

2017

Campus Security Act / Crime Reporting

Higher Education & Opportunity Act



HIGHER EDUCATION OPPORTUNITY ACT OF 1965

- CAMPUS SECURITY ACT/ANNUAL CRIME REPORTING
– CALENDAR YEAR 2017
- INVESTIGATION OF MISSING STUDENTS
- FIRE SAFETY REPORT/FIRE LOG AND FIRE STATISTICS
– CALENDAR YEAR 2017
- CAMPUS EMERGENCY RESPONSE
AND EVACUATION PROCEDURES

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COLLEGE WEB SITE LINK:

<http://www.barton.edu/pdf/studentlife/clery-report.pdf>

IMPORTANT TELEPHONE NUMBERS

Barton College Police:

- From Off Campus, Dial (252) 399-6911
From On Campus, Dial 6911 or 911

Student Engagement and Success:

- Office of Student Engagement and Success
(252) 399-6369
- Student Health Services
(252) 399-6493
- Counseling Services/ADA
(252) 399-6587
- Office of Student Development
(252) 399-6366



Statement of Purpose

I

The College is organized to maintain and operate an institution of learning for the education and instruction of qualified students within the framework of the Christian ideals and principles and under the auspices of the Christian Church (Disciples of Christ) in North Carolina.

— *The College Charter*

II

Barton College is a community of learners freely examining the intellectual and cultural experiences of a diverse and interdependent world to understand humanity's rich heritage and to improve the quality of all existence.

Mission Statement

Barton College is committed to providing programs and opportunities to encourage the intellectual, spiritual, social, and cultural development of its students and to challenge them for future leadership and service to their local and global communities.

Non-Discriminatory Policy

Barton College is committed to equality of educational opportunity and does not discriminate against applicants, students, or employees based upon race, color, national origin, religion, gender, sexual orientation, age, veteran status or disability. Barton College opposes sexual discrimination in all forms.

Barton College supports the protections available to members of its community under all applicable laws, including, Titles VI and VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 799A and 845 of the Public Health Service Act; the Equal Pay Act; the Age Discrimination Act of 1975; the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1974; the Vietnam Era Veteran's Readjustment Assistance Act of 1974; the Americans with Disabilities Act of 1992; and Executive Order 11246, as amended by Executive Order 11375.

In compliance with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1992, accommodations of the disabled extend to student programs, employment practices, elimination of physical barriers, and special assistance to disabled students and employees within the college.

This non-discrimination policy covers admission, readmission, access to, and treatment, and employment in college programs and activities, including, but not limited to, academic, admissions, financial aid, any services, and employment.

Any student who believes that he or she has been discriminated against by the college because of his or her race, color, national origin, religion, gender, age, sexual orientation, or disability may speak with the Vice President for Student Engagement and Success. Following that discussion, a student who wishes to file a formal grievance will be directed to the grievance procedure in the *Barton Student Bulldog Handbook*. Any college employee desiring information or having a complaint or grievance in regard to these provisions should contact the Human Resource Director/EEO Officer.

Section A: Campus Security Act of 1990

Pursuant to Federal Regulation 34.688.47, Barton College makes available to prospective students and employees, distributes to all enrolled students and active employees, an annual security report, which lists information about campus crime and criminal arrests. **The Vice President for Student Engagement and Success is the designated campus authority for the implementation of Federal Regulation 34.688.47.** This annual report is available in brochure form through the Office of Student Engagement and Success, the Office of Admissions, the Office of Human Resources, and Campus Police. Barton College also distributes the report electronically. Access to this report is available through the College web site link: <http://www.barton.edu/pdf/studentlife/clery-report.pdf>. The College will provide upon request all campus crime statistics as reported to the United States Department of Education.

Barton College, in conjunction with the Crime Awareness and Campus Security Act of 1990, is concerned about the safety and welfare of all campus members and guests. Barton College has developed a series of policies and procedures that are designed to ensure that every possible precautionary measure is taken. In the interest of prevention, all members of the campus community are responsible for a number of measures to ensure that they and their possessions are adequately protected. Barton College is not liable for damages to vehicles parked on campus or for the loss of content/property from said vehicles. This policy also applies to personal belongings within all College facilities.

Counselors, Police, and members of the Student Engagement and Success Staff are available to assist you.

- **Counseling and Support Services:** This Barton College Crime Report outlines the many counseling and support services available to members of the College community who may be victims of bias-related crimes. The Table of Contents references the page numbers outlining support services related to harassment, sexual assault, College Counseling Services, and county support agencies. The *Barton Student Bulldog Handbook* is another valuable resource and may be accessed through the College web site link: <http://www.barton.edu>.
- **Crime Statistics:** Crime statistics (the nature and common circumstances) associated with bias-related crime are found in this brochure on pages 5 and 6.
- **Barton College Security Procedures:** Barton College employs a variety of security procedures. Security procedures are referenced during New Student Orientation, New Student Welcome Days, College Associated Policies and Procedures within the *Barton Student Bulldog Handbook*, the Annual Campus Security Brochure, and the web site link: <http://www.barton.edu/pdf/studentlife/clery-report.pdf>.

INTRODUCTION

The Barton College campus consists of more than 25 academic, residential, and recreational buildings and facilities located in the City of Wilson, North Carolina. The College enrolls approximately 1,130 undergraduate students of which approximately 500 are residential students. In addition, the College employs approximately 200 full-time and part-time employees. At Barton College, safety is a primary consideration in the maintenance, grounds keeping, and lighting of the campus. If a Campus Police Officer should discover a broken window or non-functioning light, the officer informs the Physical Plant Office. The Campus Police work closely with the Office of Student Development to ensure that safety policies and procedures are uniformly executed and conveyed in a clear and consistent manner to the College students, as well as to its faculty and staff.

CRIME STATISTICS

Offense	On-Campus			**Residential Facilities			Non-Campus			Public Property		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible	2	3	0	0	2	0	1	1	3	0	0	0
Sex Offenses, Non-Forcible	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	0	0	0	0	0	0	0	0	1	0	0	0
Burglary	0	0	1	0	0	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	3	0	0	2	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0

Arrests or Persons Referred to Campus for Disciplinary Action:

Drug Law Arrests	0	0	6	0	0	2	0	0	0	0	0	2
Drug Law Violations / Disciplinary Action	6	9	0	6	7	0	0	0	0	0	0	0
Liquor Law Arrests	0	1	3	0	1	1	0	0	0	0	0	0
Liquor Law Violations / Disciplinary Action	17	12	33	15	11	33	0	0	0	0	1	0
Weapons Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations / Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0

Bias-Related Criminal Activity:

Race	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity / National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Gender / Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
**** Unfounded Crime Reports	0	0	0	0	0	0	0	0	0	0	0	0

** Crimes reported in the residential facilities column are included in the on-campus category.

*** Unfounded Crime Reports — A crime is considered **reported** when it is brought to the attention of a campus security authority or law enforcement personnel by a victim, witness, other third party, or even the offender. If a reported crime is investigated and found to be false or baseless by law enforcement personnel, it is an **unfounded** report.

I

CAMPUS POLICE / CAMPUS SECURITY AUTHORITY

Security for the Barton College campus is provided through a contractual agreement between Barton College and the City of Wilson. The Barton College District Office of the Wilson Police Department is operated under the auspices of this agreement and is staffed by sworn police officers employed by the Wilson Police Department. Officers who patrol the campus have the authority and responsibility to investigate and prosecute all crimes which occur on campus.

The Campus Police Office, located on the first floor of Waters Hall, is open 24 hours a day, seven (7) days a week, 365 days a year. The office aids in the enforcement of federal, state, and local statutes and Barton College regulations.

DESCRIPTION OF DUTIES:

There are five (5) well-marked exterior call boxes on the Barton campus.

- Harper Hall (walkway near Wenger Hall)
- Hackney Library (walkway)
- Campus Police Office (Waters Hall)
- Moye Science Hall/Case Art Building (walkway)
- Bully's Campus Grill (walkway)

These telephone boxes are easily identified by a blue light, which is mounted directly above the box. They can be used to report a criminal incident, fire, or any other type of emergency.

To reach the Barton Emergency Telephone Line from off campus, dial (252) 399-6911; on campus, dial extension 6911. At any time, a student may dial 911 for immediate police assistance.

II

CRIME PREVENTION

We believe that nearly every violation committed on campus is preventable. As part of the College's education mission, the Campus Police Office attempts to educate members of the campus community on how to reduce their chances of suffering from violation of their property or themselves.

The crime prevention program is based upon the dual concepts of eliminating or minimizing criminal opportunities and encourages students and employees to be responsible for their own security and security of others.

The following is a listing of the crime prevention programs and projects employed by Barton College:

- New Student Orientation
- Residence Hall Security
- Crime Prevention Presentation
- New Employee Orientation

- Printed Crime Prevention Materials
 - Facilities Surveys
 - Rape Awareness/Education and Prevention
 - Campus Clarity – online prevention program
 - Campus Alerts
- Architectural Design: The Campus Police Sergeant makes recommendations related to physical plant and electronic security systems for new and renovated campus facilities.
- Enhanced Emergency Telephone System: All on-campus telephone calls made to the Campus Police Office are identified, and the telephone number and location of the telephone are displayed on a screen to the Campus Police/Staff. This enhanced emergency telephone system was installed to ensure that Campus Police know the on-campus origin of an emergency call, even if the caller is unable to communicate verbally.

• Campus Alerts

Barton College will issue campus alerts in the form of email messages, use of Social Media, a dedicated Barton College App, through the City of Wilson Early Alert System, to provide the campus community with information necessary to make informed decisions about health and safety.

- i. Issue a timely warning for any Clery Act crime that represents an ongoing threat to the safety of students or employees
- ii. Issue an emergency notification upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus

• Campus “Emergency Only” Telephone, Campus Security Cameras or Related Devices

Purpose:

Barton College, in conjunction with the Crime Awareness and Campus Security Act of 1990, is concerned about the safety and welfare of all campus members and guests. Barton College has developed a series of policies and procedures that are designed to ensure that every possible precautionary measure is taken. In the interest of prevention, all members of the campus community are responsible for a number of measures to ensure that they and their possessions are adequately protected.

Policy:

Barton College and the Wilson Police Department, Barton College District will supervise campus security camera monitors, located in the Campus Police Office. Barton College and Wilson Police Department, Barton College District will monitor and respond to emergency telephones, camera systems and intrusion/panic alarms in strategic areas of the campus in an expeditious manner.

Procedure:

— Emergency Telephones

a) Locations

There are five (5) well marked exterior call boxes on the Barton College Campus.

- Harper Hall (walkway near Wenger Hall)
- Hackney Library (walkway)
- Campus Police Office (Waters Hall)
- Moye Science Hall/Case Art Building (walkway)
- Bully's Campus Grill (walkway)

The Campus Police Sergeant makes recommendations related to physical plant and electronic systems for new and renovated campus facilities. Monthly campus inspections/walking tours are conducted by the Vice President for Student Engagement and Success, Campus Police, and representatives of the Student Government Association during the formal academic calendar, September through April. Monthly inspections will be conducted after dark when at all possible. Monthly inspections provide the opportunity to students and members of the campus community to inspect the effectiveness of these systems, including campus lighting, and make recommendations to the VPSEA and Campus Police.

b) Regular Maintenance and Testing

Campus Police, under the direction of the Supervising Sergeant, shall test all emergency telephones they can access on a monthly basis. Police Officers conducting the monthly test will document the status of the phone on the Campus Police Daily Log. Barton College staff assigned as support staff to the Campus Police Office will submit needed repairs into the Campus Work Order System as required.

c) Response

When an emergency telephone is activated, the call is received by the Campus Police Office (Waters Hall). Campus Police will be dispatched/respond to actual calls and no—conversation, silent calls. All calls will be documented in the Daily Campus Police Log.

d) Campus Notification

Information concerning the emergency telephone system is posted on the Barton College website, in the *Barton Student Bulldog Handbook* (Student Handbook), and in the annual *Clery Report/Campus Security Act, Crime Report* (Barton College website) /Brochure.

e) Policy/Procedure Review

The Vice President for Student Engagement and Success in cooperation with the Wilson Police Department, Barton College District will be responsible for conducting a needs review based on the following safety/security surveys:

- Monthly telephone /campus lighting inspections noted in section (a).
- Monthly student interviews /Note – The Vice President for Student Engagement and Success and the Campus Police Supervising Sergeant schedule monthly sessions open to all students with the specific purpose of meeting with students regarding campus safety and security. These sessions typically take place at lunch or dinner in the Hamlin Student Center Dining Hall. Monthly sessions are documented in the Office of the Vice President for Student Engagement and Success as part of the annual Student Engagement and Success evaluation/program review.

- The Vice President for Student Engagement and Success will be responsible for conducting needs review based on a documented security survey conducted once every three years.

Campus Security Cameras

Campus Security Cameras are one of multiple campus precautionary measures in use.

a) Locations

- Security cameras will be strategically located to assure maximum coverage of public and common areas of the campus. Security cameras will be placed in the main lobby of most residence halls and strategically located in common areas to assure the privacy of individuals living in residence halls. The Campus Police Sergeant makes recommendations related to physical plant and electronic systems for new and renovated campus facilities.

b) Monitoring and Response

- Barton College office staff assigned to the Campus Police Office and the Wilson Police Department, Barton College District will supervise campus security camera monitors, located in the Campus Police Office, Waters Hall. When an emergency is observed, Campus Police will be dispatched/respond to the campus location associated with the campus security camera. All associated responses will be documented in the Daily Campus Police Log.
- The use of campus camera systems shall be limited to legitimate safety and security purposes, including but not limited to:
 - Property and building protection
 - Alarm verifications
 - Public areas
 - Criminal investigation
 - Traffic - pedestrian and vehicular traffic activity
 - The camera system shall not be used for:
 - Profiling
 - Voyeurism

c) Media Retention and Security Access

- Video/Electronic images are stored on digital video recorders in the Barton College Police Office, Waters Hall.
- Access to digital video recorders is limited to the WPD as authorized by the Barton College Division supervising Sergeant and the Vice President for Student Engagement and Success.
- WPD is able to download video images to other media to retain for evidentiary or other law enforcement purposes.

d) Regular Maintenance and Testing

- Maintenance and testing will be conducted as needed by ARAMARK Services, Physical Plant Division of Barton College.

e) Staff Training

- Newly hired Barton College Police office staff and WPD officers assigned to the Barton College District office will be trained on the camera system as part of the College orientation program.
- Training on systems updates will be conducted as necessary.
- All training will include a review of this policy.

f) Policy/Procedure Review

- The Vice President for Student Engagement and Success and the WPD Supervising Sergeant will conduct an annual review/evaluation at the end of the academic term (typically in June) of incidents and camera locations, as noted in the Student Engagement and Success Annual Strategic Plan/Goals & Objectives.
- The annual evaluation will be documented in the Student Engagement and Success Strategic Plan Annual Assessment.

g) Release of Information/Data

- Any and all recordings, video, audio, electronic or otherwise, shall be the sole property of Barton College.
- Persons requesting access and/or review of stored video/electronic images for any reason must obtain permission from the Vice President for Student Engagement and Success, Vice President for Finance and Administration, or the College President. WPD, Barton College Division Officers or WPD investigative personnel shall facilitate the actual review of the video/electronic media.
- Duplication or printing of stored video/electronic images is prohibited unless approved by the Vice President for Student Engagement and Success.

Daily Crime Log

A crime is entered into the Campus Daily Crime Log when it is reported to campus police. The Campus Daily Crime Log is located in the Campus Police office, first floor, Waters Hall, and is available for inspection, upon request, during normal business hours, Monday through Friday, 8:30 a.m.- 4:30 p.m.

III CRIME REPORTING

Numerous efforts are made to advise members of the campus community on a timely basis about campus crime and crime-related problems. These efforts include the following:

- Annual Report: A comprehensive annual report of crime-related information is compiled and published. This annual report is distributed to all enrolled students and current employees and is available upon request.
- Web Site Access: Listed are two web sites, which may be accessed in order to learn more about campus crime and crime-related problems. To view the Barton College crime reporting web page, please go to <http://www.barton.edu/pdf/studentlife/clery-report.pdf>.

To view the U.S. Department of Education crime reporting site, go to <http://ope.ed.gov/security>.

- Special Alert: If circumstances warrant, a special printed crime alert bulletin can be prepared and distributed either selectively or throughout campus.

IV MEGAN'S LAW

Megan's Law generally provides for some type of public notification of the whereabouts of convicted sex offenders after their release from prison. Information regarding sex crime offenders is available through the following resources:

- Megan's Law Hotline
1-900-288-3838
(Monday-Friday, 8 a.m.- 5 p.m.)
\$.50 charge per call
- www.parentsformeganslaw.com
- North Carolina Attorney General's Office
(919) 716-6400
- Campus Police Office
(252) 399-6911

V IT HAPPENED TO ALEXA FOUNDATION

"It Happened To Alexa Foundation" is a resource available to colleges and students to assist victims and their families with travel expenses related to criminal trials.

- Contact Information:
1-877-77ALEXA
www.ithappenedtoalexa.org

VI SEXUAL HARASSMENT / SEXUAL ASSAULT

Sexual Misconduct and Interpersonal Violence Policies

Barton College is committed to providing a safe environment for all of its students and employees free from discrimination on any grounds. Barton does not tolerate acts of sexual harassment, interpersonal violence sexual misconduct, and sex and/or gender based discrimination. All members of the community should conduct themselves, therefore with integrity, respect and consideration for others.

Anyone, including employees of Barton, students, contractors, or visitors who sexually harasses or discriminate against another will be addressed in accordance with this internal policy whether it takes place within Barton's premises or off site, including social events, business trips, training sessions or conferences as well as athletic events on or off-campus.

Barton understands the negative impact sexual misconduct can have on individuals and the Barton community and therefore strives to provide information and training such that it can be eliminated and prevented.

To that end, the objectives of this policy are to:

- help define sexual misconduct and interpersonal violence so that each member of the community can recognize it,
- outline procedures for filing reports when it is suspected that a policy violation has occurred,
- explain the investigative process and possible sanctions and disciplinary measures to be enforced when a violation has occurred
- provide knowledge of the responsibilities of all employees of Barton so that those involved in a violation of policy can be assisted

Definition and Examples of Prohibited Conduct

Though Sexual Misconduct encompasses a wide range of behavior, examples of specifically prohibited conduct include the following:

1.) Sexual Harassment:

- a. Unwelcome sexual conduct that is sufficiently severe, persistent, or pervasive that it has the effect of unreasonably interfering with, denying or limiting employment opportunities or the ability to participate in or benefit from the College's educational, social and/or residential program and is based on real or reasonably perceived power differentials (aka, quid pro quo), the creation of a hostile environment or retaliation.
- b. Sexual harassment can be physical and psychological in nature. An aggregation of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing. Sexual harassment can occur regardless of the gender of a person being subject to the harassment and the gender of the harasser. Sexual harassment may also occur between people of the same gender.
- i. Some examples may include but are not limited to:
 - (a) Subjecting or threats of subjecting, an employee or student to unwelcome sexual attention or conduct or intentionally making performance of the employee's job or student's coursework more difficult because of that employee's or student's gender.
 - (b) Sexual or discriminatory displays or publications anywhere in Barton's workplace by Barton employees.
 - (c) Unwelcome sexual advances, propositions, or sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - (d) Preferential treatment or promises of preferential treatment in exchange for submitting to sexual conduct.
 - (i) Examples include soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward. Soliciting or attempting to solicit a student to engage in sexual activity for a good grade or other advantage, educational or otherwise.

2.) Non-Consensual Sexual Intercourse:

- a. Any sexual penetration or intercourse (anal, oral or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force.
- i. “Sexual penetration” includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.

3.) Non-Consensual Sexual Contact:

- a. Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force.
- i. “Sexual touching” includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner (examples include touching, pinching, patting, grabbing, brushing against another person’s body or poking another’s body).

4.) Sexual Exploitation:

- a. A situation in which a person takes non-consensual or abusive sexual advantage of another, and
- b. Situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact.
- i. Examples of sexual exploitation include, but are not limited to:
 - (a) Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed).
 - (b) Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent).
 - (c) Unauthorized taking, sharing, or distributing of pictures, videos or other media of a sexual nature.
 - (d) Prostitution.
 - (e) Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection, and further includes administering alcohol or drugs (such as “date rape” drugs) to another person without his or her knowledge or consent.

5.) Relationship or Intimate Partner Violence: (also known as Dating Violence or Domestic Violence)

- a. Abusive behavior that is used by an intimate partner to gain or maintain power and control over the other partner.
- b. Intimate partner violence can be:
 - i. Physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person.
 - ii. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the reporting party, where the existence of such a relationship is determined based on the following factors:

- (a) Length of the relationship
- (b) Type of the relationship
- (c) Frequency of interaction between the persons involved in the relationship

6.) Stalking:

- a. A course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is unwelcome, and would cause a reasonable person to feel fear, OR
- b. Repetitive and menacing conduct, purposely or knowingly causing emotional distress, or pursuing, following, harassing, and/or interfering with the peace and/or the safety of another.

7.) Statement on Consent and Confidentiality

- a. Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.
- b. A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the individual respondent of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.

Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint, and/or from the taking of incapacitating drugs.

- c. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent.
- d. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.
- e. A minor below the age of consent according to state law cannot consent to sexual activity. This means that sexual contact by an adult with a person below the age of consent is a crime as well as a violation of this policy, even if the minor appeared to have consented to engage in the act.

Confidentiality

All reports and investigations are treated confidential to the extent possible and information is disclosed strictly on a need-to-know basis.

The identity of the reporting party is usually revealed to the parties involved during the investigation and retaliation is not permitted in any form during and after the investigation toward the reporting party or responding party. Any reporting party who wishes to remain anonymous, may need to discuss things with a confidential source, who by their position are able to maintain confidentiality; however, if it is desired that an investigation be conducted and action taken, it will be necessary to reveal those involved in the situation to the extent necessary to thoroughly investigate the reported incident to its conclusion.

Any person found to have sexually harassed another will face disciplinary action, up to and including termination of employment if an employee of the College and up to and including expulsion if a student of the College. Any person who willingly files a false report and/or bears false witness against someone involved in a sexual harassment complaint may also be subject to the same discipline alternatives.

All information pertaining to a report of sexual harassment or investigation is maintained in secure files within the HR Department and/or Title IX coordinator's office(s).

Investigation and Hearing Procedures for Violations of Sexual Misconduct and Interpersonal Violence (Title IX) Policies Standards

A. Reporting Procedures and Responsibilities

a. Procedures

Barton considers all incidents to be serious and strives to promptly investigate all allegations of sexual misconduct. If an employee or student feels that he or she is being subjected to sexual misconduct, he or she should:

- i. Immediately inform the person(s) that the conduct is unwelcome and needs to stop. Whether the conduct ceases or does not cease, or if the employee or student is unable to or is uncomfortable with addressing the person(s) directly, he or she should proceed to reporting the conduct outlined below.
- ii. Report the incident to the appropriate supervisor, or one of the Title IX Coordinators (VP of Student Success and Engagement or the Director of Human Resources).
- iii. Provide a written record of the date, time and nature of the incident(s) and the names of any witnesses (This written record is helpful but not required). It is important to report all concerns of sexual harassment or inappropriate sexual conduct to the appropriate supervisor, HR Director or Title IX Coordinator as soon as possible so that an investigation can occur and appropriate action can follow.

b. Responsibilities:

- i. All Barton employees are considered responsible parties unless their position grants them confidentiality rights and are required to report any potential Title IX violations to the Title IX Coordinator.
- ii. Confidential Employees with state-conferred privileges are not required to report knowledge of sex/gender-based misconduct. They include:
 - Campus mental-health counselors
 - Chaplain
 - Physicians and health care providers
 - Those supervised by a confidential employee in the scope of their management of that employee.

iii. All Management who are made aware of a possible Title IX violation must:

1. Take all reports seriously
2. Report all incidents to a Title IX Coordinator
3. Take appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigation or report.

iv. The Title IX Coordinators are responsible for:

1. Ensuring that both the reporting party and the responding party are aware of the seriousness of a report of sexual harassment/misconduct.
2. Explaining Barton's Title IX policy and investigation procedures to all parties involved.
3. Preparing and issuing a report for confirmation of the details reported to the Coordinator.
4. Arranging for and providing oversight for the investigation of the reported events.
 - a. The Title IX Coordinator or designee will conduct an initial fact finding investigation to determine whether a policy violation may have occurred and warrants a formal investigation.
 - b. It is up to the Title IX Coordinator to determine if an in-house investigation will be conducted or if an outside third party will be contracted to complete the investigation. All reports involving senior management at the vice-president level or above may be handled by an external third party in accordance with Barton's policies and procedures.
 - c. If the Title IX Coordinator finds no evidence of policy violation, he or she will issue a report to the parties involved, noting the finding as well as any recommendations relevant to the case.
5. Reviewing the written report provided by the investigator documenting a finding of responsibility, summarizing the results of the investigation and confirming recommended actions which could include sanctions if applicable, based on the outcome of the investigation.
6. Notifying the reporting party and the responding party of the corrective actions to be taken, if any, and administering those actions.
7. Providing instructions for recourse should any of the applied sanctions be breached.
8. Providing direction should either party wish to appeal the final finding, sanction or both the finding and the sanction.

B. Interim Actions/Restriction

The College may take immediate interim actions as necessary to protect the community from a threat to the health or safety of the community as a whole, to any particular member of the community, or in cases where there may be a risk of a substantial disruption to the normal operations of the College. In all cases, the subject of the interim action will be given an opportunity to be heard by the Title IX Coordinator or designee on the necessity of the restriction within two (2) business days of the issuing of the restrictions. These actions may include, but are not limited to:

a. Interim Suspension:

- i. A student/organization who is suspended on an interim basis is subject to all of the same restrictions as if they had been suspended as a final sanction.
- ii. Suspended employees may be required to take time off with pay as determined by the Title IX Coordinator. This may require the use of available paid leave.

b. Interim Restrictions:

- i. These restrictions may include, but are not limited to: restricted access to facilities, housing and/or events, no-contact orders with specific individuals, etc. or any other restrictions deemed by the Title IX Coordinator or designee to be necessary to achieve the goals stated above.

NOTE: Barton will not pay for or make any arrangements for housing for any student removed from housing on an interim basis.)

- c. Altering any of these restrictions may be predicated on the requirement to engage in a psychological assessment, drug/alcohol testing, interviews, etc. at the discretion of the Title IX Coordinator or designee.

C. Investigations

- a. Following receipt of notice of a possible violation of Barton's Title IX policy, the Title IX Coordinator or designee will promptly investigate the reported event(s). (The individual(s) designated are hereinafter referred to as the "Investigator.")
 - i. In some instances, these investigations will be comprised of an interview with the reporting party and the responding party alleged to have violated the policy (the "Responding Party"). In other instances, a more in depth investigation may be required.
 - ii. An initial determination will be made regarding whether a policy violation may have occurred and warrants a formal investigation.
 - iii. In all cases, Barton will seek to have cases reach resolution within sixty (60) calendar days of notice of the allegation, barring exigent circumstances. If exigent circumstances exist, the Title IX Coordinator, or designee will provide notice to the responding party and the reporting party (if appropriate) of any delays or extensions.
 1. The College may undertake a short delay (approximately 7-14 days, to allow for evidence collection) when criminal charges on the basis of the same behaviors that initiated the process are being investigated.
 - iv. All reporting parties and responding parties may designate an advisor to help provide support during the investigation, interviews, and meetings called by the College.
 1. The role of the advisors: The advisors may accompany their designated party (reporting or responding) to all called meetings by the College. Typically advisors are members of the campus community, but may be anyone the parties choose. The advisor may not make a presentation or represent the reporting party or respondent during the investigation or during interviews and meetings. The reporting and responding parties are expected to ask and respond to questions on their own behalf, without representation by their advisors. An advisor may consult with their advisee quietly or in writing, or outside the meeting room, during breaks, but may not speak on behalf of the reporting or responding parties.
- b. The Investigator will meet with all appropriate parties, write a report, and will make a determination using the College's standard of proof. The final report will be shared with all parties. A follow up meeting is available for the parties to meet individually with the Title IX Coordinator upon their request.

D. Investigative Findings

The standard of proof used for decisions regarding responsibility for Title IX policy violations is the preponderance of evidence. A preponderance of evidence exists when a reasonable person, after evaluating all credible information available at the time of the investigation, would conclude that it is more likely than not that a violation has occurred. This standard is also employed when making determinations regarding interim restrictions/actions.

Once a report has been referred to a formal investigation process, the following may result:

- a. No Finding: In these cases, the Investigator has made a determination that the Responding Party is not responsible for a policy violation. The Responding Party's name will be cleared for purposes of third party reporting, but the record of the investigation will be retained. This finding is not subject to any appeal.
- b. Not Responsible: In these cases, the Investigator has determined that insufficient evidence exists for a finding of responsible for any of the allegations. The case is closed and a record of the not responsible finding(s) is retained by the College. The reporting party has the option to appeal the finding.
- c. Responsible: The investigator determines that sufficient evidence exists for a finding of "Responsible" for any of the violations. In this case, the Responding party may appeal the finding, sanction(s), or both the finding and the sanction(s). The Reporting party can appeal the sanction(s).

E. Sanctions and Disciplinary Measures

Anyone who has been found responsible for a Title IX policy violation may incur any of the following sanctions and/or disciplinary measures. All sanctions may be imposed either singularly or in combination. The purposes of imposing sanctions are twofold: one, to protect the College community from behavior which is detrimental to the community and/or the educational mission of the College by stopping the behavior, preventing its recurrence and remedying the effect on the reporting party and the community; and two, to assist in identifying acceptable parameters and consequences of future behavior. The sanction(s) imposed is/are intended to correspond with the severity or frequency of violations, as well as the responding party's willingness to recommit him/herself to behaviors that fall within the applicable code of conduct of the College and are consistent with the mission and values of Barton College. Other factors that may affect the sanctions are:

The nature, severity of, and circumstances surrounding the violation:

- An individual's disciplinary history
- Previous reports involving similar conduct
- The need for sanctions/responsive actions to bring an end to the current actions found to be in violation of the applicable code of conduct and to prevent recurrence of those same or similar actions
- The need to remedy the effects of the actions that were in violation of the applicable code of conduct on the reporting party and the community

a. Sanctions for Individual Students:

- i. Expulsion: Dismissal from the College without the ability to apply for re-admittance.

NOTE: Any student expelled for disciplinary reasons must vacate the campus within the period of time noted in the notice of expulsion (typically immediately). The student may not return to campus or College property without prior written permission by the Title IX Coordinator or designee. Failure to comply with this request will constitute criminal trespass.

- ii. Suspension: Denial of enrollment, attendance, and other privileges at the College for a specified period of time. Permission to apply for re-admission upon termination of the period may be granted with or without conditions/restrictions. Students may be required to complete a period of disciplinary probation upon their return to the College.

NOTE: Any student suspended for disciplinary reasons must vacate the campus within the period of time noted in the notice of suspension (typically immediately). The student may not return to campus or College property during the term of the suspension without prior written permission by the Title IX Coordinator or designee. Failure to comply with this request will constitute criminal trespass.

- iii. College Probation: A period of review and observation during which a student is under an official notice that subsequent violations of College rules, regulations, or policies are likely to result in a more severe sanction including suspension or expulsion from the College. While on conduct probation, a student may be considered to be “not in good standing” and may face specific limitations on his or her behavior and/or College privileges (see Conditions/Restrictions below).
- iv. Conditions/Restrictions: Limitations upon a student’s behavior and/or College privileges for a period of time, or an active obligation to complete a specified activity. This sanction may include, but is not limited to: restricted access to the campus or parts of campus, denial of the right to represent the College in any way, denial of housing or parking privileges, required attendance at a workshop, or participation in public service.
- v. Written Warning: An official reprimand that makes the misconduct a matter of record in College files. Any further misconduct could result in further disciplinary action.
- vi. Fines/Restitution: An order may be issued to make restitution or to pay a fine when a student has engaged in conduct that violates the Title IX Policy.
- vii. Withholding Diploma: The College may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities if the student has a complaint, investigation or hearing pending.
- viii. Revocation of Degree: The College reserves the right to revoke a degree awarded from the College for fraud, misrepresentation, or other violation of College policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- ix. Other sanctions: The College reserves the right to impose other sanctions as necessary to remain consistent with the mission and vision of Barton College. These may include, but are not limited to: mandated psychological assessment, research projects, drug/alcohol classes or testing, proof of employment or attendance at classes, etc.
- x. Residence Life Specific Sanctions:
 - 1. Permanent Housing Removal: Immediate removal from College housing with no ability to return.

NOTE: Any student permanently removed from College housing for disciplinary reasons must vacate the hall within the period of time noted in the notice of removal (typically immediately). The student may not return to any residence hall without prior written permission by the Title IX Coordinator or designee. Failure to comply with this request will constitute criminal trespass. Additionally, anyone removed from housing for disciplinary reasons remains subject to the termination clause of the housing contract, including payment of any fees or penalties.
 - 2. Temporary Housing Removal: Immediate removal from College housing for a set period of time with an ability to reapply to return to College housing.

NOTE: Any student removed from College housing for disciplinary reasons must vacate the hall within the period of time noted in the notice of removal (typically immediately). The student may

not return to any residence hall without prior written permission by the Title IX Coordinator or designee. Failure to comply with this request will constitute criminal trespass. Additionally, anyone removed from housing for disciplinary reasons remains subject to the termination clause of the housing contract, including payment of any fees or penalties.

3. Housing Relocation: Immediate removal from a specific hall within College housing, and reassignment to another hall.

NOTE: Any student removed from any specific hall within College housing for disciplinary reasons must vacate that hall within the period of time noted in the notice of relocation (typically immediately). The student may not return to the residence hall from which they were removed without prior written permission by the Title IX Coordinator or designee. Failure to comply with this request may constitute criminal trespass and will result in more severe disciplinary action.

b. Sanctions for Student Organizations:

The following disciplinary sanctions may be imposed upon student organizations when they have been found responsible for violating the Code of Student Conduct. All sanctions may be imposed either individually or in combination. Disciplinary sanctions are imposed for the purpose of holding student organizations and their membership accountable for their actions and the actions of their guest(s), whether on campus or at any organization sponsored function.

- i. Permanent Revocation of Organizational Registration: “Permanent revocation” of the organization’s registration means revocation without the ability to apply for new registration. Any organization whose registration is permanently revoked must cease all organizational activities upon receipt of the notice of permanent revocation. Any member of an organization whose registration has been permanently revoked shall relinquish any appointed or elected office held with that organization’s governing body. Balances of all organizational funds granted by the College and/or the Student Government are to be surrendered to the Title IX Coordinator or designee. Office or housing space assigned by the College shall be vacated within five (5) business days (an organization under emergency suspension may be required to vacate space more quickly) from the date the notice of suspension is issued. Space vacated due to revocation may be reassigned to other eligible College organizations.
- ii. Suspension: Suspension means denial of rights and privileges of a registered organization for a specified period of time. Any organization whose registration is suspended or revoked must cease all organizational activities upon receipt of the notice of revocation or suspension. Any member of a suspended organization may not hold an appointed or elected office with that organization’s governing body for the duration of the organization’s period of suspension. Balances of all organizational funds granted by the College and/or the Student Government are to be surrendered to the Title IX Coordinator or designee. Office or housing space assigned by the College shall be vacated within five (5) College business days (an organization under emergency suspension may be required to vacate space more quickly) from the date the notice of suspension is issued. Space vacated due to suspension may be reassigned to other eligible College organizations. Leave to reapply for registration as a student organization may be granted with or without qualifications. Office or housing space assigned prior to suspension will not automatically be reassigned. The organization may reapply for a space assignment, subject to availability. Suspended organizations will automatically be placed on probationary status for a minimum of one academic year following their renewed registration.
- iii. Probation: A period of review and observation during which a student organization is under official notice that subsequent violations of College rules, regulations, or policies could result in a more severe sanction including suspension. During the probationary period, a student organization is deemed “not in good

standing” with the College and may be subject to one or any combination of the following conditions and/or restrictions:

1. Denial of the right to represent the College;
 2. Denial of the right to maintain an office or other assigned space on College property;
 3. Denial of the privileges of:
 4. Receiving or retaining funding;
 5. Participating in intramurals;
 6. Sponsoring any social event;
 7. Sponsoring any speaker or guest on campus;
 8. Participating in any social event;
 9. Co-sponsoring any social event or other activity;
 10. Rush or membership recruitment.
- iv. Conditions/Restrictions: Limitations upon a student organization’s privileges for a period of time or an active obligation to complete a specified activity or activities. This sanction may include, for example, denial of housing or social privileges, etc.
 - v. Written Warning: An official written reprimand making the misconduct a matter of record in College files for a specified period of time. Any further misconduct may result in further disciplinary action.
 - vi. Restitution/Fines: An organization may be ordered to make restitution or to pay a fine when the organization has engaged in conduct which violates the Title IX policy.
- c. Sanctions for Employees:
- i. Verbal or written warning with a copy placed in their official personnel file
 - ii. Adverse performance evaluation
 - iii. Demotion and/or reduction in wages
 - iv. Transfer
 - v. Suspension
 - vi. Dismissal

F. Appeals

The reporting or responding party may submit an appeal if they meet the appeal guidelines. The following should be noted with regard to appeals:

- a. General information:
 - i. All appeals must be in writing to the Title IX Appeal’s Officer.
 - ii. The presumptive stance of the Appeal’s Officer is that the initial finding is correct. The burden is on the appellant to show error as outlined below in the Grounds for Appeal.

- iii. All sanctions instituted are to be implemented, barring extreme exigent circumstances. Final exams, graduation and/or proximity to the end of a term are not considered exigent circumstances.
- iv. Appeals are not intended to be full re-hearings of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.
- v. The Appeal's Officer may, at his or her discretion request information regarding procedure from the investigator or Title IX Coordinator. Ideally, this information would not be necessary, as it should be included in the written Requests and/or response Memorandums.

b. Grounds for Appeal:

- i. A procedural error or omission occurred that significantly impacted the outcome of the hearing (by Title IX Coordinator) or investigation (e.g. substantiated bias, material deviation from established procedures, etc.).
- ii. To consider new evidence, unavailable during the original hearing or investigation, that, if true and credible, could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

NOTE: when a party fails to provide a statement under advice of counsel during an investigation, and subsequent to the hearing decides to provide a statement, it will not be considered "new evidence" for the purposes of this ground. Additionally, subsequent findings of a criminal or civil court (e.g., dismissals, plea bargains, settlements) will not alone constitute sufficient grounds for appeal, but may be considered by the Appeal's Officer or designee if new evidence was the grounds for said finding.

- iii. The sanctions are disproportionate to the responsible violation of policy.

c. Procedure for Appeals

- i. A Request for Appeal must be submitted in writing to the Appeal's Officer within three (3) business days of notification of the outcome of the formal investigation. All outcomes are assumed received by all parties three business (3) days after sent via mail or email.

Any Request for Appeal not filed in a timely fashion will be denied. No exceptions to this timeline are permissible without the express permission of the Appeal's Officer.

- ii. The Appeals Officer should not have been involved in the investigation and will review all Requests for Appeal to insure the request has standing.

The Appeals Officer reviewing the Request may consider credibility, plausibility, and weight in their assessment of the Request.

- iii. Any Request for Appeal will be shared with all parties (Respondent, Reporting Party, Investigator and Original Hearing Officer) who may respond to the Request in a "Response Memorandum."

All Response Memorandums must be submitted to the Appeals Officer for consideration within three (3) days of their notification of the Request for Appeal. All Response Memorandums will be shared with all parties.

- iv. The Appeal's Officer, after considering all Requests and Response Memorandums, will make one of the following determinations within three (3) business days of receiving the final response Memorandum:
 - 1. The Request for Appeal is denied and the original findings are affirmed. This decision is final and there is no appeal to this decision permitted by any party.
 - 2. The Request for Appeal is upheld and is being forwarded to the Title IX Coordinator for placement in the process based on the grounds under which the appeal is granted:
 - a. If a procedural error or omission occurred that significantly impacted the outcome of the hearing, the case will be either:
 - 1. Remanded back to be reheard by a new Hearing Officer. This is typically done in cases where the procedural error is so profound as to render the original officer too biased or influenced. OR,
 - 2. Remand the case back to the original hearing body with instruction to repair the procedural error.
 - b. If it is necessary to consider new evidence, unavailable during the original hearing or investigation, but is now available and could substantially impact the original finding or sanction, the case will be either:
 - 1. Remand the case back to the original hearing officer with instruction to consider the new evidence, OR.
 - 2. Remand the case back to be reheard in its entirety by a new hearing officer. This is typically done in cases where the new evidence is accompanied by a procedural error so profound as to render the original officer too biased or influenced.

In rare cases, the Appeal's Officer may alter the finding or sanction based on the new evidence.

 - c. If it is found that the sanctions are disproportionate to the responsible violation of policy, the case will be:
 - 1. Remanded back to the Title IX Coordinator to recommend new sanctions based on the Appeal.
- v. Any decision will be communicated to all parties within three (3) business days, barring exigent circumstances, of the Appeal Officer's decision.

G. Retention of Records Regarding Reports of Sexual Discrimination and/or Sexual Misconduct:

All records related to reports of sexual discrimination and/or sexual misconduct, including reports, investigations, findings, and resolutions, shall be maintained in accordance with College records policies. All records pertaining to pending litigation or a request for records shall be maintained in accordance with instruction and/or advice from legal counsel.

PREVENTION EDUCATION

Barton College offers prevention education efforts to promote sexual assault awareness through the following programs:

- **Student Programs**

Educational programs – sexual assault/alcohol and other drugs

- Presentations to students through New Student Orientation
- Presentations to residential students through residence hall programs

Counseling Center outreach programs

- Self-esteem issues
- Healthy relationships
- Violence in relationships

Campus-wide speakers on related topics

Presentations to Student Athletes

Presentations to Fraternities and Sororities

- **Staff Training**

Presentations during Faculty and Staff Training (FAST) Day

On-going training for campus employees

In-service and on going meetings with the following:

- Residence Life
- Health Services
- Campus Police

Victims of rape or sexual assault should contact a close friend or relative for support. This is not the time to be alone. The victim should also seek immediate medical attention. Do not shower or change clothing. Physical evidence is very important. All victims should be encouraged to report all incidents of sexual assault or rape to appropriate staff persons. All staff persons receiving information or allegations should respond with the utmost sensitivity and care for the victims affected. Special attention should be given to safeguard privacy and confidentiality for all people involved in the incident/alleged incident. Try to help the victim record as many details as possible regarding person(s), place, scene, etc., that will help with the apprehension of the alleged assailant.

All administrators, faculty, staff, and students are subject to these policies. The College will also take constructive action against non-members of the College community who are subject to these policies. Individuals who violate this policy are subject to discipline up to and including discharge, expulsion, or other appropriate sanctions, in response to violations of student living standards, sexual abuse, sexual harassment, rape, and sexual assault, as well as other serious complex criminal matters.

Through the Office of the Vice President for Student Engagement and Success, Campus Police, or the Counseling Center, the College will support and encourage any student(s) who chooses to exercise his/her right to file criminal charges against another individual(s). Barton College reserves the right, as a separate jurisdiction, to conduct judicial proceedings according to the procedures outlined in the College Associated Policies and Procedures within the *Barton Student Bulldog Handbook*, either before, during, or at the completion of the extra-College criminal proceedings.

Victims of rape or sexual assault should contact one of the following services as soon as possible:

- Lee Student Health Center
(252) 399-6497
- Wilson Medical Center, 1705 Tarboro St. SW
(252) 399-8102
- Wilson Police, Barton College District Office, Waters Hall
(252) 399-6911
911 in an Emergency

The rape or sexual assault should be reported to Campus Police. This is important even if you do not plan to prosecute. Consider contacting a counselor. Remember, you did not deserve or ask to be assaulted. You were a victim of a violent crime. Residence Life and Campus Police are always available to assist you in finding the resources needed.

Through the Office of the Chaplain, Student Health Services (which provides assistance to members of the College community in contacting the State Health Department or any other off-campus agency to assist students), and the Lee Student Health Center, the College will, whenever possible, offer emotional support to person(s) filing criminal charges or who are victims of sex offenses. Subject to available space, the Office of Residence Life and the appropriate academic department, will, whenever possible, grant victims of sex offenses the option of relocating their campus housing assignment or reasonable academic program adjustments.

Accommodations or protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Protective measures include but are not limited to:

- Academic Accommodations
- Financial Aid-related services and information; loan repayment terms, etc.
- Leave of Absence
- Withdrawing from a course
- Relocating to a different section of a course
- Living Accommodations
- Transportation Accommodations
- Work Accommodations
- No contact directive between two community members
- Medical Assistance
- Counseling Assistance
- Protection against retaliation

When a student or an employee reports to Barton College that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, Barton College will provide the student or employee with a written copy of the Campus Crime Report; enclosed, is the written explanation of the student's or employee's rights and options.

Bystander Intervention:

Proactive Bystander Intervention may be an effective tool to combat all forms of violence including dating violence, domestic violence, sexual assault and stalking. All members of the campus community have the responsibility to act when confronted with crimes of violence; ways to be a proactive bystander include, but are not limited to:

- Believe violence is unacceptable and say it out loud
- Treat people with respect
- Speak up when you hear people making statements that blame victims
- Talk with male friends about confronting violence against women
- Encourage female friends to trust their instincts
- Be a knowledgeable resource for victims
- Don't laugh at sexist jokes or comments
- Look out for friends at parties and bars
- Educate yourself and your friends
- Use campus resources
- Attend an awareness event
- Empower victims to tell their stories

VII

ACCESS TO COLLEGE FACILITIES

Most College buildings and facilities are accessible to members of the campus community and both guests and visitors during normal hours of business, Monday through Friday, and for limited hours on Saturday and Sunday during periods of time the College is in normal operation. For information regarding access to campus facilities, contact Campus Police at (252) 399-6547.

VIII

RESIDENTIAL FACILITIES AND POLICIES

The Barton College residence community houses students in varied accommodations ranging from single and double dormitory-style rooms to fully furnished apartment-style suites. Services and programs intended to enhance the quality of student life and to assure the security and safety of the resident student body is a priority for the residence life administration.

All are served by live-in area directors and resident assistants. At least one professional staff member is on duty at all times, 24 hours a day, seven (7) days a week.

Security and safety policies and procedures, especially regarding locking individual rooms and building doors and related precautions, are discussed with residents in crime prevention seminars, in routine floor meetings conducted by the residence life staff, and in printed material that is posted and distributed by the staff.

IX

DRUG AND ALCOHOL POLICIES

Barton College complies with federal, state, and local laws including those which regulate the possession, use, and sale of alcoholic beverages and controlled substances. Barton College has adopted policies as part of the Drug-Free Schools and Communities Act Amendments of 1989, and because of the institution's commitment to preserving the health and well being of its students and employees, and to provide a safe environment for both learning and employment.

Barton College prohibits the unlawful manufacture, distribution, dispensation, presence, or use of alcohol, illegal drugs, or other controlled substances on its property or at any of its activities. The manufacture, use, possession, sale, purchase, or transfer of illegal drugs by a student or employee is prohibited.

Students and employees are expected to abide by all state and federal regulations regarding alcohol, drugs, or controlled substances. Applicable statutes are available for review in the College library. All employees are required to notify the College of any conviction of a criminal drug statute within five days, including driving while impaired. (DWI).

The College reserves the right, as a separate jurisdiction, to conduct judicial proceedings according to the procedures outlined in the Student Handbook before, during, or at the completion of the extra-College criminal proceedings.

Health Risks:

Use of cannabis (Marijuana), inhalants, cocaine, and other stimulants, depressants, hallucinogens, narcotics, designer drugs, and alcohol all have associated health risks. The use and/or abuse of these drugs threaten both mental and physical stability. Virtually all systems of the body (musculoskeletal, nervous, circulatory, respiratory, urinary, digestive, reproductive, and integumentary) can be adversely affected by alcohol and drug use and abuse. Overdoses of drugs and/or alcohol may cause death. The risk of contracting Acquired Immune Deficiency Syndrome (AIDS) or AIDS-causing human immunodeficiency virus (HIV) increases with intravenous drug use.

The Barton College Counseling Center and Lee Student Health Center serve as alcohol and other drug information/education resources.

X

WEAPONS POSSESSION

The use and/or possession of firearms, weapons, (includes air rifles, handguns, and paintball guns), or hunting materials, other than by authorized police agencies, is prohibited on campus grounds or in the facilities of Barton College. This includes the illegal possession of explosives and dangerous chemicals, and includes fireworks of any kind.

Pursuant to North Carolina General Statutes 116-143.1 and in reference to House Bill 937 signed into law and placed into effect July 29, 2013, Barton College affirms its right as a private institution to restrict the possession or use of a weapon on college property or property under the control of the College. This is consistent with the College's purpose and mission.

For the complete text of this College Regulation, reference the *Barton College Regulatory Document 5-7, Weapons*. This policy includes House Bill 937 that expands the allowable concealed carry locations to institutions of higher education or private institutions that have not otherwise restricted concealed carry abilities on campus with an institution specific policy.

Barton College Regulatory Document 5-7 Weapons, prohibits the use of a weapon on college property or property under the control of the College.

This policy DOES NOT apply to:

- A weapon used solely for educational or school-sanctioned ceremonial purposes or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by school authority.
- Armed forces personnel, officers and soldiers of the militia and national guard, law enforcement personnel, and any private police employed by an educational institution, when acting in the discharge of the official duties.

Section B: Investigation of Missing Students

In compliance with the Higher Education Opportunity Act (Public Law 110-315), Barton College implements the following Public Safety Policy on Missing Students:

In the case of a missing student(s), the investigation of such incidents will be conducted by local law enforcement agencies. When a student who resides in an on-campus student housing facility is determined to have been missing for twenty-four (24) hours, missing student reports will be referred immediately to the Wilson Police Department, Barton College District Office, for investigation.

“Missing Student” means any actively enrolled student attending Barton College who resides in a facility owned or operated by Barton College and who is reported to Barton College as missing from his or her on-campus residence.

Barton College highly recommends that all residential students register a confidential contact person to be notified in the case that the student is determined to be missing. Confidential Contact Registration Cards are available in the Office of Residence Life, Hamlin Student Center; the Office of Student Engagement and Success, Hardy Alumni Hall; or by contacting any member of the Residence Life Staff. Confidential Contact Information is most effective when it is updated annually. Only authorized campus officials and law enforcement officers in the furtherance of a missing person investigation may have access to this information.

The law requires that the College notify parents or guardians of a student under the age of eighteen (18) years of age, who is missing or reported to be missing.

Local law enforcement agencies will be notified of all students missing or reported to be missing, even if they have not registered a contact person.

Individuals should report that a student has been missing for twenty-four (24) hours to the following Barton College Campus Officials:

- Wilson Police Department, Barton College District Office
Waters Hall
(252) 399-6911
- Director of Housing and Residence Life
Hamlin Student Center
(252) 399-6366
- The Vice President for Student Engagement and Success
Hardy Alumni Hall
(252) 399-6369
- Residence Staff Member [On-Call]
(252) 289-7993

Section C: Campus Fire Safety Provisions

- Residence Hall Fire Safety System

Barton College employs a Honeywell Fire Alarm System, model NO: FS-90 Plus, in each of the five campus residence halls. The system transmission is digital. This system is monitored 24 hours per day, 365 days a year by the Campus Police Office. The system employs a combination of manual pull stations, ion detectors, heat detectors, photo detectors, as well as water-flow switches. In case of an alarm, the Wilson Fire Department responds automatically.

- Campus Student Housing Fire Statistics

Wenger Hall:	2015	2016	2017
Number of Fires	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of people with fire-related injuries that resulted in medical treatment at a medical facility	0	0	0
Number of fire-related deaths	0	0	0
Value of property damaged	\$0	\$0	\$0
Wenger Hall fire safety system description: Honeywell, Model NO: FS-90 Plus, 14 manual pull stations, 163 ion detectors, and 3 heat detectors.			

Hilley Hall:	2015	2016	2017
Number of Fires	0	1	0
Cause of Fire	N/A		N/A
Number of people with fire-related injuries that resulted in medical treatment at a medical facility	0	0	0
Number of fire-related deaths	0	0	0
Value of property damaged	\$0	\$25	\$0
Hilley Hall fire safety system description: Honeywell, Model NO: FS-90 Plus, 20 manual pull stations, 129 ion detectors, 6 duct detectors, and 5 heat detectors.			

Hackney Hall:	2015	2016	2017
Number of Fires	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of people with fire-related injuries that resulted in medical treatment at a medical facility	0	0	0
Number of fire-related deaths	0	0	0
Value of property damaged	\$0	\$0	\$0
Hackney Hall fire safety system description: Honeywell, Model NO: FS-90 Plus, 9 manual pull stations, 79 ion detectors, 1 duct detector, and 2 heat detectors.			

Waters Hall:	2015	2016	2017
Number of Fires	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of people with fire-related injuries that resulted in medical treatment at a medical facility	0	0	0
Number of fire-related deaths	0	0	0
Value of property damaged	\$0	\$0	\$0
Waters Hall fire safety system description: Honeywell, Model NO: FS-90 Plus, 14 manual pull stations, 121 ion detectors, and 2 heat detectors.			

East Campus Suites:	2015	2016	2017
Number of Fires	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of people with fire-related injuries that resulted in medical treatment at a medical facility	0	0	0
Number of fire-related deaths	0	0	0
Value of property damaged	\$0	\$0	\$0
East Campus Suites fire safety system description: Honeywell, Model NO: FS-90 Plus, 8 manual pull stations, 136 photo detectors, 1 water-flow switch, and 3 heat detectors.			

- Residence Hall Fire Drills

Fire drills are conducted annually during the academic calendar year (August – May). Fire drills may be announced or unannounced.

NOTE: One unannounced fire drill was conducted in each of the five campus residence halls during the 2017 calendar year as follows:

- Spring 2017 - 4/18, 4/25, 4/26
- Fall 2017 - 10/17, 10/24, 10/26

- Fire Safety Guidelines and Regulations

Candles, incense, cigarettes, halogen lamps, space heaters, and any appliance with an open burner are fire hazards and are not permitted in residence halls on the campus of Barton College. Smoking (cigarettes, cigars, pipes, etc.) in residence halls' common areas and/or rooms is prohibited. Tampering with fire extinguisher(s), hoses, fire alarms, or other fire safety equipment is prohibited and punishable under the law; this includes, but is not limited to, the removal, destruction, damage or the unauthorized use of fire safety equipment.

Do:

- All students should use UL-listed power strips and/or stations when additional electrical outlets are required. Power strips/stations with on/off switches and surge protectors are recommended.
- Use only metal wastebaskets.
- Keep fire doors in corridors and stairwells closed at all times.
- Keep furniture, tapestries, or wall hangings away from doorways.
- Keep less than 20% of the total wall area covered with combustible materials.
- Report any safety or fire hazards to the Office of Residence Life staff immediately.
- Keep hallways, breezeways, and walkways clear of personal items.

Don't:

- Bring gasoline or any other volatile liquids into the residence halls.
- Overload outlets.
- Suspend items from ceilings, sprinkler system or cover air/heat vents with plastic trash bags or suspend air fresheners.
- Use extension cords.
- Leave permitted appliances unattended while on and/or plugged in.
- Use an open coil appliance (such as toaster, toaster oven, etc.)

- Procedures for Residence Hall Evacuation

Fire Safety Procedures for the evacuation of residence halls must be strictly observed.

- Wear a coat and shoes.
- Turn off light(s).
- Lower or close windows.
- Leave room, close all doors.

- If on a floor other than your own, borrow articles of clothing and leave the building with the group on that floor and join your own group at their appointed evacuation station.
- Walk quickly and quietly to your designated evacuation station. Remain silent - roll call will be conducted.
- Remain in a group until RAs give the “all clear.”
- Proceed quietly into building, and return to your room.

Recommended

- Upon check-in to the residence hall, you should:
 - Locate the exit closest to your floor, and also find an alternate exit.
 - Keep your room key within easy access at night.
 - Read the fire evacuation route located on each floor.
- In case of fire, remember:
 - Crawl instead of walking upright.
 - Check to see if doors are cool before opening.
 - Do not use elevators.
- If trapped in your room:
 - Call the Fire Department at 9-911 and let them know the location.
 - Seal off door and window cracks to keep smoke out.
 - If possible, wet walls and furnishings.
 - Tie a wet towel around your nose and mouth.

Designated Assembly Areas for Residence Halls

- East Campus Suites
Go to the grass area on the side closest to the KRIC.
- Hackney Hall
Go directly in front of Bully’s and stay on enclosed sidewalk.
- Hilley Hall
Go to the grass area between Hardy Alumni Hall and Harper Hall.
- Waters Hall
Go to the grass hill area next to the Nixon Nursing Building.
- Wenger Hall
Go to the front of Harper Hall on the sidewalk facing Harper / Wenger Hall parking lot.

- Fire Safety Education and Training

Members of the Student Engagement and Success staff receive fire safety training annually; this annual training is open to participation by all members of the Barton College faculty/staff/administration. Residence Life staff present a Fire Safety Education orientation to all residential students at the beginning of each semester (fall & spring); this orientation includes, but is not limited to, residence hall *Fire Safety Guidelines and Regulations and Fire Drill and Evacuation Procedures*.

- Reporting a Fire

Individuals should report all incidents of fire to the following Barton College Campus Officials:

- Wilson Police Department, Barton College District Office, Waters Hall
(252) 399-6911
- Director of Housing and Residence Life, Hamlin Student Center
(252) 399-6592
- The Vice President for Student Engagement and Success, Hardy Alumni Hall
(252) 399-6369
- Residence Staff Member [On-Call]
(252) 289-7993

NOTE: *Fire Safety Guidelines and Regulations and Fire Drill and Evacuation Procedures* are reviewed annually. Changes to fire safety guidelines, regulations and procedures are made routinely in consultation with the Wilson Fire Department and the Wilson Police Department.

Section D: Campus Emergency Response and Evacuation Procedures

- Reporting an Emergency

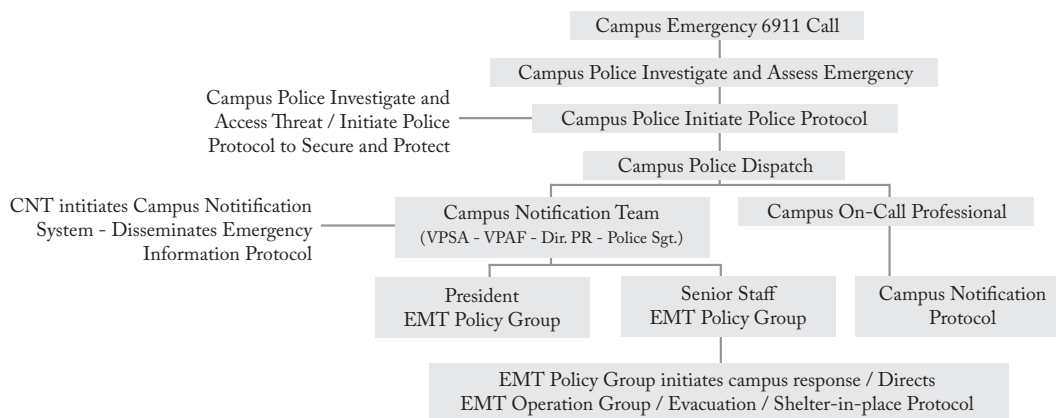
First Response — CALL CAMPUS POLICE — on campus, dial — 6911

Barton College / Campus Exterior — Call Boxes

Telephone — (252) 399-6911

Do not hang up until instructed to do so by Police / Dispatcher / EMS.

- Campus Police investigate and assess the emergency
- Campus Police initiate police protocol (secure and protect)
- Campus Police Dispatcher initiates the Campus Notification System



Initiating the Campus Emergency Response and Evacuation Procedure

All members of the campus community and public may report an emergency to a campus individual.

- Individuals are encouraged to report emergencies immediately to Campus Police (Waters Hall - telephone (252) 399-6911 / on campus, dial 6911).
- Campus Police will investigate and assess emergency.
 - In consultation with the EMT-Policy Group or appropriate Vice President, Campus Police will declare an emergency.
 - An Emergency Response will likely fall into two categories:
 - 1) Campus Evacuation or Limited Campus Evacuation (buildings, grounds, etc.)
 - 2) Shelter-In-Place
- The EMT-Policy Group will initiate and implement the Campus Emergency Response and Evacuation Protocol.
- The type and severity of the emergency will determine what response is warranted by the appropriate EMT-Operational Group(s).
- Initiate the Campus Notification System
 - Vice President for Administration and Finance
 - Vice President for Student Engagement and Success
 - Director of Public Relations
 - Supervising Campus Police Sergeant
- Emergency/Crisis

The origin of causative factors in or leading to an emergency/crisis may be man-made or natural, or a combination of both. Campus Emergency Response and Evacuation Procedures will be activated as a result of one or more, singularly or in combination, events or situations, which include but are not limited to the following:

- Fires
- Explosions
- Threats (Shooter, Bombs, etc.)
- Hazardous Materials (Chemical, Biological, Radiological, etc.)
- Utility Interruptions (Electrical, Gas, Water, etc.)
- Communications Failures
- Civil Disturbances or Disruptions
- Severe Weather (Ice Storms, Flooding, Hurricanes, Tornadoes, Earthquakes, etc.)

- Emergency Response

The primary goal of the Campus Emergency Response and Evacuation Procedures is to assure the safety and health of students, faculty, staff, and the public, and to protect and safeguard property, resources, and the

integrity of the College and its programs. Barton College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the campus notification system, unless the notification will, in the professional judgment of responsible campus and/or civil authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

- Campus Notification System – Disseminating Emergency Information

Barton College employs a number of notification options when man-made or natural causative factors require immediate campus communication. In consultation with the College President and/or the appropriate Vice President, the Director of Public Relations will initiate the campus notification system. These options

include, but are not limited to, the following:

- Barton College External Web Site (www.barton.edu)
- The Campus Severe Weather Hotline
 - Students (252) 399-6868
 - Faculty/Staff (252) 399-6600
- Local and Regional Television and Radio broadcasts
- Barton College email system
- CodeRed Emergency Notification System – this system sends immediate text messages to members of the College community who have pre-registered cell phone numbers for this purpose.

- Emergency Management Teams

The College is organized into Emergency Management Teams (EMT) responsible for implementing Campus Emergency Response and Evacuation Procedures, as follows:

- EMT (Policy Group)

This group functions to provide overall policy guidance and perspective in planning for and responding to emergencies.

 - College President
 - Provost and Vice President for Academic Affairs
 - Vice President for Administration and Finance
 - Vice President for Institutional Advancement
 - Vice President for Enrollment Management
 - Vice President for Student Engagement and Success

- Assistant Dean for Student Development
- Director of Human Resources

— EMT (Operation Group)

These groups function to carry out the operational aspects of the Plan and/or as directed by the EMT (Policy Group). Individual EMT groups are subject to change in make-up and, depending upon the nature of the emergency, one or more groups may be combined or merged.

ADMINISTRATION/MANAGEMENT

- Vice President for Administration and Finance
- Director of Technology
- Controller
- Director of Athletics

PUBLIC RELATIONS

- Vice President for Enrollment Management
- Director of Public Relations
- Director of Publications

INSTRUCTIONAL PROGRAMS

- Provost and Vice President for Academic Affairs
- Dean, School of Allied Health and Sport Studies
- Dean, School of Business
- Dean, School of Education
- Dean, School of Humanities
- Dean, School of Nursing
- Dean, School of Sciences
- Dean, School of Social Work
- Dean, School of Visual, Performing, and Communication Arts
- Dean of Graduate and Professional Studies
- Registrar
- Dean of Hackney Library

MEDICAL SERVICES

- Executive Director of Student Health Services /
Coordinator of Health Promotion and Education

FOOD SERVICES

- Director of Food Services

CAMPUS COUNSELING / ADA

- Campus Counselor

CHAPLAIN OF THE COLLEGE

- Chaplain of the College

PHYSICAL PLANT

- Director of Physical Plant

CAMPUS POLICE

- Supervising Police Sergeant

BUSINESS OPERATIONS

- Vice President for Administration and Finance
- Controller

RESIDENCE LIFE

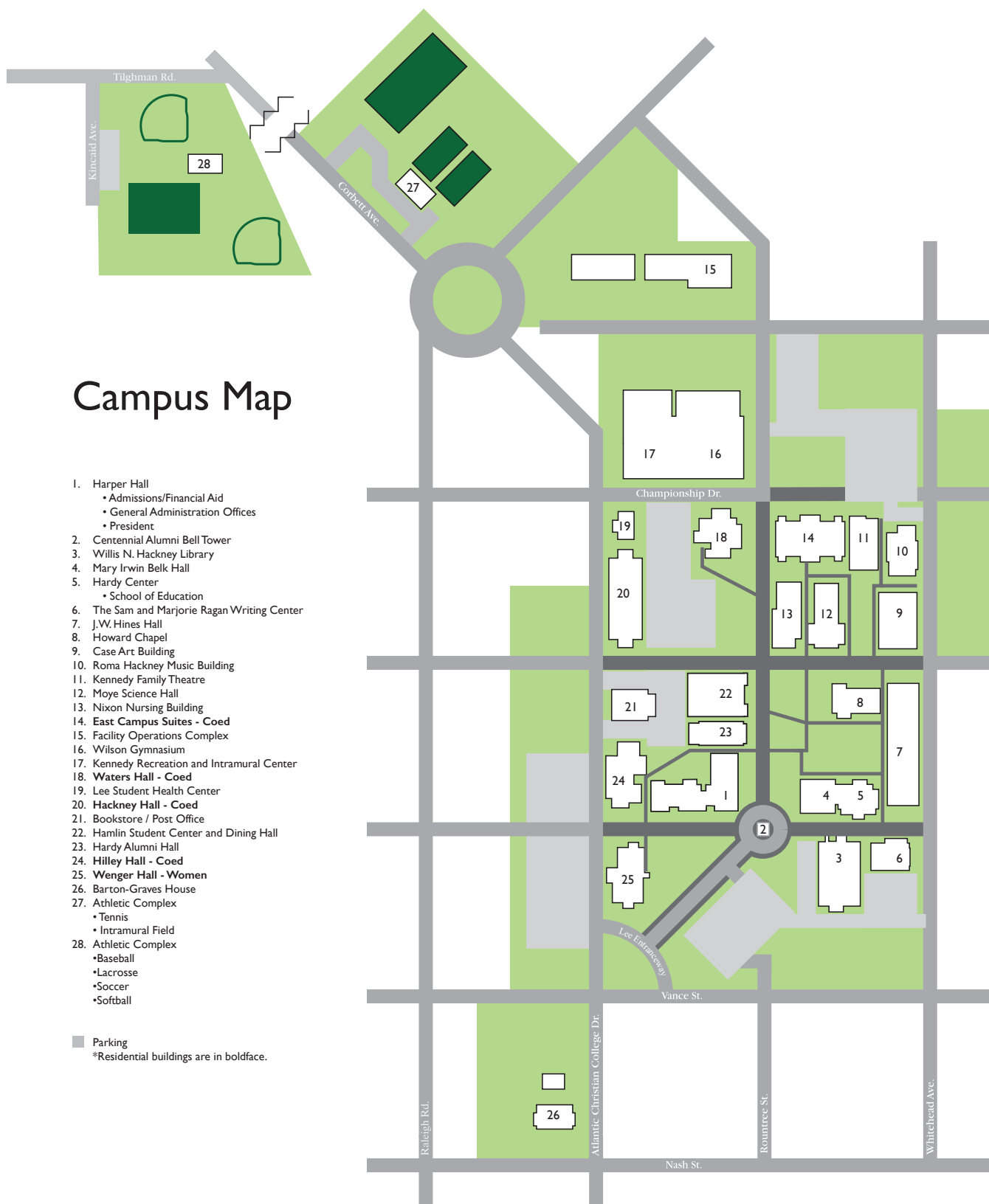
- Director of Housing and Residence Life
- Area Residence Hall Directors

- Annual Test of Campus Emergency Response and Evacuation Procedure

A test exercise of the Campus Emergency Response and Evacuation Procedure will be conducted annually.

The annual test will include:

- The publication of these emergency procedures
- A description of the exercise
- The date and time the exercise was conducted
- Whether the test exercise was announced or unannounced



GLOSSARY OF TERMS / DEFINITIONS

Awareness Programs: “Awareness Programs” means, community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. * PaperClip Communications, 2015, VAWA Compliance, Policy & the Law, page 90.

Bystander Intervention: “Bystander Intervention” means, safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. * PaperClip Communications, 2015, VAWA Compliance, Policy & the Law, page 90.

Campus Security Authorities: “Campus Security Authorities” means that Campus Crime Reports will include all crimes reported to Campus Security Authorities, which include the following four groups:

1. A campus police or security department
2. Any individuals who have a responsibility for campus security but do not constitute a police or security department
3. Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
4. An official of an institution who has significant responsibility for student and campus activities, including student discipline and campus judicial proceedings

Consent: “Consent” means the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. An individual who is asleep, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or who is under duress, threat, coercion, or force, is not able to consent. Further, one is not able to infer consent under circumstances in which the consent is not clear, including but not limited to the absence of “no” or “stop”, or the existence of a prior or current relationship or sexual activity.

Dating Violence: “Dating Violence” means controlling, abusive, and aggressive behavior in a romantic relationship. It can happen in straight or gay relationships. It can include verbal, emotional, physical, or sexual abuse, or a combination.

Domestic Violence: “Domestic Violence” means abuse that happens in a personal relationship. It can happen between past or current partners, spouses, or boyfriends and girlfriends. Domestic violence affects men and women of any ethnic group, race, or religion; gay or straight; rich or poor; teen, adult or elderly. The abuser may use fear, bullying, and threats to gain power and control over the other person. He or she may act jealously, controlling, or possessive.

Ethnicity Bias: “Ethnicity Bias” means, a performed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors. *The Federal Bureau of Investigation’s “Hate Crime Data Collection Guidelines and Training Manual”, December 19, 2012.

Fondling: “Fondling” means, the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: “Incest” means, sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Primary Prevention Programs: “Primary Prevention Programs” means, programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction. * PaperClip Communications, 2015, VAWA Compliance, Policy & the Law, page 91.

Proceeding: “Proceeding” means the official record of the College Student Conduct Process leading to the conclusion of a grievance or complaint.

Rape: “Rape” means, penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- “Mentally disabled” means a victim who suffers from mental retardation, or a victim who suffers from a mental disorder, either of which temporarily or permanently renders the victim substantially incapable of appraising the nature of his or her conduct, or of resisting the act of vaginal intercourse or a sexual act, or of communicating unwillingness to submit to the act of vaginal intercourse or a sexual act.
- “Mentally incapacitated” means a victim who due to any act committed upon the victim is rendered substantially incapable of either appraising the nature of his or her conduct, or resisting the act of vaginal intercourse or a sexual act.
- “Physically helpless” means a victim who is unconscious, or a victim who is physically unable to resist an act of vaginal intercourse or a sexual act or communicate unwillingness to submit to an act of vaginal intercourse or a sexual act.
- “Touching” means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

Reported Crime: “Reported Crime” means, that a crime is considered “reported” when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender.

Unfounded Reported Crime: An “Unfounded” reported crime means a reported crime that is investigated and found to be false or baseless by law enforcement personnel.

Risk Reduction: “Risk Reduction” means, options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. * PaperClip Communications, 2015, VAWA Compliance, Policy & the Law, page 91.

Result: “Result” means, the conclusion of the investigative and student conduct process, culminating in an action or determination.

Sexual Assault: “Sexual Assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the Federal Bureau of Investigation’s URC (Uniform Crime Reporting) program.

Sexual Offenses: “Sexual Offenses” means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Stalking: “Stalking” means repeated harassment or threatening behavior by an individual, such as following a person, appearing at a person’s home or place of business, making harassing phone calls, leaving written messages or objects, or vandalizing a person’s property, according to the U.S. Department of Justice for Victims of Crime (OVC). Any unwanted contact between two individuals that directly or indirectly communicates a threat or places the victim in fear can be considered stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for a person’s safety or safety of others; or suffer substantial emotional distress. For the purpose of this definition –

- Course of Conduct means two or more acts, including, but not limited to , acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim
- Substantial emotional distress means significant mental suffering or anguish that may, but not necessarily, require medical or other professional treatment or counseling

Statutory Rape: “Statutory Rape” means sexual intercourse with a person who is under the statutory age of consent.



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College Web Site Link:

www.barton.edu/pdf/studentlife/clery_report.pdf