.m., Monday through Friday.

### Community Resources

**Local Law Enforcement Agencies** can be reached by calling 911.

**Gaston Memorial Hospital** is located at 2525 Court Drive, Gastonia, NC 28054. The Emergency Department can be reached at 704-834-2000.

**AVID Sexual Assault Crisis Program** is located at 214 E. Franklin Boulevard, Gastonia, NC 28052. The Crisis Program can be reached at 704-864-7704.



## EXHIBIT B

### SEXUAL MISCONDUCT POLICY AND PROCEDURES

#### Definitions

- (i) Assigned Title IX Coordinator.** The “Assigned Title IX Coordinator” means either the Title IX Coordinator or the Deputy Title IX Coordinator assigned by the Title IX Coordinator to handle a given Complaint.
- (ii) Clery Act.** The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”) is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.
- (iii) Complainant.** A “Complainant” is an individual who reports or files a Complaint. A Complainant may be someone other than the person who may have been subjected to the Sexual Misconduct.
- (iv) Complainant.** A “Complainant” is an alleged victim of Sexual Misconduct who chooses to file a Complaint and participate in the College’s investigation and resolution of the alleged Sexual Misconduct.
- (v) Complaint.** A “Complaint” is an allegation of Sexual Misconduct asserted against another party and reported to or filed with the College.
- (vi) Consent.** “Consent” is informed, freely and actively given and mutually understandable words or actions that indicate a willingness to participate in mutually agreed-upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another.

Consent cannot be inferred from:

- 1) Silence, passivity, or lack of resistance alone;
- 2) A current or previous dating or sexual relationship alone (or the existence of such a relationship with anyone else);
- 3) Attire;
- 4) The buying of dinner or the spending of money on a date; or
- 5) Consent previously given (i.e., consenting to one sexual act does not imply consent to another sexual act).

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

Consent may never be given by:

- a) Minors, even if the other participant did not know the minor’s age;
- b) Mentally disabled persons, if their disability was reasonable knowable to a sexual partner who is not mentally disabled;  
or
- c) Persons who are incapacitated (whether as a result of drugs, alcohol or otherwise), unconscious, asleep or otherwise physically helpless or mentally or physically unable to make informed, rational judgments. The use of alcohol or drugs does not diminish one's responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Misconduct under this Policy.

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

- (vii) Dating Violence.** “Dating Violence” means violence committed by a person

- 1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a) the length of the relationship,
  - b) the type of relationship, and
  - c) the frequency of interaction between the persons involved in the relationship.

**(viii) Day.** A “day” is a business day, unless otherwise specified.

**(ix) Deputy Title IX Coordinator(s).** The College’s “Deputy Title IX Coordinators” are:

- 1) Mr. Paul Lyon, Associate Athletic Director, whose office is located in the Wheeler Center and who may be contacted by phone at 704-461-5048 or by email at paullyon@bac.edu;
- 2) Ms. Halie Reed, Director of Residence Life, whose office is located in the Resident Life Office in O’Connell and who may be contacted by phone at 704-461-6892 or by email at haliereed@bac.edu;

The Deputy Title IX Coordinators work under the oversight of the Title IX Coordinator to assist with the handling of Title IX-related Complaints. The Title IX Coordinator may, at his or her discretion, assign any of the Deputy Title IX Coordinators as the Assigned Title IX Coordinator in connection with a given Complaint.

- (i) Domestic Violence.** “Domestic Violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of North Carolina, as applicable, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the State of North Carolina.
- (ii) FERPA.** The Family Educational Rights and Privacy Act (“FERPA”) is a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 CFR Part 99. FERPA protects the privacy of student education records. FERPA grants to parents or eligible students the right to access, inspect, and review education records, the right to challenge the content of education records, and the right to consent to the disclosure of education records.
- (iii) Final Outcome Letter.** “Final Outcome Letter” is defined in Section V(b)(iv)(4).
- (iv) Investigative Report.** “Investigative Report” is defined in Section IV(d)(ii).
- (v) Investigator.** The “Investigator” is a neutral fact-finder who is designated by the Assigned Title IX Coordinator to investigate a Complaint.
- (vi) Material Sexual Misconduct.** “Material Sexual Misconduct” is Sexual Misconduct that, taking into account the totality of the circumstances, is sufficiently serious and significant to warrant adjudication under, and discipline pursuant to, this Policy. Specifically, to determine whether Sexual Misconduct rises to the level of Material Sexual Misconduct, consideration will be given to the following criteria: (1) the type, frequency and duration of the conduct (the more severe the conduct, the less the need to show a repetitive series of incidents, particularly if the harassment is physical), (2) the identity of and relationship between the alleged harasser and the alleged victim, (3) the number of individuals involved, (4) the age and sex of the alleged harasser and the alleged victim, (5) the location of the incidents and the context in which they occurred, and (6) whether there have been similar incidents.
- (vii) Personally Identifiable Information.** Personally Identifiable Information (as that term is defined by FERPA) includes, but is not limited to
  - 1) a Student's name;
  - 2) the name of a Student's parent(s) or other family members;
  - 3) the address of a Student or a Student's family;

- 4) a personal identifier, such as a Student's social security number, student number, or biometric record;
  - 5) other indirect identifiers, such as a Student's date of birth, place of birth, or mother's maiden name;
  - 6) other information that, alone or in combination, is linked or linkable to a specific Student and that would allow a reasonable person in the College community, who does not have personal knowledge of the relevant circumstances, to identify the Student with reasonable certainty; or
  - 7) Information requested by a person whom the College reasonably believes knows the identity of the Student to whom the education record relates.
- (viii) Rape.** "Rape" is the act of sexual intercourse or penetration (anal, oral or vaginal), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without Consent, including vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact).
- (ix) Respondent.** A "Respondent" is an individual who has been accused of committing Sexual Misconduct by the report or filing of a formal or informal Complaint.
- (x) Responsible Employees.** The College's "Responsible Employees" are all College employees not designated as "Strictly Confidential Resources" in Section II of the Policy.
- (xi) Retaliation.** "Retaliation" means any adverse action threatened or taken against a person because he or she has filed, supported, or provided information in connection with a Complaint of Sexual Misconduct, including but not limited to direct and indirect intimidation, threats, and harassment.
- (xii) Sexual Assault.** "Sexual Assault" means any actual, attempted, or threatened sexual act with another person without that person's Consent. Sexual Assault includes but is not limited to:
- 1) Rape and attempted Rape;
  - 2) Intentional and unwelcome sexual touching (including disrobing or exposure), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without effective Consent, of a person's breasts, buttocks, groin, or genitals (or clothing covering such areas), or coercing, forcing, or attempting to coerce or force another to touch you, themselves, or a third party with any of these body parts or areas when such touching would be reasonably and objectively offensive;
  - 3) Any sexual act in which there is force, violence, or use of duress or deception upon the victim;
  - 4) Any sexual act perpetrated when the victim is unable to give Consent; and
  - 5) Sexual intimidation, which includes but is not limited to:
    - a) Threatening, expressly or impliedly, to commit a sexual act upon another person without his or her Consent,
    - b) Stalking or cyber-stalking, and
    - c) Engaging in indecent exposure.
- (xiii) Sexual Exploitation.** "Sexual Exploitation" means any act of taking non-Consensual, unjust or abusive sexual advantage of another person for one's own advantage or benefit or to benefit or advantage anyone other than the person being exploited. Sexual Exploitation includes, but is not limited to:
- 1) Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such person;
  - 2) Prostituting another person (i.e., personally gaining money, privilege or power from the sexual activities of another);
  - 3) Non-Consensual videotaping, photographing, or audio-taping of sexual activity and/or distribution of these materials via media such as, but not limited to, the Internet;
  - 4) Exceeding the boundaries of Consent (e.g., allowing another person to observe Consensual sex without the knowledge of or Consent from all participants);
  - 5) Voyeurism; and
  - 6) Knowingly or recklessly transmitting a sexually transmitted disease (including HIV) to another individual.

**(xiv) Sexual Harassment.** “Sexual Harassment” is any unwelcome verbal, nonverbal, written, electronic or physical conduct of a sexual nature. Examples of Sexual Harassment include instances in which:

- 1) Submission or consent to the behavior is reasonably believed to carry negative or positive consequences for the individual’s education, employment, on-campus living environment, or participation in a College activity. Examples of this type of sexual harassment include:
  - a) pressuring an individual to engage in sexual behavior for some educational or employment benefit, or
  - b) making a real or perceived threat that rejecting sexual behavior will carry a negative educational or employment consequence for the individual.
- 2) The behavior is so severe or pervasive that it has the effect of substantially interfering with the individual’s work or educational performance by creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a College activity. Examples of this type of sexual harassment include:
  - a) one or more instances of Sexual Assault;
  - b) persistent unwelcome efforts to develop a romantic or sexual relationship;
  - c) unwelcome sexual advances or requests for sexual favors;
  - d) unwelcome commentary about an individual's body or sexual activities;
  - e) repeated and unwelcome sexually-oriented teasing, joking, or flirting; and
  - f) verbal abuse of a sexual nature.

Sexual harassment also includes acts of intimidation, bullying, aggression or hostility based on gender or gender-stereotyping, even if the acts do not involve conduct of a sexual nature.

**(xv) Sexual Misconduct.** “Sexual Misconduct” means any unwelcome conduct of a sexual nature, including any conduct or act of a sexual nature perpetrated against an individual without Consent. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. The College encourages reporting of all Sexual Misconduct. Sexual Misconduct includes but is not limited to:

- 1) Dating Violence;
- 2) Domestic Violence;
- 3) Non-forcible sex acts, which are unlawful sexual acts where Consent is not relevant, such as sexual contact with an individual under the statutory age of Consent, as defined by State law, or between persons who are related to each other within degrees wherein marriage is prohibited by law;
- 4) Sexual Assault;
- 5) Sexual Exploitation;
- 6) Sexual Harassment; and
- 7) Stalking.

**(xvi) Stalking.** “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) fear for his or her safety or the safety of others; or
- 2) suffer substantial emotional distress.

**(xvii) Student.** A “Student” is any student who is registered at the College or enrolled at the College (a) at the time of the alleged Sexual Misconduct *and* (b) at the time a Complaint is filed.

**(xviii) Title IX Coordinator.** The College’s “Title IX Coordinator” is Mrs. Cheryl Trotter, whose office is Stowe Hall, Suite 115 and who may be contacted by phone at 704-461-6714 or by email at [cheryltrotter@bac.edu](mailto:cheryltrotter@bac.edu). The Title IX Coordinator has ultimate oversight responsibility for handling Title IX–related complaints and for identifying and addressing any patterns or systemic problems involving Sexual Misconduct. The Title IX Coordinator is available to meet with individuals who are involved with or concerned about issues or College processes, incidents, patterns or problems related to Sexual Misconduct

on campus or in College programs. All allegations involving Sexual Misconduct should be directed to the Title IX Coordinator.

Belmont Abbey College believes strongly in helping students develop healthy relationships. To this end, the college utilizes talks, programming, events and support systems to help students. In the fall of 2016, the college launched the website and resource [www.iamfree2love.com](http://www.iamfree2love.com) as an initiative to help students battling with pornography addiction but it also addresses important topics of human sexuality, dating, relationships and friendships. Thorough sessions at orientation, student clubs, programming and training for student leaders, Belmont Abbey College educates the student body on the important information pertaining to relationships, sexual harassment sexual assault and resources to help students who may be involved in these serious situations.

Some examples of past and presently planned programming and education include:

- Providing Title IX/VAWA education for all new students during Orientation
- Title IX/VAWA training provided to all Resident Assistants
- Title IX/VAWA education course for all NCAA athletic teams at least one time per year
- Alcohol and drug educational programming
- Supporting student clubs that promote healthy relationships and understanding of human sexuality
- Online modules through EduRisk Solutions
- Posting, updating and maintaining a dedicated section of the Belmont Abbey College homepage for sexual assault and our Title IX policy
- Providing bystander intervention education and training to all new students through orientation, all Resident Assistants, faculty, staff, New Student Mentors and other student leaders
  - o Promoting bystander intervention at Belmont Abbey College under the hashtag #crusader4you, which communicates the importance of looking out for others and building a community of respect and dignity

**EXHIBIT C  
BELMONT ABBEY COLLEGE SEXUAL MISCONDUCT POLICY AND PROCEDURES**

**SEXUAL MISCONDUCT COMPLAINT FORM**

Today's date: \_\_\_\_\_

**Information Regarding the Complainant:**

Name of the Complainant: \_\_\_\_\_

Complainant's Phone Number: \_\_\_\_\_

The Complainant is (please check one):  a faculty member                       a student  
 a staff member     not affiliated with the College

*For faculty, staff, & students, indicate whether  current or  former*

**Information Regarding the Respondent:**

Name of the Respondent: \_\_\_\_\_

The Respondent is (please check one):  a faculty member                       a student  
 a staff member     not affiliated with the College

*For faculty, staff, & students, indicate whether  current or  former*

**Information Regarding the Alleged Sexual Misconduct:**

**Time and date of the alleged Sexual Misconduct:** \_\_\_\_\_

**Location of the alleged Sexual Misconduct:**

on campus: \_\_\_\_\_

off campus: \_\_\_\_\_

**Witnesses or third parties who may have information regarding the alleged Sexual Misconduct:**

\_\_\_\_\_  
\_\_\_\_\_

**Please provide a brief description of the alleged Sexual Misconduct:**

*You may wish to consider including, among other things, some or all the following information in your description: the gender of the parties, the relationship between the parties, whether one or more of the parties were under the influence of alcohol or drugs at the time of the alleged Sexual Misconduct, whether the Respondent used pressure or force (physical or otherwise) in the course of the alleged Sexual Misconduct, & the frequency (if applicable) of the alleged Sexual Misconduct.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature of the Complainant:** \_\_\_\_\_

# Annual Fire Safety Report

## Student Housing Facilities

There are six different student housing facilities as follows:

- Cuthbert Allen Apartments – 4 buildings with 8 suites in each building, 4 rooms per suite.
- St. Benedict Residence Hall – 4 floors, 29 suites with either 1 or 2 rooms per suite.
- St. Scholastica Residence Hall – 4 floors, 29 suites with either 1 or 2 rooms per suite.
- Poellath Residence Hall – 2 floors, 27 suites with 4 rooms per suite
- O’Connell Residence Hall – 2 floors, 25 suites with 4 rooms per suite
- Raphael Arthur Residence Hall – 3 floors, 27 suites with 4 rooms per suite

## Fire Detection and Suppression Systems

Each building has a different fire protection system as described below: (Each building has a fire control panel with audible/visual alarms which is connected to manual fire pull station alarms and hard wired smoke/heat detectors). Each building is monitored 24/7 by a central off site monitoring facility operated by Security Central.

- **St. Scholastica and St. Benedict Residence Halls** are fully wet sprinklered on all levels. Sprinkler flow is monitored by the 24/7 monitoring agency.
- **St. Scholastica and St. Benedict Residence Halls** have heat/smoke detectors in each suite bedroom and living room area. There are also heat/smoke detectors in the hallways, laundry room, kitchen areas, etc. All of the smoke/heat detectors are hard wired to a central control panel.
- **Cuthbert Allen Apartments** have hard wired smoke detectors installed in the air conditioning closets. Additionally, there are battery operated smoke detectors mounted in each suite room and the kitchen area.
- **O’Connell and Poellath Residence Halls** have hard wired smoke detectors installed in the hallways and each suite room.
- **Raphael Arthur Residence Hall** has hard wired smoke detectors installed in the hallways. Additionally, there are battery operated smoke detectors mounted in each suite room.

All fire systems are tested twice a semester for proper operation and alarm function, and all battery operated devices receive new batteries on an annual basis.

All buildings have manually operated fire extinguishers located in strategic locations, and they are inspected monthly.

## Fire Safety Policies for Student Housing Facilities

Due to fire regulations, the following are mandated by the Belmont Fire Marshal and set forth by local, state, and federal law:

- a. Extension cords are prohibited.
- b. Multi-plug outlets require surge protection and must be hung 18 inches from the floor.
- c. The use in individual rooms of open-coil or open-plate devices such as hot plates, George Foreman grills, lava lamps, halogen lamps, coffee pots, space heaters, sun lamps, and toasters is prohibited (See Appliances);
- d. Placing cords which utilize electricity, including those for telephones, computers, and stereo speakers, under an item such as a rug is prohibited.
- e. Prohibits the use of open flame or ember devices such as candles, incense or oil lamps.
- f. Fire doors cannot be propped open.
- g. The use of electric Christmas lights is prohibited. LED lights are allowed.
- h. No live Christmas trees are allowed.
- i. All approved combustible materials (paint, paint thinner) must be stored in a metal box in a well-ventilated area.
- j. Sprinkler pipes and heads cannot have anything hanging from them and must have a 24 inch clearance.
- k. All pathways/stairwells leading to exits must be clear of all obstructions.

- l. Mechanical rooms cannot have any storage items in them.
- m. Fire sprinkler lines, smoke detectors, fire alarms, and fire extinguishers cannot be altered or tampered with in any way.
- n. Students cannot alter or repair electrical equipment or fixtures which belong to the College. Defects in electrical equipment must be reported to the Residence Life Staff immediately.
- o. Any wall hangings must be hung at least 18" away from the ceiling.

The sounding of false fire alarms and tampering with firefighting or safety equipment to include extinguishers, smoke detectors, hoses, exit signs, door and fire alarm systems is prohibited. Failure on the part of any student to follow fire safety policy stated above will result in a fine levied and possible referral to the student conduct process. The Residence Life staff will conduct periodic fire drills throughout the semester; every student is required to follow the procedure for evacuating the building and follow the staff's instructions. Failure to do so will result in a referral to the student conduct system.

No person is to start a fire outside except in approved cooking areas. If any person wishes to have a controlled fire in any area other than stated above, a written request must be submitted to the Chief of Police 24 hours prior to the event. Because of fire and public health concerns, cooking is restricted in the residence halls. Use of a personal grill/hibachi in or around living areas/buildings is prohibited. Students are permitted to grill on permanent units provided by the College. The student(s) using the grill unit is responsible for all clean up.

Due to potential fire hazards, the possession, storing, carrying or use of hover boards and other forms of automated movement are prohibited from any Belmont Abbey College property including residence halls, classrooms, administration buildings and grounds.

Campus Police and Safety and The Office of Residence Life have ongoing training and evaluation with Resident Assistants and professional staff on fire emergency response, recovery and follow-up. Resident Assistants and professional staff receive training during their 2 week intensive crisis management training in conjunction with Campus Police and the local fire department.

## Residence Hall Fire Evacuation Procedures

When the emergency alarm system activate a fire alarm sound, or college personnel request evacuation, react immediately:

- Leave room, closing your door. Take keys but don't worry about personal belongings.
- Walk quickly to the nearest exit encouraging others to do the same.
- Report to your designated evacuation check point.
- Follow direction of college personnel.

All suites in residence halls have emergency flip charts for directions on what to do in the event of a fire including evacuation locations.

In case of an emergency, each building has a check point where all persons in the building are to meet safely when evacuated from the building. Please report immediately to the following areas in case of evacuation. Be prepared to move further from building as directed by emergency personnel. This meeting place is also used during fire drills:

- O'Connell /Poellath – Blessed Mother statue in front of the Student Commons
- Raphael Arthur- the RA parking lot
- Cuthbert Allen Apartments- the CA parking lot
- Saints Benedict and Scholastica – Baseball practice field/bridge over creek

## Fire Safety Tips and Reporting a Fire

### For the person discovering the fire:

- Extinguish only if you can do so safely and quickly. Use only the fire suppression equipment available. DO NOT use water on electrical fires. DO NOT attempt to fight fires involving possible explosives, toxic chemicals, or hazardous materials.
- Direct the charge of a fire extinguisher toward the base of the flame.
  - o **PASS** – **P**ull, **A**im, **S**queeze, **S**weep



- If the fire cannot be extinguished:
  - o Confine the fire by closing the doors
  - o Alert Campus Police at 704-400-6200
  - o Dial 911
  - o Pull the fire alarm

**For person evacuating from the immediate fire area:**

- Feel the door from top to bottom with the back of your hand. If it is hot, DO NOT proceed; go back.
- If the door is cool, crouch low and open the door slowly. Close the door quickly if smoke is present so you do not inhale it.
- If no smoke is present, exit the building via the nearest stairwell or exit.
- Stay near the floor where the air will be more breathable.

## 2018 Fire Safety Log

Name of Facility	2016				2017				2018			
	Fires	Injuries	Deaths	Drills	Fires	Injuries	Deaths	Drills	Fires	Injuries	Deaths	Drills
Cuthbert Allen Apartment-#1	0	0	0	2	0	0	0	2	0	0	0	2
Cuthbert Allen Apartment-#2	0	0	0	2	0	0	0	2	0	0	0	2
Cuthbert Allen Apartment-#3	0	0	0	2	0	0	0	2	0	0	0	2
Cuthbert Allen Apartment-#4	0	0	0	2	0	0	0	2	0	0	0	2
Raphael Arthur Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
Poellath Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
O'Connell Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
St. Benedict Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
St. Scholastica Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>18</b>

# EMERGENCY PROCEDURES

Emergency Phone: **911**

Non-Emergency Phone: **704-400-6200**



**Belmont Abbey**  
COLLEGE

**ACTIONS:** EVACUATE



SHELTER  
IN PLACE



## MEDICAL EMERGENCY:

- Call Campus Police 704-400-6200 or 911.



- Provide location, nature of injury/illness, and your name.
- If safe, stay with the person until help arrives.

## FIRE:



- Leave area, pull fire alarm and close doors as you leave.
- Evacuate area and go to rally point.
- Call 911.

## SEVERE WEATHER:



- Seek shelter immediately.
- Move to lowest level of the building and to the interior.
- Move away from windows and doors.

## SUSPICIOUS ITEMS:



- Do not touch and move away.
- Do not use cell phone near item.
- Report to Campus Police (and line phone).

## SUSPICIOUS BEHAVIOR:



- Report to Campus Police.
- If safe, observe behavior until police arrive.

## HAZARDOUS MATERIAL:



- Do not attempt to clean spill.
- Evacuate area.
- Call Campus Police.

## ACTIVE VIOLENCE:

If you know someone who is a threat to themselves or others, or if you know someone who has a firearm on campus, call Campus Police.



### AVOID (RUN)

- Don't hesitate, leave immediately.
- Know your exit plan.
- Don't pull the fire alarm.
- Prevent others from entering an area where the shooter may be.
- Call 911 when you are safe.
- Notify others of your location.

### BARRICADE (HIDE)

- Lock doors.
- Fortify the door.
- Inward vs. outward.
- Door closer hinge.
- Plug the doorway.
- Turn off lights.
- Look for secondary exits.
- Positioning - hide.
- Wait for law enforcement.

### COUNTER (FIGHT)

- Fight as a last resort and only when the shooter has entered your room.
- Find "Weapons of Opportunity" or items to throw at the shooter.
- Grab the gun.
- **TAKE ACTION... YOUR LIFE DEPENDS ON IT!!**



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**Belmont Abbey**<sup>TM</sup>  
**COLLEGE**

*That in all things God  
may be glorified*

100 Belmont Mount Holly Rd Belmont, NC 28012