

Overview of The Clery Act



Jeanne Clery. (Photo: Clery Center)

In 1986, Jeanne Ann Clery was a freshman student at Lehigh University who was brutally raped and murdered in her dorm room. During this time, colleges and universities were not required to disclose campus crime statistics and safety information to the public. In 1990, Congress passed The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, in memory of Jeanne Ann Clery. This federal statute requiring colleges and universities participating in federal financial aid programs to maintain and disclose campus crime statistics and security information by preparing, publishing, and distributing this information to current and perspective students, employees, and the public. Today, this federal statute is known as The Clery Act.

Annual Disclosure of Crime Statistics

The United States Department of Education, Office of Post-Secondary Education requires institutions to report criminal activity statistics for the three most recent years. On October 1st of each year, the statistics are made available to the public for Robeson Community College by the Director of Security that disclose the following crimes:

Occurring on campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On public property within or immediately adjacent to the campus: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

On non-campus buildings or property that the college owns or controls: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Any occurrence of murder, manslaughter, sexual misconduct, including, (forcible and non-forcible) sexual assault, domestic violence, dating violence and stalking, robbery, arson, aggravated assault, burglary, and motor vehicle theft; statistics on arrests for violations of liquor or drug abuse as well as weapons possession violations; disciplinary referrals for liquor, drug and weapons violations; and statistics on Hate Crimes that are reported to local police agencies or to campus security authorities.

Robeson Community College Clery Geography Map




Campus Property 




Public Property 



Non-Campus Property 
Comtech,
124 Livermore Dr. Pembroke, NC



Non-Campus Property 
Fire/Rescue Training Ground,
5825 Hwy 211E Lumberton, NC



This information is compiled from various sources:

Daily Crime Logs: Summary of all criminal activity reported to the Campus Police Department on a daily basis. This information is accessible on the RCC Website, updated on quarterly basis and/or available upon request.

Campus Security Authorities: Individuals designated to report incidents of crime that pose a significant threat to the health and safety wellbeing of the campus community. Examples include Campus Police, Administration, Title IX Coordinator, Counselors, and Human Resources.

Local Law Enforcement Agencies: Crime statistics requested from local law enforcement in the jurisdictions where the institution is located.

Annual Fire Safety Report and Missing Student Policy

Robeson Community College is a non-residential institution of higher education. Therefore, the college is not required by the Clery Act to maintain a fire report or to have a missing student policy.

Clery Act Crime Definitions

The Clery Act requires Robeson Community College to classify crimes based on the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR). Classification will be composed based on statistics collected from Local and /or State Law Enforcement Agencies and Campus Security Daily Log Activity Reports.

Types of Criminal Offenses

1. **Criminal Homicide:** These offenses are separated into two categories: Murder and Non-negligent manslaughter, and Negligent Manslaughter.** Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.**Classify as Murder and Non-negligent Manslaughter: Any death caused by injuries received in a fight, argument, quarrel, assault or commission of a crime.**Negligent Manslaughter is defined as the killing of another person through gross negligence. Count one offense per victim.**Classify as Negligent Manslaughter: Any death caused by the gross negligence of another.
2. **Sex Offenses:** are separated into two categories: forcible and non-forcible.**Forcible sex offenses are defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of forcible sex offenses.**Forcible rape.**Forcible Sodomy.**Sexual assault with an object.**Forcible fondling.**Non-forcible sex offenses are defined as unlawful, non-forcible sexual intercourse. There are two types of Non-forcible sex offenses.**Incest.**Statutory Rape.
3. **Robbery:** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and /or by putting the victim in fear.



4. **Aggravated Assault:** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
5. **Burglary:** is the unlawful entry of a structure to commit a felony or a theft.
6. **Motor Vehicle:** Theft is the theft or attempted theft of a motor vehicle.
7. **Arson:** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.

2016-2018 Criminal Offenses

Criminal Offenses	On Campus			Non-Campus			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Homicide	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	1	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	1	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes

A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin. Although there are many possible categories of bias, under Clery, only the following six categories are reported: Race, Gender, Religion, Sexual Orientation, Ethnicity/national origin, and Disability.

For the calendar years 2016-2018 no hate crimes were reported: On Campus, Non-Campus or Public Property.

Violence Against Women Act Definitions

Dating Violence – means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes the use or threat of physical force or restraint carried out with the intent of controlling the victim’s behavior or causing pain or injury.

Examples of Dating Violence:

Hitting, punching, pinching, slapping, or choking

Threats of physical harm

Taking away a person’s cell phone during an argument so the person cannot call a friend or the police for help.

Domestic Violence -includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or who has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Examples of Domestic Violence:

Hitting, punching, pinching, slapping, or choking

Violating a protective order.

Harming the victim’s animals or children

Stalking – means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.

Examples of Stalking:

Repeatedly communicating or attempting to communicate with a person who doesn’t wish to be communicated with.

Persistently following a person or lying in wait for them.

Sending unwanted gifts

Sexual Assault -is any intentional sexual touching, directly, or over clothing, however slight, with any body part or object, without explicit consent. It is also considered sexual assault if the individual is forced to touch the intimate parts of another individual.

Sexual touching includes:

Intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Non-Consensual Sexual Intercourse (Rape) is any sexual penetration, however slight, with any body part or object, by one person upon another, without consent and/or by force. Non-consensual sexual intercourse is defined as sexual penetration (anal, oral, or vaginal) of the individual by any part of another individual’s body or other object, without explicit consent. It is also considered non-consensual sexual intercourse if the victim has a reasonable fear that the individual or



another will be injured if the individual does not give consent, is incapable of giving consent or is prevented from resisting due to physical or mental incapacity, which may include but is not limited to the influence of drugs or alcohol, or if the individual has a mental or physical disability that would prohibit their ability to provide consent.

Consent-Communication of mutually understandable words or actions, freely, actively, and affirmatively given that indicate a willingness to participate in mutually agreed upon sexual activities or actions. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties involved to do the same thing, in the same way, at the same time. Consent cannot be given if the individual has a reasonable fear he or she will be injured if the individual does not give consent, is underage, is incapable of giving consent or is prevented from resisting due to physical or mental incapacity, which may include but is not limited to the influence of drugs or alcohol, or if the individual has a mental or physical disability that would prohibit their ability to provide consent. In the absence of mutually understandable words or actions, it is the responsibility of the initiator of the sexual activity to make sure they have consent from their partner. Consent can also be withdrawn at any time.

What Constitutes Lack of Consent?

Consent cannot be inferred through silence or lack of resistance. Consent to one activity does not constitute consent to other sexual acts. Past sexual activity does not constitute consent for future acts. A minor cannot provide consent under any circumstances. If at any time consent is uncertain, the initiating party should stop and obtain verbal consent. The use of any force, display of force, coercion, or intimidation typically negates consent.

Individuals who are incapacitated may not legally give consent to sexual activity. Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep. A person who is incapacitated for purposes of this policy is one who is not legally able to give consent because they are mentally or physically helpless. Mentally helpless is when a person has a mental illness or a condition (like being passed out, asleep, or highly impaired) that renders them incapable of understanding the nature of their conduct. Physically helpless means a person has restriction of movement, either temporarily or permanently.

When incapacitation occurs due to alcohol or drug use, indicators of incapacitation may include the following:

- Slurred speech
- Bloodshot or unfocused eyes
- Unsteady gait; needing assistance to walk/stand
- Vomiting
- Outrageous or unusual behavior
- Concern expressed by others about the individual
- Expressed memory loss or disorientation



An individual may also be in a state known as a “blackout” where they are incapacitated and will likely have no memory of the sexual activity, but are up, and walking and talking. Therefore, it is of particular importance that any people engaging in sexual activity know the other person’s level of intoxication prior to beginning sexual contact. For purposes of the University/College’s policy, the standard that shall be applied is whether or not a reasonable person would have known, based on the facts and circumstances presented at the time of the alleged conduct, that the other party was incapacitated and therefore, not capable legally of consenting. For the accused party, being under the influence of alcohol or drugs is never a defense to this policy and does not excuse sexual misconduct.

Examples of Sexual Assault or Non-Consensual Sexual Intercourse:

Having sex with an unconscious or semi-conscious person.

Having sex with someone who is asleep or passed out.

Having sex with someone who has said “no.”

Allowing another person to have sex with your partner without his or her consent.

Having sex with a person who is vomiting, unable to stand without assistance, or has had to be carried to bed by a partner.

Telling someone you will “out” them if they don’t engage in sex (disclose their sexual orientation without their consent).

Telling someone you will fail them or give them a grade different from what they deserve if they don’t agree to have some form of sexual contact.

Telling a subordinate that you will grade them differently on an evaluation, deny them an employment opportunity (like training, a promotion, etc.), deny leave, or impact their employment in some other negative way if they do not agree to have some form of sexual contact.

Having sex with someone whose agreement is obtained through threat, blackmail, or some other form of coercion.



Primary Prevention and Awareness Campaigns

All students and employees within our campus community deserve to feel safe and supported. Robeson Community College prohibits the crimes of sexual assault, domestic violence, dating violence and stalking and works year-round to provide you with education, tools, and resources to recognize concerning or harmful behaviors and strategies for intervening or to help others get the support they need. As part of these efforts, Robeson Community college provides primary prevention and awareness campaigns for all incoming students and new employees as well as ongoing prevention and awareness campaigns for all Students and employees.

What is the difference between primary prevention and awareness?

PRIMARY PREVENTION

Primary prevention programs are those 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 directions. In the descriptions of our programs below, you'll get a sense of what programs focus on these ideas and encourage you and your peers to intervene if appropriate.

AWARENESS

Awareness programs are programs that are community-wide (anyone can access) or audience specific (targeted towards a certain segment of our community or students or employees specifically) that increase your knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. Our awareness programs may address primary prevention specifically, but may also raise your own knowledge about these types of crimes and how they can impact a campus community.

Robeson Community College provided the following **primary prevention** and **awareness programs** for all incoming students and employees in 2018.

***Guide:** Clery Act=CA, Office on Violence Against Women=OVW, Title IX=TX, Consent

Incoming Students

Name of Program	Date Held	Location Held	Topics Covered
New Student Orientation	January 3, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	March 6, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	May 16, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	June 27, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	July 11, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	July 18, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	August 4, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	August 8, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
New Student Orientation	December 12, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent

New Employees

Name of Program	Date Held	Location Held	Topics Covered
Adjudicators Training	February 27, 2018	A.D. Lewis Auditorium	CA, OVW, TX, Consent
Employee Safety Orientation	Upon New Hire	Building #5	CA, OVW, TX, Consent
Campus Police Training	June 2018	Building #5	CA, OVW, TX, Consent



Ongoing Prevention and Awareness Campaigns

Robeson Community College provided the following **ongoing prevention and awareness programs** for all students and employees in 2018.

***Guide:** Clery Act=CA, Office on Violence Against Women=OVW, Title IX=TX, Consent

All Students/Employees

Name of Program	Group	Date Held	Location Held	Topics Covered
Safety/Title IX Newsletter Student Health 101	Students/Employees	Weekly	Via Email	CA, OVW, TX, Consent
Poster Campaign	Students/Employees	All Year Long	Campus Wide	CA, OVW, TX, Consent
Sexual Assault Campaign Board	Students/Employees	Month of April 2018	Building #13 Counseling	CA, OVW, TX, Consent
Domestic/Dating Violence Campaign Board	Students/Employees	Month of October 2018	Building #13 Counseling	CA, OVW, TX, Consent
Back to School Bash	Students	August 29, 2018	Building #13	CA, OVW, TX, Consent

These programs are comprehensive, intentional, and integrated programs, initiatives, strategies, and campaigns intended to end sexual assault, domestic violence, dating violence, and stalking. For more information on some of these offerings, visit or call Counseling and Career Services Office Bld 13, (910) 272-3353 or Title IX Office, Bld 5, (910) 272-3505.

What is bystander intervention?

Bystander intervention involves safe and positive options that might 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.

Being a Proactive Bystander

A Proactive Bystander is someone who recognizes a problem early on and decides to offer assistance. If you know someone who might be in an abusive relationship, you can help.

- Tell the person that you are concerned.
- Actively listen and respond positively and sensitively
- Offer your friendship and support.
- Encourage the person to seek counseling
- Let them know that this type of behavior isn't normal

Being a Reactive Bystander

A Reactive Bystander is someone who decides to positively intervene in hopes of deescalating the situation.

- Get Help!
- Contact Campus Police or other authorities.
- Create a distraction.
- Offer to take the victim to a safe location
- Avoid any confrontations with the abuser. This could be dangerous for you & the victim.

Being an active bystander does not mean that you should risk your personal safety or become a hero. There are appropriate responses dependent on you, the situation and who else is involved. If your immediate safety, or the safety of others, is in danger you should seek outside help – which is still bystander intervention. If you would like to learn more about Bystander Intervention Training contact Bonita B. Bell, OVW Grant Coordinator in Counseling and Career Services located in Bldg. 13. You may reach her at 272-3354 or bbell@robeson.edu.



Access to Campus Facilities

All RCC Campus locations are open to faculty, staff, students and visitors during normal operating hours. All persons, while on the premises, are expected and required to obey all federal, state, and local laws and ordinances, as well as college procedures governing appropriate conduct. Persons in violation of the above will be subject to any action deemed appropriate by competent authority.

Accessibility During Closed Hours

There will be no access to RCC's buildings during the hours of 11:00 p.m. and 7:00 a.m. Access during other closed hours will be governed by the following procedures:

1. Off-campus locations: Prior arrangements must be made and approved by the person responsible for these locations.
2. Main Campus: Prior arrangements must be made with and approved by the Assistant Vice President, Director or other supervisor in charge of the building or facility. The Facilities Coordinator's Office must be notified of the arrangements with times noted. The Security Guard or other such personnel on campus should be immediately located and notified upon arrival.
3. Students desiring access to any academic facility must be accompanied by a staff or faculty member. Two persons must be present at all times when using a facility such as a shop or laboratory where potential for injury exists.

Maintenance of Campus Facilities

In an effort to provide a safe and secure learning environment, Campus Police along with Facility Management regularly conduct hazard/security assessments to improve issues such as unsafe lighting conditions, walking surfaces, physical access to buildings, etc. To report an issue email maintenance@robeson.edu.

Campus Security Department Authority and Jurisdiction

Authority

The Campus Security department employs duly sworn off duty police officers from the Lumberton Police Department. While on duty at RCC these officers possess all powers of sworn police officers to make arrests for both felonies and misdemeanors and charge for infractions. Officers are on campus during most periods when students and visitors are present.

Jurisdiction

Robeson Community College has a Memorandum of Understanding with the Lumberton Police Department for the investigation of alleged criminal offenses. The LPD has primary law enforcement jurisdiction on all property owned, leased, or under the control of the Robeson Community College located in the corporate city limits of Lumberton NC and will provide police services on said property.



The one Pembroke facility at COMtech is under the jurisdiction of the Robeson County Sheriff's Department.

The EMT facility is not within city limits; and is under the jurisdiction of the Robeson County Sheriff's Department.

Law Enforcement Support Agencies

NC State Bureau of Investigation
NC State Highway Patrol
Lumberton Police Department
Robeson County Sheriff's Department
Pembroke Police Department

Contact:

RCC Switchboard Operator (910) 272-3453
Campus Security Office (910) 272-3505
Campus Security Mobile (910) 674-6428
Email: CampusSecurity@robeson.edu

Campus Security Authorities

Campus Security Authorities are individuals designated to report incidents of crime that pose a significant threat to the health and safety wellbeing of the campus community. This includes any Robeson Community College Employee but more specifically: Campus Police, Administration, Title IX Coordinator, Counselors, Academic Advisors, and Human Resources.

Registered Sex Offender Information

Under North Carolina law, certain persons who have been convicted of a sex offense or an offense against a minor are required to establish and maintain registration in compliance with North Carolina Sex Offender and Public Registration Programs. The Registration Programs are governed by Chapter 14, Article 27A of the North Carolina General Statutes. Information concerning these registries are available from the following databases online or accessible from the RCC website.
North Carolina Sex Offender Registry
National Sex Offender Registry



Reporting Criminal Offenses/Emergencies/Other Incidents

Criminal Offense Reporting: (CALL 911 Immediately- then notify the Campus Police)

Any incident that involves a significant threat to the health and safety wellbeing of the campus community or an individual and is punishable under law.

Examples may include but are not limited to murder, burglary, robbery, forcible sexual assault, aggravated assault.

Report in person: The Campus Security Department is located in building #5 and is open 8-5pm (Mon-Thurs) and 8-3pm (Fri)

*Any incident occurring after hours, should be reported immediately to local law enforcement.

Emergency Reporting: (CALL 911 Immediately- then notify the Campus Police)

Any incident that involves a significant threat to the health and safety wellbeing of the campus community or an individual.

Examples may include but are not limited to fire, medical emergencies, car accidents with injuries, fight in progress, and display of a weapon.

Emergency Callboxes: Emergency Callboxes are located throughout the RCC campus to ensure a direct line of communication for students, faculty, staff, and visitors with Campus Police Officers. This line of communication can also be utilized for vehicle assistance and escort services.

Report in person: The Campus Security Department is located in building #5 and is open 8-5pm (Mon-Thurs) and 8-3pm (Fri)

*Any incident occurring after hours, should be reported immediately to local law enforcement.

Call and/or Email: The Campus Security office number is (910) 272-3505 and mobile number is (910) 674-6428 or email: campussecurity@robeson.edu

Non-Emergency Reporting: (Call Campus Police (910) 674-6428)

Any incident that does not pose a significant threat to the safety of an individual or the campus community; however, intervention is still necessary.

Examples of non-emergency incidents may include but are not limited to verbal assault, harassment, stalking, vandalism, battery assistance, vehicle lockout, car towing.



Report in person: The Campus Security Department is located in building #5 and is open 8-5pm (Mon-Thurs) and 8-3pm (Fri)

*Any incident occurring after hours, should be reported immediately to local law enforcement.

Call and/or Email: The Campus Security office number is (910) 272-3505 and mobile number is (910) 674-6428 or email: campussecurity@robeson.edu

Emergency Callboxes: Emergency Callboxes are located throughout the RCC campus to ensure a direct line of communication for students, faculty, staff, and visitors with Campus Police Officers. This line of communication can also be utilized for vehicle assistance and escort services.

Notification: Emergencies and Dangerous Situations

Emergency Notification Policy

RCC Campus Security department is responsible for receiving and notification of any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. Upon notification and depending on the circumstances surrounding the potential or immediate threat will determine the appropriate course of action.

Emergency Confirmation

Our Campus Police are normally the first responders to any emergency or dangerous situation on campus. Once information is received that a credible threat exists, the Director of Security will notify Administration immediately. In the event, Campus Police have not been dispatched or arrived at the scene of the emergency and/or threat, the first person on the scene should contact local emergency services by dialing 911 and confirmation can come from local emergency responders.

Emergency Message Authorization

Upon confirmation that an emergency exists, the following individuals are authorized to send emergency notifications involving immediate threats to the health or safety of students or employees occurring on campus. The Presidents designees have authorization to launch emergency messages without consultation in a life-threatening situation.

President's designees: Vice President(s), Director of Security, Campus Police



Emergency Message Type

Type of Message	Description
Initial Message	Sent upon confirmation that an immediate threat exists
Follow-Up to Initial Message	When new or additional information/instructions are necessary
Message Intervals	Reiterate initial message after a period of time has passed
All Clear Message	Confirmation: threat has been contained or effectively managed
Type of Emergency	Active Shooter, Hostage Incident, Bomb Threat, Biological Threat, Fire, Severe Weather, Flooding, Electrical Storm, Civil Disturbance, Earthquake, Evacuation, Explosion, Gas Leak, Hazardous Material, Missing Persons
Area Affected	One Building/Area or Entire Campus
Status	In Progress Now / Ongoing / Over
Classification	Catastrophic Event: Loss of life, affects entire campus and business continuity Intermediate Event: Localized to several areas, potential to become catastrophic Isolated Event: Localized to one area, not life threatening

Emergency Drills, Testing, and Record Keeping

Emergency Notification System

Robeson Community College provides emergency notification services to the students, faculty, and staff via: Indoor/Outdoor Warning Siren System- incorporate custom tones, pre-recorded emergency messages, and live voice capabilities, Simplex Grinnell Fire System, Callbox System, Mass Notification System: Call, Text, Email, Social Media: Facebook/Twitter, RSS Feed, and RCC Website Notification.

This Emergency Notification system is available to students, faculty, and staff. To participate in this service and/or update your information, sign up @ www.robeson.edu, click on the RCC Alert link. Students/Employees should take responsibility for regularly checking their e-mail and/or updating their contact information.

Training and Education

Responsible employees will receive initial and then periodic training to ensure all are acclimated with the emergency notification systems. Multiple employees in various departments are trained and available to launch the RCC Alert System at any given time.

Testing and Record Keeping

Type of Notification	Testing Schedule	Records	Responsible Employee(s)
Indoor/Outdoor Warning Siren System	Unannounced daily audible testing	System does not generate report	Campus Police
Callbox System	Unannounced daily audible testing	System does not generate report	Campus Police
Simplex Grinnell Fire System	Semi-Annually (1) Announced (1) Unannounced	Report Generated	Campus Police
Mass Notification System: Call, Text, Email, Social Media: Facebook/Twitter, RSS Feed	Unannounced monthly testing	Report Generated	Campus Police Regroup Committee
RCC Website Notification	Normal daily business ensures system functionality	System does not generate report	IT Department

Timely Warning

Timely Warning Policy

The Campus Crime Alert (Campus Alerts) is provided to give adequate notification of an impending threat and to heighten safety awareness to students, faculty, and staff. Alerts are created and distributed by Campus Security and/or Campus Security Authorities: Vice President of Business Services or Director of Security that pose a significant threat to the safety and security of an individual(s), school property, or the campus community. Information for Campus Alerts may also come from local law enforcement agencies. Every attempt will be made to distribute these Alerts in a timely manner; however, the release of information is subject to the availability of accurate facts concerning the incident.

Timely Warning Incidents

- Criminal Homicide
- Sex Offenses Assault (physical or sexual)
- Robbery
- Aggravated Assault
- Burglaries (occupied rooms/offices/structures)
- Hate Crimes
- Persons with weapons with intent to use
- Threat of violent crime
- Situations where suspect is not known



Timely Warning Procedure

Campus Security and/or Campus Security Authorities will issue a Campus Alert whenever a report is received that poses a significant threat to the safety and security of an individual(s), school property, or the campus community. The College will also assist the Lumberton Police/Robeson County Sheriff's Departments with publicizing news releases that represent a serious or on-going threat to the safety of students, faculty, and staff.

The Alerts will contain the following information: Nature of the threat, date and time received, location of the threat, continuing danger to the campus community, a description of the suspect (if known), safety tips, and whom to contact for more information. If applicable, the alert will contain a statement from the RCC Student handbook.

Campus Alerts will be distributed as quickly as possible to the campus community via: email, text, phone, website, and social media outlets. As soon as the threat passes, Campus Security and/or Campus Security Authorities will issue an "ALL CLEAR" to the campus community via the Emergency Notification System.

Campus Emergency Evacuation Procedures

What is an evacuation?

An evacuation is the movement of people from an immediate threat area to one of safety.

Circumstances requiring an Evacuation

The following emergencies could require an immediate evacuation: Fire in a building, Bomb Threat, Power Outage, Explosion, or Workplace Violence, etc. Not all emergencies will require you to evacuate the area/building. Dependent upon the situation, you may be instructed to Shelter in Place due to severe weather or an active shooter verses an evacuation.

Evacuation Drills

Evacuation drills are conducted on a semiannual basis to prepare students, faculty, and staff how to safety and in an orderly manner evacuate from an immediate threat area to one of safety.

Evacuation maps are located in each building and indicate the following: Location of the nearest exit, primary and secondary exit routes, location of fire/AED devices, pull station locations, and designated assembly points.

Safety Building Coordinators

Safety Building Coordinators are designated employees trained to assist the Director of Security with planning, scheduling, conducting, and evaluation of fire/severe weather drills and/or emergency evacuations in their assigned buildings/areas.

How will I know there is an emergency?

Upon confirmation that a credible threat exists, campus police will activate the mass notification system. This system will send emergency message information via: Call, Text, Email, Social Media: Facebook/Twitter, RSS Feed, Campus Sirens, and also post to the RCC Website. This Emergency Notification system is available to students, faculty, and staff. To participate in this service and/or update your information, sign up at www.robeson.edu, click on the RCC Alert link. Students/Employees should take responsibility for updating their contact information.



Staff

Staff personnel are usually responsible for themselves and should take the following measures before a drill or emergency:

1. Review the evacuation plans posted in their building.
2. Identify the quickest emergency escape route.
3. Identify a secondary route in case the primary one is inaccessible.
4. Identify a safe meeting location outside and away from the building. Make sure that all staff members are accounted for.

When the safety drill sounds, staff personnel should:

1. Immediately leave the building.
2. Leave personal property behind
3. Do not use elevators, stairs only
4. Assemble in the predetermined location.
5. Notify supervisor/department head.
6. Supervisor will conduct a head count to ensure that no one is left in the building.
7. Notify Senior/Alternate Building Coordinators of personnel status.
8. Do not re-enter the building until "ALL CLEAR" has been given by Safety personnel.

Faculty/Students

Faculty is responsible for the safety of students in their class and should take the following measures before a drill or emergency.

1. Review the evacuation plans posted in their building.
2. Identify the quickest emergency escape route.
3. Identify a secondary route in case the primary one is inaccessible.
4. Identify a safe meeting location outside and away from the building. Make sure that all students are accounted for.
5. Review this information with the class.

When the safety drill sounds, faculty should:

1. Immediately guide student's safely out of the building.
2. Leave personal property behind
3. Do not use elevators, stairs only
4. Assemble the students at the predetermined accountability site.
5. Account for students using the class roster.
6. Report student's status to Senior/Alternate Building Coordinators.
7. Do not re-enter the building until "ALL CLEAR" has been given by Safety personnel.



Weapons Prohibition on Campus

Possession or use of any firearms, knives, incendiary devices, or explosives are prohibited on college property. Prior permission must be obtained where weapons are authorized for possession/use in college-affiliated activities or events except handguns as allowed by NCGS §14-269.4.

Handguns are permitted under these circumstances:

- The person has a concealed handgun permit that is lawfully issued.
- The handgun is in a closed compartment or container within the person's locked vehicle.
- The handgun is in a locked container securely affixed to the person's vehicle.
- A person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times.
- The vehicle is locked immediately following the entrance or exit.
*Law enforcement officers are exempt from this prohibition. This includes facsimiles of weapons.

Report any suspicious or dangerous situations immediately:

Emergency Reporting: (CALL 911 Immediately- then notify the Campus Police)

Any incident that involves a significant threat to the health and safety wellbeing of the campus community or an individual.

Examples may include but are not limited to fire, medical emergencies, car accidents with injuries, fight in progress, and display of a weapon.

Report in person: The Campus Security Department is located in building #5 and is open 8-5pm (Mon-Thurs) and 8-3pm (Fri)

*Any incident occurring after hours, should be reported immediately to local law enforcement.

Emergency Callboxes: Emergency Callboxes are located throughout the RCC campus to ensure a direct line of communication for students, faculty, staff, and visitors with Campus Police Officers. This line of communication can also be utilized for vehicle assistance and escort services.

Call and/or Email: The Campus Security office number is (910) 272-3505 and mobile number is (910) 674-6428 or email: campussecurity@robeson.edu

Title IX

What is Title IX?

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities which can include: Rape, Sexual Violence, Sexual Assault, Sexual Harassment, Dating Violence, Stalking, Sexual Exploitation, Sexual Coercion, and Pregnancy.

Notice of Non-Discrimination

Robeson Community College does not discriminate on the basis of race, color, sex, age, religion, disability, national origin, or other non-relevant factors in its educational programs and/or activities.

Title IX Glossary

- **Bystander-** is anyone who observes an incident yet does not get involved.
- **Confidential Employees** are employees who hold a professional license requiring confidentiality such as Mental Health Counselors, Pastoral Counselors, Social Workers, Psychologists, and/or Health Center employees. Confidential employees are NOT required by Title IX to report ANY information to the Title IX Coordinator or designee unless the information presented poses a significant threat to the safety and security of an individual(s), school property, or the campus community.
- **Complainant-** The person complaining of sexual misconduct or interpersonal violence is called the “complainant” or “reporting party” or “victim” and those terms may be used interchangeably.
- **Consent-**Communication of mutually understandable words or actions, freely, actively, and affirmatively given that indicate a willingness to participate in mutually agreed upon sexual activities or actions. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties involved to do the same thing, in the same way, at the same time. Consent cannot be given if the individual has a reasonable fear he or she will be injured if the individual does not give consent, is underage, is incapable of giving consent or is prevented from resisting due to physical or mental incapacity, which may include but is not limited to the influence of drugs or alcohol, or if the individual has a mental or physical disability that would prohibit their ability to provide consent. In the absence of mutually understandable words or actions, it is the responsibility of the initiator of the sexual activity to make sure they have consent from their partner. Consent can also be withdrawn at any time.

What Constitutes Lack of Consent?

Consent cannot be inferred through silence or lack of resistance. Consent to one activity does not constitute consent to other sexual acts. Past sexual activity does not constitute consent for future acts. A minor cannot provide consent under any circumstances. If at any time consent is uncertain, the initiating party should stop and obtain verbal consent. The use of any force, display of force, coercion, or intimidation typically negates consent.



Individuals who are incapacitated may not legally give consent to sexual activity. Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep. A person who is incapacitated for purposes of this policy is one who is not legally able to give consent because they are mentally or physically helpless. Mentally helpless is when a person has a mental illness or a condition (like being passed out, asleep, or highly impaired) that renders them incapable of understanding the nature of their conduct. Physically helpless means a person has restriction of movement, either temporarily or permanently.

When incapacitation occurs due to alcohol or drug use, indicators of incapacitation may include the following:

Slurred speech

Bloodshot or unfocused eyes

Unsteady gait; needing assistance to walk/stand

Vomiting

Outrageous or unusual behavior

Concern expressed by others about the individual

Expressed memory loss or disorientation

An individual may also be in a state known as a “blackout” where they are incapacitated and will likely have no memory of the sexual activity, but are up, and walking and talking. Therefore, it is of particular importance that any people engaging in sexual activity know the other person’s level of intoxication prior to beginning sexual contact. For purposes of the University/College’s policy, the standard that shall be applied is whether or not a reasonable person would have known, based on the facts and circumstances presented at the time of the alleged conduct, that the other party was incapacitated and therefore, not capable legally of consenting. For the accused party, being under the influence of alcohol or drugs is never a defense to this policy and does not excuse sexual misconduct.

Examples of Sexual Assault or Non-Consensual Sexual Intercourse:

Having sex with an unconscious or semi-conscious person.

Having sex with someone who is asleep or passed out.

Having sex with someone who has said “no.”



Allowing another person to have sex with your partner without his or her consent.

Having sex with a person who is vomiting, unable to stand without assistance, or has had to be carried to bed by a partner.

Telling someone you will “out” them if they don’t engage in sex (disclose their sexual orientation without their consent).

Telling someone you will fail them or give them a grade different from what they deserve if they don’t agree to have some form of sexual contact.

Telling a subordinate that you will grade them differently on an evaluation, deny them an employment opportunity (like training, a promotion, etc.), deny leave, or impact their employment in some other negative way if they do not agree to have some form of sexual contact.

Having sex with someone whose agreement is obtained through threat, blackmail, or some other form of coercion.

- **Dating Violence** – means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes the use or threat of physical force or restraint carried out with the intent of controlling the victim’s behavior or causing pain or injury.

Examples of Dating Violence:

Hitting, punching, pinching, slapping, or choking

Threats of physical harm

Taking away a person’s cell phone during an argument so the person cannot call a friend or the police for help.

- **Domestic Violence** -includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or who has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Examples of Domestic Violence:

Hitting, punching, pinching, slapping, or choking

Violating a protective order.

Harming the victim’s animals or children

- **Gender Identity Harassment** – behavior that targets someone for offensive, hostile, degrading or insulting treatment because of their gender.
- **Hostile Environment** – conduct evaluated from the perspective of a reasonable person in the alleged victim’s position considering all the circumstances. The more severe the conduct, the less need there is to show a repetitive series of incidents (particularly if the conduct is physical). A single or isolated incident of sexual violence may create a hostile environment.
- **Preponderance of the Evidence Standard**– the standard used to adjudicate sexual misconduct cases-the proof need only show that the facts are more likely to be than not so.
- **Respondent**-The person alleged to have engaged in sexual misconduct or interpersonal violence is called the “respondent” or “accused party” and those terms may be used interchangeably.
- **Responsible Employees** are employees that has been given the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students/employees to the Title IX Coordinator or other appropriate designee.
- **Sexual Assault** -is any intentional sexual touching, directly, or over clothing, however slight, with any body part or object,without explicit consent. It is also considered sexual assault if the individual is forced to touch the intimate parts of another individual.

Sexual touching includes:

Intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Sexual assault includes non-consensual sexual intercourse.

Non-Consensual Sexual Intercourse (Rape) is any sexual penetration, however slight, with any body part or object, by one person upon another, without consent and/or by force.

Non-consensual sexual intercourse is defined as sexual penetration (anal, oral, or vaginal) of the individual by any part of another individual’s body or other object, without explicit consent. It is also considered non-consensual sexual intercourse if the victim has a reasonable fear that the individual or another will be injured if the individual does not give consent, is incapable of giving consent or is prevented from resisting due to physical or mental incapacity, which may include but is not limited to the influence of drugs or alcohol, or if the individual has a mental or physical disability that would prohibit their ability to provide consent.



- **Sexual Exploitation**-Sexual exploitation occurs when a person takes advantage of another without that individual's consent for the initiator's own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of Sexual Exploitation:

Prostituting another.

Allowing a third party to watch consensual sexual contact without the permission of both parties involved in the sex act or showing voluntarily recorded sexual activity to others without permission.

Allowing others to have sex with an incapacitated person.

Taking or disseminating explicit photos, videos, or audio recordings of someone without their consent.

- **Sexual Harassment** – is unwelcome, gender-based verbal, non-verbal, or physical conduct that is, sufficiently severe, persistent or pervasive that it, unreasonably interferes with, denies or limits someone's ability to participate in or benefit from our educational programs and/or activities or privileges of employment, and is, based on the creation of a hostile environment, quid pro quo harassment, or retaliation.

A hostile environment is any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive. The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include but are not limited to:

The frequency of the conduct;

The nature and severity of the conduct;

Whether the conduct was physically threatening;

Whether the conduct was humiliating;

The effect of the conduct on the alleged victim's mental or emotional state;

Whether power differentials exist between the parties;

Whether the conduct was directed at more than one person. Not all workplace or educational conduct that may be described as "harassment" affects the terms, conditions or privileges of employment or education.



- **Quid Pro Quo Harassment** is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications, when submission to this conduct is explicitly or implicitly made a term or condition of an individual's employment or academic success; or submission to or rejection of this conduct is used as the basis for an employment or academic decision; and/or power differentials exist that impact a person's ability to reject such advances.

Examples of Harassment:

A professor offers that a student can have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student agrees to the request.

A student repeatedly sends sexually-oriented jokes around on an email list, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall where they both live.

Explicit sexual pictures are displayed in a professor's office, on the exterior of a residence hall door or on a computer monitor in a public space.

Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.

A professor engages students in discussions in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.

An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social outcast on campus.

- **Sexual misconduct**- is a broad term used by the University/College to identify a number of forms of discrimination based on sex. Sexual misconduct includes sexual harassment, sexual assault, and sexual exploitation. This policy also prohibits sex-based harassment, which may include dating violence, domestic violence, and stalking or other acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Sexual Misconduct offenses include, but are not limited to:

Sexual Harassment

Sexual Assault

Non-Consensual Sexual Intercourse

Sexual Exploitation

Dating Violence

Domestic Violence

Stalking



- **Sexual Violence** – physical acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the student’s age or use of drugs or alcohol or because an intellectual or other disability prevents the student from having the capacity to give consent).
- **Stalking** – means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.

Examples of Stalking:

Repeatedly communicating or attempting to communicate with a person who doesn’t wish to be communicated with.

Persistently following a person or lying in wait for them.

Sending unwanted gifts.

- **Title IX Coordinator:** The designated person(s) responsible for oversight of the College’s response to Title IX reports and complaints.
- **Witnesses:** Individuals present on occasion of alleged incident, familiar with relationship (or lack thereof), interacted with complainant and respondent prior to and following incident.



How to file a Title IX Complaint

If you believe that you or someone you know has been discriminated against or are victim(s) of sexual harassment, sexual violence or sexual discrimination, the following options are available to assist in making a complaint.

Criminal Reporting: If the alleged harassment/discrimination is criminal in nature, a report should be made to the local police department and/or Sheriff's department.

If it is an emergency call 911 to report immediately.

Non-Criminal Reporting: Complaints alleging sexual assault, domestic violence, dating violence and stalking committed by a student(s)/employee(s) should be reported to the Title IX Coordinator(s).

Reporting Crimes on a Voluntary/Confidential Basis

Victims or witnesses can also report crimes on a voluntary/confidential basis for inclusion in the annual disclosure of crime statistics utilizing our **Anonymous Reporting Form**. This form is located on the RCC website, Title IX /Reporting Criminal Offenses/Emergencies section.

Sally Carr

Human Resources/Title IX Coordinator

Building #2, Office #231

scarr@robeson.edu (910) 272-3405

Patricia B. Clark

Director of Security/Title IX

Building #5, Office #502B

pclark@robeson.edu (910) 272-3505

Upon reporting a claim, you have the right:

To a prompt and equitable response

To notify law enforcement and to be assisted by campus authorities

To decline to notify law enforcement and campus authorities

To obtain no contact orders or enforce an order already in existence

To obtain contact information for campus and local advocacy, counseling, health, mental health and legal assistance services

To request assistance in changing academic or working situations

The opportunity to request prompt proceedings conducted by officials trained on sexual assault and other intimate partner violence issues

To be accompanied to any related meeting or proceeding by an advisor of their choice

To be informed in writing of the final results within one business day of such outcome being reached which include:

- Findings as to whether the alleged conduct occurred
- Remedies offered to the victim
- Sanctions imposed on perpetrator that relate directly to the victim
- Steps the College is taking to remedy the College environment



To Confidentiality: *Please note...that honoring this request may limit the College's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.*

Retaliation: *To be protected from acts of retaliation and the college will: -take steps to prevent retaliation -take strong responsive action if retaliation occurs.*

Initial Evaluation (Complainant)

An initial meeting will be conducted to assess the nature and circumstances surrounding the complaint. The complainant and/or third party will receive a Victim Information packet, which contains resources, procedural options, complainant rights, remedial/interim measures, and grievance procedures.

Initial Evaluation (Respondent)

An initial meeting will be conducted where the Respondent will receive a copy of the incident report or other evidence against them, have the option to respond to the allegations, and be informed of their options for resolving the complaint. The Respondent will also receive a Respondent Information packet, which contains resources, procedural options, respondent rights, remedial/interim measures, and grievance procedures.

Interim Measures (If Applicable)

The College will determine which measures are appropriate to either or both the reporting and responding parties involved on a case-by-case basis. Not all measures listed below will be necessary in every case to ensure equal access to educational programs and activities:

- Avoid contact with alleged perpetrator
- Right to report a crime to campus/local law enforcement
- Disability Services, health and mental health services
- Resources: victim advocacy, housing assistance, academic support, counseling
- Academic Accommodations
- Assistance in arranging for alternative College employment arrangements
- A "No contact" directive pending the outcome of an investigation.
- Parking accommodations/ safety escorts to and from parking lots/structures

Time Frame for Investigation

Robeson Community College will conduct an investigation that is fair, objective, and impartial. A notice of outcome and sanction(s) will be emailed to both complainant and respondent within sixty (60) calendar days of the date the complaint was received.

Appeals Procedure

Decisions rendered by the Campus Standards Committee may be appealed to the Vice President of Instruction and Support Services or his/her designee. To initiate an appeal, the student must appeal in writing within three school days after receipt of the Committee's decision. In an appeal the student should demonstrate that: (1) there is new evidence; (2) the Assistant Vice President of Student Services, his/her designee, and/or the Campus Standards Committee exhibited prejudice or other unfair treatment to the student; and/or (3) the decision does not relate appropriately to the charges.



The Vice President shall have the authority to: (1) review the proceedings and findings of the Campus Standards Committee; (2) conduct interviews with the student charged, the Assistant Vice President of Student Services and/or his/her designee, Campus Standards Committee members, and/or witnesses; and (3) approve, modify, or overturn the decision or sanction of the Campus Standards Committee. The Vice-President of the Instruction and Support Services or his/her designee will inform the student in writing of the final decision within five school days of the receipt of the appeal.

Decisions rendered by the Vice-President of Instruction and Support or his/her designee will be considered final with the exception of decisions resulting in a sanction of suspension or expulsion.

All cases involving a sanction of suspension or expulsion will be reviewed by the President or his/her designee. Any action initiated by the President or his designee will be made within five school days and will be considered final.