



Gaston College

2020

Annual Security Report

(ASR)

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1. Introduction

Gaston College is one of 58 North Carolina community colleges with three campuses serving Gaston and Lincoln Counties. The vision of the College is to be viewed as the premier post-secondary educational resource in the region, consistently recognized as an exceptional community college, and known in the state and nation for successful and innovative programs. The mission of the College is to provide flexible, high-quality, and accessible learning opportunities that are relevant and responsive to diverse regional, community and student needs.

As part of its vision and mission, Gaston College is further committed to providing a safe and secure working and learning environment by employing a Campus Police and Security Department and complying with the Clery Act.

The full title of The Clery Act is *The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. As per The Clery Act, Gaston College publishes this Annual Security Report (ASR), which contains information related to safety and security including crime statistics for the prior three years, safety and security measures, and crime prevention information.

Annual Security Reports are available in the Gaston College Campus Police and Security Department, Room 122, Comer Engineering Technologies Building, Dallas, NC 28034, or on the Gaston College website at www.gaston.edu.

Gaston College prohibits any person from retaliating, intimidating, threatening, coercing, or otherwise discriminating against any individual with respect to the implementation of any provision of the Clery Act.

2. Campus Police and Security Department

The Gaston College Campus Police and Security Department is comprised of sworn campus police officers and non-sworn security officers responsible for a variety of security-related activities including crime prevention and reporting, security-related investigations, and patrolling the campuses. Campus police officers are armed and have full police authority to make arrests on College property, including College-owned or leased property and any portion of a public road or highway passing through and/or adjoining College property and are identified by their slate blue or white shirt and distinctive Campus Police shoulder patch and badge. Campus security officers are responsible for various campus security-related duties and are identified by their dark blue uniform shirt and distinctive Campus Security shoulder patch and badge. The Gaston College Campus Police and Security Department collaborates with other State and local law enforcement agencies including:

- NC State Bureau of Investigation
- NC Highway Patrol
- Gaston County Police Department
- Gaston County Sheriff's Department
- Dallas Police Department
- Belmont Police Department
- Lincoln County Sheriff's Office
- Lincolnton Police Department

3. Clery Act Requirements

a. General

In general, the Clery Act requires colleges and universities to: 1) Publish an Annual Security Report (ASR) every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements; 2) Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus properties; 3) Provide "Timely Warning" notices of those crimes that have occurred and pose an "ongoing threat to students and employees"; 4) Provide "Emergency Notifications" for dangerous or emergency situations; 5) Disclose in a public crime log any crime that occurred on campus and is reported to Campus Police; 6) Provide survivors of sexual assault, domestic violence, dating violence, and stalking with information on reporting, interim arrangement options, resources, and College disciplinary processes; and 7) Outline and disclose relevant policies and procedures within the ASR.

b. Locations

The annual reporting of crime statistics per the Clery Act includes incidents that occur on-campus, on public property, or on non-campus buildings or property that is owned or controlled by Gaston College within the same reasonably contiguous geographic area and used in direct support of, or in a manner related to, the institution's educational purposes. Clery locations also include buildings or property owned or controlled by student organizations that are officially recognized by Gaston College and public property (e.g., thoroughfares, streets, sidewalks, and parking facilities) that is within, immediately adjacent to, and accessible from, a campus. Gaston College does not recognize any off-campus location for student organizations. Gaston College operates three campuses and facilities and several non-campus facilities:

c. Campuses and Facilities

Dallas Campus (Main)
201 Highway 321 South
Dallas, NC 28034

Kimbrell Campus and Textile Technology Center
7220 Wilkinson Boulevard
Belmont, NC 28012

Lincoln Campus
511 South Aspen Street
Lincolnton, NC 28092

d. Non-Campus Facilities

Center for Advanced Manufacturing
870 Gastonia Technology Parkway
Gastonia, NC 28054

Motorcycle Training Facility
2222 South New Hope Rd

Gastonia, NC 28054

Firearms Training Facility
2605 Bob and Pat Boyd Dr
Gastonia, NC 28052

Truck Driving Facility
1201 E. Church Street
Cherryville, NC 28021

e. **Reportable Crimes**

Pursuant to the Clery Act, the following crimes, arrests, and related incidents are reportable:

- Murder and non-negligent manslaughter, which is the killing of one human by another.
- Negligent manslaughter, which is the killing of another person through gross negligence.
- Forcible sexual offenses, which is any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving consent.
- Non-forcible sexual intercourse, which is considered unlawful.
- Robbery, which 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.
- Aggravated assault, which is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.
- Burglary, which is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.
- Motor vehicle theft, which is the theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.
- Arson, which is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft, or personal property of another, etc.
- Hate crimes reported by category of prejudice, including race, gender, religion, sexual orientation, ethnicity, disability, gender identity and national origin. Statistics are also required for larceny, theft, simple assault, and intimidation if the crime committed is classified as a hate crime.

- Destruction, damage, vandalism of property.
- Arrests, referrals, and disciplinary actions, even if an arrest is not made, for violations of liquor and drug laws or ordinances.
- Arrests, referrals, and disciplinary actions, even if an arrest is not made, for violations of weapons laws or ordinances.

4. **Emergency Communication and Response**

a. **Timely Warning, Emergency Determination, Response, and Notification**

In the event of a confirmed significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, a timely warning and/or emergency notification will be given to the College Community.

A member(s) of the Campus Police and Security Department (e.g., Campus Police or Security Officer) will typically confirm a significant emergency or dangerous situation, which then is reported to the Chief of Campus Police or designee in the Campus Police and Security Department. The Campus Police and Security Department is primarily responsible for evaluating the situation, determining the content of a notification, and issuing a timely warning and/or emergency notification to the appropriate segment or segments of the Campus Community. Emergency notifications may be made to specific campuses, buildings, and classrooms in lieu of a general notification. When deemed necessary and appropriate, the general public will also be notified. If there continues to be an immediate threat to the health or safety of students or employees occurring on campus, Campus Police and Security will continue to monitor the situation and provide follow-up information as needed.

Other positions at the College that may issue or assist with determining the content and issuing notifications related to a significant emergency or dangerous situation include the President, members of the President's Executive Council, and the Director of Public Relations, Outreach, & Public Information Officer (PIO).

The primary reason for a timely warning and/or emergency notification is to give persons the opportunity to respond appropriately, protect themselves, and to aid in the prevention of similar occurrences; however, when giving a timely warning and/or emergency notification, care will be taken to avoid unintentionally disclosing the name of any victim; compromising any efforts to assist a victim; and/or interfering with any emergency response efforts.

b. **Emergency Notification**

Emergency Notification and timely warnings may be issued using a variety of methods including GC Alert (text), webpage, telephone, PA announcement (audible alert), recorded switchboard message, voice mail, social media, radio announcement, College email, TV-cable screen, news release, direct mail, and/or group meetings.

GC Alert is the brand name of the College's emergency mass notification system and uses email and SMS text messaging to warn people of the risk of danger. The College Community receives an annual email message highlighting the methods of emergency

communication, with special emphasis on registering to receive emergency text messages and emails.

As deemed appropriate, key internal and/or external constituents will be notified in the event of a potential or actual emergency. Internal constituents include faculty and staff, students and/or parents of students, members of the College's Board of Trustees, members of the College's Foundation Board, members of the College's Textile Technology Center Board, and representatives of the Gaston Early College High School. External constituents include law enforcement agencies, neighbors of the College, public officials, government agencies, the general public, Gaston County District Schools, Lincoln County District Schools, customers of the Textile Center, the NC Community College System Office, and media (local, state, and/or national).

In collaboration with the College President, Campus Police and Security, or designee, the Director of Public Relations, Outreach, and PIO is the designated spokesperson for the College for outside media communications.

c. **Emergency Notification System Testing**

The GC Alert and emergency PA systems are tested regularly. Other emergency response systems are tested as deemed appropriate. Documentation of each test is maintained by the Campus Police and Security.

5. **Crime Reporting**

a. **General**

All persons are encouraged to report any crimes. When reporting a crime or related incident, a person should include details such as location, time, parties involved, and the attire of the offender(s).

b. **Law Enforcement**

The College complaint process is not a substitute for instituting legal action, and individuals may also choose to report sexual misconduct directly to local law enforcement agencies. If required or warranted by the nature of the allegations, the College may notify appropriate law enforcement authorities. The College's investigation may be delayed temporarily while a criminal investigation gathers evidence. In the event of such a delay, the College will make available supportive measures when necessary. To file a report directly with local law enforcement agencies, individuals can dial 911. To file a report with Campus Police, or for assistance with filing a report, individuals may contact the Gaston College Campus Police and Security Department at (704) 922-6480, or at the following physical locations

Dallas Campus
122 Comer Engineering Building
Gaston College

Kimbrell Campus & Textile Technology Center
Classroom Building
Room 107

Lincoln Campus
Lincoln Classroom Building
Room 1137

c. **Campus Security Authority (CSA)**

A Campus Security Authority (CSA) is required to report crimes specifically covered by the Clery Act. A CSA is a person who holds a position with significant responsibility for student and campus activities, outside of normal classroom instruction. The following positions are considered a CSA:

- President
- Vice President for Administrative Services/CHRO
- Vice President for Student Affairs and Enrollment Management
- Vice President for Academic Affairs
- Vice President for Economic and Workforce Development
- Vice President for Finance, Operations, and Facilities
- Vice President for Manufacturing & Textile Innovation Network
- Chief Development Officer
- Controller
- Associate Vice President of Student Affairs and Dean – Admissions and Educational Partnerships
- Associate Vice President for Academic Affairs and Dean - Kimbrell Campus
- Chief of Campus Police and Security
- Campus Police and Security Officers
- Dean of the Lincoln Campus
- Director of Counseling
- Director of Human Resources
- Human Resources Department Personnel
- Title IX Coordinator(s)

d. **Anonymous Reporting**

In some cases, a victim may want to report a crime but not want to give his or her name or pursue action through the Campus Police and Security Department or other law enforcement agencies. As permitted by the Clery Act, pastoral and professional counselors who receive confidential reports of a crime are not required to report these crimes to the Campus Police and Security Department, unless there is a continuing threat of serious harm to the person or to others, or there is a legal obligation to report the situation such as suspected abuse or neglect of a minor. When deemed appropriate, professional counselors are to inform the persons they are counseling of how to report a crime on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

e. **Amnesty**

The College encourages reporting of incidents of prohibited conduct and seeks to remove any barriers to reporting. The College recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential consequences for their own conduct. Individuals who report prohibited conduct or participate as witnesses will not be subject to disciplinary

sanctions for personal consumption of alcohol and/or other substances; however, the College may initiate an educational discussion with individuals about their alcohol and/or drug use or may direct these individuals to services such as counseling for alcohol and/or drug use. Amnesty will not be extended for any violations of College policy other than alcohol/drug use. The use of alcohol, drugs, and/or legally prescribed medication does not justify or excuse behavior that constitutes prohibited conduct under this policy.

6. Security and Access

Gaston College is committed to providing a safe and secure working and learning environment. During normal business or class-time hours, College facilities are open to all persons. During non-business hours, access to College facilities is controlled. Only authorized personnel are permitted access during an official closing.

The Campus Police and Security, Safety, and Facilities Maintenance personnel/departments employ various security and environmental controls designed to maintain the safety and security of the College campus. Ongoing audits are performed to identify and correct inadequate lighting, cracked or dangerous walkways or roadways, overgrown shrubbery, or inoperable locks or doors. Additionally, all employees and students are encouraged to report to Campus Police and Security any behaviors or conditions which may present a safety and/or security concern.

7. Safety and Security Training, Education, and Resources

To comply with the SaVE Act and Title IX training requirements, students and employees are offered education and training through the College's Learning Management System (LMS), and through a VAWA Prevention and Education Workshop held each fall and spring semester that promotes awareness of matters related to sexual harassment and misconduct. Topics include: history of the Clery Act; policy (Title IX, VAWA, Clery Act and Gaston College); college and community resources; definitions and examples of rape, acquaintance rape, domestic violence, dating violence, sexual assault, stalking, consent; general crime prevention tips; sexual misconduct and violence prevention tips; warning signs of domestic, dating violence or abuse; tips for handling incidents of sexual misconduct; how to report an incident of sexual misconduct; confidentiality; rights, and bystander intervention.

Ongoing prevention and education campaigns to increase awareness of sexual harassment, sexual assault, domestic violence, dating violence, and stalking include domestic violence workshops, Community Resource Fairs, SGA sponsored Clothesline Project, SGA Sexual Assault Awareness Month activities, and informational literature made available on all three campuses.

In addition to topics covered as part of new employee and new student orientation, the College also publishes and makes available various resources that cover crime prevention and security such as an Emergency Response Guide, Student Handbook, and a Campus Police Department Safety Guidelines brochure.

8. **Crime Prevention and Safety Guidance**

The following is intended to be general guidance for preventing crime/sexual misconduct and violence. All persons should exercise good judgment based on their individual circumstances.

General

- Take responsibility for your own safety and security and the security of others.
- Learn self-defense techniques by enrolling in a self-defense class.
- If someone tries to grab your bag or purse, let it go. Injuries often occur when people resist and refuse to comply with a robber's demands.
- Take a few minutes and think about how you would react to various situations that could arise, such as a robbery or if you are attacked. Remember to: trust your instincts, never be afraid to be impolite or make a scene (even if it is someone you know) and try to remain calm.

Personal Travel

- Be always aware of your surroundings including times when you may be less alert and more vulnerable to an attack (e.g., during exams, illness, or when tired).
- Use discretion and caution when taking shortcuts through isolated parts of campus.

Personal Automobile

- Have your keys in your hand as you approach your car.
- As you approach your vehicle, scan the area under and around your vehicle.
- Check the back seat and floor before you enter your vehicle.
- Lock your doors when driving and immediately after entering your vehicle.
- Try to always keep at least a half tank of gas in your car.
- Keep your valuables out of sight, under the seat, in the glove compartment or trunk.
- Park in well-lighted areas.
- Be especially alert in parking structures.
- If you have vehicle trouble, signal for help by raising the hood or tying a handkerchief to the door. Remain in your vehicle with doors locked until identifiable help arrives.
- Keep an emergency kit in your vehicle that contains various items such as a flashlight, distress signs, and bottled water.

Public Transportation

- Check bus schedules to avoid long waits at a bus stop. Become familiar with routes and timetables in your area.
- Wait for buses at well-lighted stops and, if possible, join others at a nearby stop.
- If someone bothers you on a bus, say loudly, "Leave me alone." or "No, find another seat." and inform the driver.
- Notice others who get off the bus at your stop. If you feel someone is following you, walk towards a populated area. Avoid walking directly home.

Elevator

- Check the inside of an elevator before entering. Wait for the next elevator if you have any concerns.

- When riding an elevator, stand by the control board. If you feel in danger, press all the buttons and get off the elevator as soon as possible. (Note: Gaston College campus elevators are equipped with either emergency phones or push-button alarm bells).

Sexual Misconduct and Violence (Parties & Social Gatherings)

- Be vigilant at parties and other social gatherings that may include the presence of drugs and/or alcohol and never leave your drink unattended.
- Arrive and leave with persons you trust.
- Only drink from previously un-opened containers or from drinks you have watched being made and poured and keep track of how many drinks you have.
- Avoid group drinks served in punch bowls.
- To prevent a drug from being slipped into a drink, hold your hand over the top of a container or choose drinks that are contained in a bottle and keep your thumb over the opening.
- If you start to suddenly feel tired or intoxicated, you may have been drugged, so find a friend and ask him/her to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Don't give out your personal information (e.g., phone number, address, etc.). If someone asks for your number, take his/her number instead of giving yours.

Warning Signs of Domestic or Dating Violence or Abuse

- You are fearful of your partner.
- You are constantly watching what you say to avoid a "blow up."
- You have feelings of low self-worth and helplessness about your relationship.
- You feel isolated from family or friends because of your relationship.
- You hide bruises or other injuries from family or friends.
- You feel pressure about working, studying, going home, and/or using technology such as your cell phone.
- You are or feel as though you are being monitored by your partner.

9. Emergency Response Guide

Gaston College publishes an Emergency Response Guide (ERG), which provides basic emergency response procedures. This guide is placed in wall-pockets at various locations on each campus and is also available on the College's website at gaston.edu. The ERG covers various topics including:

- a. Bomb Threat
- b. Concerns about Conduct
- c. Crime
- d. Earthquake
- e. Evacuation
- f. Evacuation (Exit the Building)
- g. Fire Evacuations
- h. Evacuations (Shelter-in-Place)
- i. Hazardous Materials (Spills & Leaks)
- j. Hostile Intruder/Active Shooter
- k. Lockdown (Hostile Intruder/Active Shooter)
- l. Lockdown (Other Reasons)

- m. Injury/Illness
- n. First Aid for Medical Emergencies
- o. Power Outages, Water, Gas Leaks & Equipment Failure
- p. Weather

The full Emergency Response Guide is provided in Appendix A.

10. **Safety & Security Policies and Procedures**

Gaston College maintains various safety and security policies and procedures designed to maintain a safe and secure working and learning environment including Policies 3-131 and 4-48 Drug Free Campus, Policy 3-135 No Weapons, and Policy 3-125 Title IX and Sexual Harassment.

a. **Policy 3-131 Drug-Free Campus (Employees) and Policy 4-48 Drug-Free Campus (Students)**

Gaston College is committed to providing a drug-free workplace and campus by meeting the requirements of the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act amendments of 1989. All persons, including visitors and vendors, are prohibited from unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, illicit drug, or alcohol on the College's premises; in vehicles owned, leased, or rented by the College; at any work site or location at which College duties are being performed by College employees or students as part of any College activity; or at sites of off-campus activities of student groups recognized by the College.

North Carolina State Law governs the possession, sale, and furnishing of alcohol, and specifically states that the consumption of alcohol is illegal by persons under age 21. Pursuant to NC State Law, Gaston College has a strict policy on the use of alcohol on College property. The Campus Police and Security Department is responsible for enforcing Federal and NC Law and the College's policy regarding alcohol.

Additionally, the College maintains a Drug and Alcohol Abuse Prevention Program (DAAPP) for students and employees that promotes drug and alcohol awareness through community resource fairs, health fairs, employee benefits fairs, campus workshops, and alcohol awareness and distracted driving events. Information provided in the DAAPP includes written policies and procedures, student rights and responsibilities, College and state law sanctions, and counseling services. The DAAPP is delivered to students and employees using a variety of methods including, but not limited to, new student and new hire orientations, email notices, and the College's website. Students and employees are also able to access support for drug and alcohol concerns through Student Outreach Services (SOS) and the Employee Assistance Program (EAP), respectively, in addition to other available campus and community resources.

The full Drug-Free Campus policies applicable to employees and students are provided in Appendix B and Appendix C.

b. **Policy 3-135 No Weapons**

In accordance with NC state law, Gaston College maintains a no weapons policy. Per Gaston College's policy, it is a violation to possess or carry any weapon on College property including firearms, explosives, BB guns, stun guns, air rifles or pistols, sling

shots, and knives or other sharp instruments. The only exceptions to this policy are for law enforcement and military personnel in the discharge of their official duties or as otherwise permitted by law, for ceremonial or educational purposes, or when tools such as knives are used for construction, maintenance, or food preparation. Further, pursuant to G.S. 14-269, a person who has a concealed handgun permit in accordance with Article 54B, that is considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25, is permitted to have a handgun provided it is in a closed compartment or container within the person's locked vehicle and the vehicle is parked in a College parking area. A person may unlock the vehicle to enter or exit, but the handgun must remain in the closed compartment at all times and the vehicle must be locked immediately following the entrance or exit.

Violators may be subject to criminal prosecution, and faculty, staff, or student violators may also be subject to disciplinary action up to and including suspension, expulsion, and/or dismissal.

The full No Weapons policy is provided in Appendix D.

c. **Policy 3-125 Title IX and Sexual Harassment**

Gaston College strives to provide an inclusive, safe, and welcoming working and learning environment for all members of the College community. In accordance with applicable federal and state laws, administrative regulations, and College policy, the College prohibits discrimination in its education programs and activities based on sex. This Policy applies to conduct that occurs in a College Education Program or Activity located within the United States.

Under Title IX, discrimination on the basis of sex includes quid pro quo harassment; sexual harassment; and sexual assault, stalking, dating and domestic violence (collectively referred to as "sexual harassment"). At the time that a complaint is filed, the Complainant must be participating in (or attempting to participate in) an education program or activity of the College. An education program or activity includes locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.

The policy applies to allegations and complaints of sexual harassment as defined in the policy. All other complaints of discrimination or misconduct that do not fall within the jurisdiction of Title IX may be made through other procedures.

To respond to a notice of sexual harassment or allegations thereof, the College's Title IX Coordinator (TIXC), Deputy Title IX Coordinator (DTIXC), or any College Official who has authority to institute corrective measures on behalf of the institution, must have actual knowledge of sexual harassment or allegations of sexual harassment, as defined by Title IX. Actual knowledge does not necessarily trigger the obligation to investigate but may trigger the obligation to provide supportive measures. Actual knowledge is not met when the only person with actual knowledge is a Respondent.

The College's Title IX Coordinator(s) (TIXC) and/or Deputy Title IX Coordinator(s) (DTIXC) has oversight responsibility for handling Title IX and Sexual Harassment complaints under the policy.

The full Title IX and Sexual Harassment policy is provided in Appendix E.

11. Guidance for Handling Incidents of Sexual Harassment, Sexual Assault, or Misconduct

The following is intended to be general guidance for addressing incidents of sexual harassment, sexual assault, or misconduct. All persons should exercise good judgment based on their individual circumstances.

- Clearly communicate your sexual limits to your partner.
- Forcefully say "no" if pressured for unwanted sex. If saying "no" does not work, try to get away by running and calling for help.
- Report the crime to a law enforcement agency.
- Get medical attention. The physician should collect specimens and make detailed notes about the physical evidence, such as bruises, cuts, torn clothing, and traces of semen. Later, you should be tested for sexually transmitted diseases, and HIV; females should additionally be tested for pregnancy.
- Contact a rape crisis or counseling center.
- Go to a safe place.
- Call the police, rape crisis hotline, a friend, or family member.
- Reporting is your choice. If you do not report, try to write down the details of the assault and save them in case you change your mind.
- Whether you report or not, seek medical attention for treatment of external or internal injuries and testing.
- Preserve evidence for any sexual assault or misconduct investigation including:
 - Do not wash, bathe, shower, douche, use the toilet, or change clothing before the police arrive in order to preserve DNA evidence.
 - If changing clothes is unavoidable, put all the clothing you were wearing in a paper bag, not a plastic bag.
 - Do not move any physical items which may have been touched by the assailant.
 - Seek medical attention, at a nearby hospital, as soon as possible.
 - Do not touch any surfaces that the suspect may have touched until the police have dusted for fingerprints.
 - Document any injury you suffered, either by photograph or by showing the injuries to someone you trust.

12. Reporting Sexual Harassment, Sexual Assault, or Sexual Misconduct

In accordance with Policy 3-125 Title IX and Sexual Harassment, the filing of a formal, written complaint initiates the formal complaint process and is available to any person who is participating in (or attempting to participate in) a College educational program or activity.

Any person wishing to make a report relating to Title IX and Sexual Harassment may do so by reporting the concern to the Title IX Coordinator (TIXC), Deputy Title IX Coordinator (DTIXC), or to any College Official who has authority to institute corrective measures on behalf of the institution such as a supervisor, Dean, or administrator. A formal written complaint can be submitted in person, by mail, or by email.

College Officials who receive information regarding a potential violation of this policy, are to report this information to the TIXC or DTIXC promptly. In some circumstances, there are individuals in positions such as licensed health-care professionals and professional counselors, who are not required, or statutorily prohibited, to report such information.

Employee complaints or reports about sex discrimination, including sexual harassment, should be submitted to the TIXC, and student complaints or reports should be submitted to the DTIXC. The contact information for the TIXC and DTIXC are as follows:

Employee Reporting

Todd Baney, Title IX Coordinator
Vice President for Administrative Services/CHRO
Beam Administration Building
Gaston College
Office: (704) 922-6485
baney.todd@gaston.edu

Student Reporting

Dr. Audrey Sherrill, Deputy Title IX Coordinator
Vice President for Student Affairs and Enrollment Management
Myers Center
Gaston College
Office: (704) 922-6217
sherrill.audrey@gaston.edu

13. Investigations – Sexual Harassment and Other Misconduct

The College has a compelling obligation to investigate allegations and suspected instances of sexual harassment and other misconduct (sexual assault, dating violence, domestic violence, and stalking). Investigations will be prompt, fair, and impartial, and all individuals will be treated with appropriate sensitivity and respect. Every effort will be made to resolve sexual harassment or misconduct cases in a timely manner. Investigations into alleged student behavior involving sexual harassment will follow the College’s Title IX and Sexual Harassment Policy (Appendix E). Conduct that does not meet Title IX requirements will follow the College’s Disciplinary Procedures in the Student Code of Conduct, which are available in the Student Handbook under “Student Resources” at gaston.edu.

The College is not precluded from taking any action it deems appropriate, including informing the alleged harasser of the complaint and pursuing an investigation even in cases when the complainant does not wish to file a formal complaint. Pursuant to Title IX, the College will insure that Title IX coordinators, investigators, and decision makers involved in Title IX, sexual assault, dating violence, domestic violence, and stalking matters are trained at least annually.

Investigations involving students will use a preponderance of evidence to determine outcomes. Preponderance of evidence means the standard of proof of “more likely than not” is used to determine the outcome of disciplinary proceedings. The complainant and the respondent will be

simultaneously notified in writing of their rights and the outcome, which will include the appeal procedures.

14. **Bystander Intervention**

If you are a bystander to an incident of sexual assault or misconduct, you should ask the victim if they need help and evaluate the risk of trying to stop the incident. If you determine that it is too dangerous, yell for help and call 911. As a bystander and witness, try to avoid leaving the scene. With your presence, a perpetrator is more likely to discontinue.

If someone tells you about an incident of sexual assault or misconduct, you should listen carefully and not be judgmental. You should remain patient and give the other person time to talk about the incident. Try to empower the other person, but don't pressure them into doing anything that they are not prepared to do at that time. You may encourage the person to report a rape or similar incident to law enforcement.

If the person has questions regarding the legal process, you can guide them to contact the National Sexual Assault Hotline at (800) 656.HOPE (4673). If the person is willing to seek medical attention or report the assault, offer to accompany them wherever they need to go such as the hospital, local police, or to the Campus Police and Security Department.

15. **Sexual Harassment, Assault, or Misconduct Supportive Measures and Resources**

a. **Title IX and Sexual Harassment Supportive Measures**

In accordance with Policy 3-125 Title IX and Sexual Harassment, supportive measures will be provided to parties involved in a Title IX and Sexual Harassment matter based on the facts and circumstances of each situation. The College will maintain as confidential any supportive measures provided to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

Supportive measures may include, but are not limited to, the following:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in working or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

The full Title IX and Sexual Harassment Policy is provided in Appendix E.

b. **Gaston College Counseling Services**

Counselors in the Student Success and Retention Department offer confidential counseling services for students who experience sexual harassment, assault, or misconduct. Counselors can help students by working with them to develop coping skills, informing them of resources on- and off-campus and providing support to help

them navigate their path to recovery. Counselors can be reached at 704.922.6220 or 704.748.5209.

c. Additional Resources

- Gaston College Student Outreach Services (SOS) - 800.633.3353
- Gaston College Employee Assistance Program (EAP) - 800.633.3353
- Carolina Center for Counseling - 704.861.2234
- Family Services, Inc. - 704.864.7704
- Partners Behavior Health HOPE4NC HELPLINE - 888.235.HOPE (4673)
- Phoenix Counseling Center -704.842.6359
- Gaston/Lincoln County 24-hour Rape Crisis Hotline -704.864.0060
- National Sexual Assault Hotline - 800.656.HOPE (4673)
- National Domestic Violence Hotline-800.799.SAFE (7233)

16. North Carolina Sex Offender and Public Protection Registry

All convicted sex offenders coming to or residing in North Carolina, including students, are required to register with the local county sheriff's department for inclusion in the North Carolina Sex Offender and Public Protection Registry. This Registry may be viewed locally at the county sheriff's department or online at: <http://sexoffender.ncsbi.gov/>.

17. Sexual Misconduct, Criminal Offenses Reporting, and Key Definitions

a. Sexual Misconduct Key Definitions

Gaston College's Policy 3-125 Title IX and Sexual Harassment contains key definitions relevant to Sexual Misconduct. The full Title IX and Sexual Harassment Policy, including relevant definitions, is provided in Appendix E.

b. Criminal Offenses Reporting and Key Definitions

Gaston College Campus Police and Security is required to report certain types of crimes on an annual basis as per the Clery Act, Violence Against Women's Act (VAWA), and the Campus Crime Statistics Act. A listing of these crimes, including key definitions, is provided in Appendix F.

18. Crime Victim Rights

The Crime Victims' Rights law was effective July 1, 1999 and established various responsibilities regarding notification to victims regarding certain crimes including murder, voluntary manslaughter, assault with a deadly weapon, rape, and armed robbery. Notification responsibilities may include informing the victim of certain court proceedings and how the procedures associated with the criminal justice system, providing information such as the availability of medical services, address and telephone number of the district attorney's office, name and telephone number of the investigating law enforcement officer whom the victim may contact, information about an accused's opportunity for pre-trial release, and the name and telephone number of the investigating law enforcement officer whom the victim may contact to find out whether the accused has been released from custody.

19. Crime and Incident Log and Statistics

The Gaston College Campus Police and Security Department maintains a log of all crimes reported. The Crime and Incident Log includes 60 days of the most recent crime information and is available to anyone upon request. Requested crime and Incident information prior to 60 days

will be made available within two business days. Crime and Incident Logs are maintained for seven years; three years following the publication of the last Annual Security Report.

The Campus Police and Security Department collects the crime statistics which appear in this Annual Security Report through several methods. Police Officers make written reports of crimes and incidents which are reported and enter them into the Crime and Incident Log. Crime statistics are also collected from other local law enforcement agencies and are included in this report.

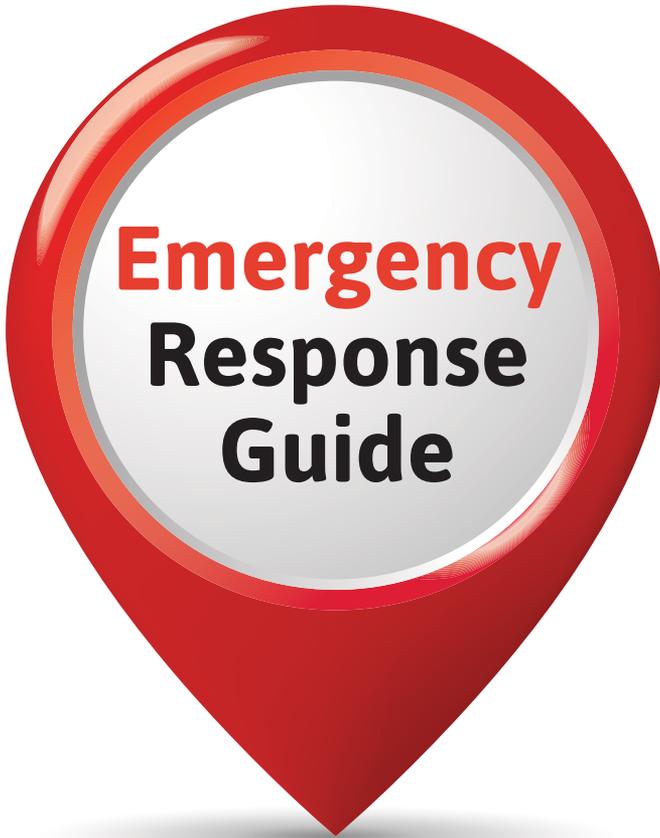
On an annual basis, the College's Campus Police and Security Department prepares the Disclosure of Crime Statistics and Annual Security Report to comply with the Clery Act and Crime Statistics Act. This report is prepared in cooperation with various College departments and local law enforcement agencies surrounding the College's campuses. The report contains crime statistics for all "Clery" reportable crimes and security policies, programs, and disciplinary actions as applicable.

The Crime and Incident Log is available for public inspection during normal business hours in the Gaston College Campus Police and Security Department in the Comer Engineering Technologies Building, Room 122 on the Dallas Campus; the Lincoln Classroom Building, Room 113 on the Lincoln Campus; and the Classroom Building, Room 107 on the Kimbrell Campus. ./

Crime Statistics for years 2017 through 2019 are provided as part of Appendix G.



Gaston College
Opportunities For Life



Emergency Numbers:
Emergency - 911
Campus Police (all campuses) -
704.922.6480

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INTRODUCTION

This Emergency Response Guide provides guidelines for various emergency situations. This guide does not cover every conceivable situation, but focuses on 10 categories. Please take time to become familiar with this guide.

Review the basic information below to ensure that you are prepared for potential emergency situations:

- Program the Campus Police and Security phone number into your cell phone (**704.922.6480**).
- Cooperate with all drills and training programs.
- Follow all emergency communication announcements. Announcements may be made by one or more of the following: word-of-mouth, Public Address (PA System), webpage, College email, telephone, recorded switchboard messages, voice mail, TV-cable screen, social media, news releases, direct mail, and text messages/emails via GC Alert.
- Subscribe to GC Alert. See instructions in the Emergency Notification System (GC Alert) section below.
- Know exit the building evacuation routes and location of stairwells and/or gathering areas.
- Report suspicious persons and packages immediately.

Campus Police and Security

The Gaston College Campus Police and Security Department is comprised of sworn campus police officers and non-sworn security officers. Police officers are trained, certified, armed, and have full police authority on College property. Campus Police and Security also works closely with outside public safety agencies when necessary.



The main Campus Police and Security Department is located on the Dallas Campus in the Comer Engineering Technologies Building (CET), Room 122. For more information about the Campus Police and Security Department, go to www.gaston.edu - click *About Us – Campus Police and Safety*

Emergency Notification System (GC Alert)

The College's Emergency Notification System is available to all students and employees. The system notifies subscribers of emergency related events such as weather closings and delays via text message and/or email. To subscribe to GC Alert, go to www.gaston.edu - click *About Us – Campus Police and Safety – Related Items – GC Alert*.

BOMB THREAT

Take all bomb threats seriously!

Telephone bomb threat:

1. Remain calm and try to keep your voice calm.
2. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911** to report the threat. Obtain the assistance of a coworker to report while continuing to talk with the caller.
3. Complete the Bomb Threat Report Form (pages 4 and 5) while talking with the caller. Obtain as much information as possible.



Written bomb threat:

1. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911** to report the threat.
2. Save all materials and preserve evidences, including envelopes, containers, postal marks, etc.
3. Avoid unnecessary handling of the materials.

Explosions (inside a building):

1. Follow the procedures on page 10 for Evacuation (Exit the Building).
2. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911** to report the threat.
3. **Do not** return to the area or building until told to do so by an emergency responder.



Suspicious object or packages:

1. **Do not touch the object or package.**
2. **Do not** operate any power switch, activate a fire alarm, or use any electronic devices, including cell phones, near the suspicious object. These devices may have the capacity to detonate an explosive device.
3. If applicable, follow the procedures on page 10 for Evacuation (Exit the Building).
4. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911** to report the threat.
5. **Do not** return to the area or building until told to do so by an emergency responder.



BOMB THREAT REPORT FORM

Attempt to complete the following information while on the phone with the caller.

Keep the caller on the phone for as long as possible.

Date:	Incoming Phone Number:
Time Call Received:	Time Call Ended:
Ask the following questions:	
1. Where is the bomb located?	
2. When will the bomb detonate?	
3. What does the bomb look like?	
4. What will make the bomb explode?	
5. How do you know about the bomb?	
6. Why is the building being bombed?	
7. What is your name?	
8. How can I contact you?	
9. Where are you right now?	

BOMB THREAT REPORT FORM (continued)

Call Characteristics Checklist			
Complete this checklist during or immediately following a call by checking the areas that apply.			
Voice			
Calm	<input type="checkbox"/>	Stutters	<input type="checkbox"/>
Angry	<input type="checkbox"/>	Lisp	<input type="checkbox"/>
Excited	<input type="checkbox"/>	Fast	<input type="checkbox"/>
Slow	<input type="checkbox"/>	Familiar	<input type="checkbox"/>
Soft	<input type="checkbox"/>	Raspy	<input type="checkbox"/>
Loud	<input type="checkbox"/>	Clearing Throat	<input type="checkbox"/>
Laughter	<input type="checkbox"/>	Deep Breathing	<input type="checkbox"/>
Crying	<input type="checkbox"/>	Cracked Voice	<input type="checkbox"/>
Normal	<input type="checkbox"/>	Disguised	<input type="checkbox"/>
Distinct	<input type="checkbox"/>	Accent	<input type="checkbox"/>
Slurred	<input type="checkbox"/>	Wheezing	<input type="checkbox"/>
Nasal	<input type="checkbox"/>		
Language		Background	
Well Spoken	<input type="checkbox"/>	Street Noise	<input type="checkbox"/>
Foul Language	<input type="checkbox"/>	Animals	<input type="checkbox"/>
Irrational	<input type="checkbox"/>	Clear	<input type="checkbox"/>
Taped Message	<input type="checkbox"/>	Voices	<input type="checkbox"/>
Incoherent	<input type="checkbox"/>	Music	<input type="checkbox"/>
Actual Threat Maker	<input type="checkbox"/>	House Noises	<input type="checkbox"/>
Other:		Motor	<input type="checkbox"/>
		Office Machinery	<input type="checkbox"/>
		Factory Machinery	<input type="checkbox"/>
		Static	<input type="checkbox"/>
		PA System	<input type="checkbox"/>

BOMB THREAT (continued)

Safety Tips

Characteristics of Suspicious Packages

1. Excessive postage.
2. Excessive weight.
3. No return address.
4. Protruding wires or tinfoil.
5. Oily stains or discoloration.
6. Incorrect titles.
7. Excessive securing – too much tape, string, etc.

CONCERNS ABOUT CONDUCT

Gaston College is committed to providing a safe and secure campus. All members of the College Community are expected to exercise responsible judgment and conduct themselves in accordance with generally accepted standards.

1. For conduct that poses an **immediate** threat to the safety, security, or the well-being of the College Community, contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**. 
2. If you have a concern about conduct that pose, or may reasonably be considered to pose, a threat to the Campus Community, you should report it.
3. **When in doubt, report it!**
4. Reports should be made to the following:
 - Your Supervisor
 - Department Chair
 - Dean
 - Vice President
 - Campus Police and Security
 - Student Affairs Department
 - Human Resources Department
5. Any person who receives a report regarding concerns about conduct should use responsible judgment by informing other persons or departments such as those listed in number 4 of these guidelines.

Safety Tips

Irrational and Unusual Behavior

Recognizing irrational and unusual behavior can be an important step in preventing incidents. If you are concerned about a person who shows some or all of the below characteristics take action and report your concerns to a college official or Campus Police and Security.

1. Sudden changes in behavior patterns.
2. Frequent crying or outbursts.
3. Excessive absenteeism or tardiness.
4. Disrespect for authority.
5. Swearing or emotional language.
6. Blaming others for mistakes.
7. Verbalizing animosity toward others.

CRIME

If you observe a crime in progress, are a victim of a crime, witness workplace violence, or observe suspicious activities, immediately contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.



Crime

1. **When in doubt, report it!**
2. **Do not** confront or attempt to apprehend a suspect.
3. **If safe to do so**, take time to record a description of a suspect(s).
 - a. Suspect's name, if known.
 - b. Height, weight, gender, race, approximate age, clothing, and other characteristics.
 - c. Direction of travel.
 - d. Vehicle license number, make, model, color, and other characteristics.
4. **Do not** clean or disturb a crime scene.
5. Try to keep others from entering a crime scene.

Suspicious Persons

If you witness a person acting in an odd or unusual manner or if a person or situation makes you feel uneasy, trust your instincts and report it.

1. **Do not** confront the person.
2. **Do not** unlock buildings or offices for unauthorized/suspicious persons.
3. **Do not** block an unsuspecting/unauthorized person's access to an exit.

Workplace Violence

If you are a witness to a workplace violence incident:

1. Secure the area where the situation occurred. Leave the area untouched until authorities arrive.
2. Call for medical assistance, if needed.
3. Take steps to continue operations and provide victims and/or witnesses with appropriate resources for debriefing or counseling.

EARTHQUAKE

In the event of an earthquake, you should do the following:

Indoors – If you are indoors:

1. **Drop** – Drop to the floor.
2. **Cover** - Take cover under a sturdy desk, table, or other furniture. If that is not possible, seek cover against an interior wall or door and protect your head and neck with your arms. Try to avoid windows, hanging objects, mirrors, or tall furniture.
3. **Hold** - If you take cover under a sturdy piece of furniture, HOLD on to it and move with it. Hold your position until the ground stops shaking, and it is safe.
4. **Do not** enter or exit a building during the shaking to avoid falling debris.
5. **Do not** use elevators.
6. **BE PREPARED FOR AFTERSHOCKS!**

Outdoors – If you are outdoors:

1. Stay clear of buildings, trees, streetlights, power lines, and other objects that may pose a risk.
2. Drop to the ground, cover your head and neck with your arms, and stay there until the shaking stops.
3. **Do not** return to a building until told to do so by an emergency responder.
4. **BE PREPARED FOR AFTERSHOCKS!**

Vehicle – If you are in a vehicle:

1. Stop and stay clear of buildings, trees, overpasses, underpasses, bridges, and utility wires.
2. Stay in the vehicle until the shaking stops.
3. **BE PREPARED FOR AFTERSHOCKS!**

EVACUATION (Exit the Building)

In some situations, such as a fire, you may be required to evacuate from the building. Determine the safest, closest route to exit the building. Additionally, establish an alternate route to be used in the event the primary route is blocked or unsafe. **If it is necessary to exit the building, you should:**

1. Remain calm and help others remain calm.
2. When a building alarm sounds or upon notification, evacuate the building quickly using the closest safe exit and ask others to do the same. Walk – do not run as you exit the building.
3. Assist disabled persons.
4. Close all doors behind you as you leave.
5. **Do not** use elevators.
6. If safe to do so, take essential personal possessions with you.
7. Once outside, move away from any affected building(s) or structure(s) and go to a designated assembly location (see Maps on pages 16-19).
8. Check for missing persons and notify emergency responders of who may still be inside the building.
9. Contact Campus Police and Security **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
10. **Do not** reenter a building until told to do so by an emergency responder.



Evacuating Persons with Special Needs

Hearing Impaired	<ul style="list-style-type: none"> • Inform disabled persons of emergency alarms and the nature of the situation. • To communicate, use hand gestures or by turning the light switch on and off. • Emergency instructions may be given by verbalizing, mouthing, or by a short, clear message such as “Fire alarm—leave—now!”
Visually Impaired	<ul style="list-style-type: none"> • Inform disabled persons about the nature of the situation. • If needed, offer guidance to the nearest emergency exit. • Walk beside those who may require assistance and offer guidance regarding obstacles such as stairs, doors, etc.
Limited Mobility (Able to walk independently)	<ul style="list-style-type: none"> • Take special care, especially when the use of stairs is required. • Assist persons by walking beside them during an evacuation.
Little to No Mobility	<ul style="list-style-type: none"> • Ask the person how to assist them during an evacuation. • In a multi-level building, evacuate to the nearest stairwell landing and wait for assistance from an emergency responder.

FIRE EVACUATIONS

If trapped in a building that is on fire, you should:

1. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
2. Close doors and attempt to create a barrier between you and the fire.
3. Seal cracks around the door to prevent smoke from entering.
4. If possible, open the window a few inches for fresh air. Hang an article of clothing or object outside a window to mark your location. If you have a flashlight, use it to signal emergency responders.
5. Stay close to the floor where the air is more breathable.
6. Shout at regular intervals to alert emergency responders.



If caught in smoke, you should:

1. Drop to hands and knees and crawl or crouch low with head about 3 feet above the floor.
2. Watch the base of the wall as you crawl to the nearest exit.
3. Breathe shallowly through your nose and use a blouse, shirt, or other type of cloth or material as a filter.

If forced to advance through flames, you should:

1. Hold breath and move quickly, covering head and hair.
2. Keep head down and close eyes as often as possible.

If you or someone else is on fire, remember to **STOP – DROP – ROLL**. Stop, drop to the ground, cover your face, and roll to put out the fire.

FIRE EVACUATIONS (continued)

Safety Tips Fire Evacuation

1. Know the locations of fire alarm system stations and be prepared to activate an alarm when necessary. All persons are authorized to activate a fire alarm in the event of a fire.
2. When inside a building, take a minute to locate the nearest exits in order to escape safely in the event of an alarm and/or fire. Remember that fires can travel quickly and block exits within seconds.
3. Remember that in some instances, you may not be able to see a fire or smell smoke; however, all fires are life threatening and must be taken seriously.

Under no circumstances should any person ignore a fire alarm, fire drill, or request to evacuate, except in the case of a lockdown. If a fire alarm sounds during a lockdown procedure, do not exit the building unless you see or smell smoke. If you see or smell smoke, follow the fire evacuation procedures.

EVACUATIONS (Shelter-in-Place)

In some situations, such as severe weather, leaving a building may pose a risk, and it may be safer to remain inside the building and use it as a shelter-in-place. **If it is necessary to use a building as a shelter-in-place, you should:**

1. Remain calm and help others remain calm. Your actions will influence others.
2. If you are inside a building, stay inside the building. If outdoors, go to the closest building.
3. If possible, go to an interior room on the lowest ground level floor.
4. Shut and lock all windows and close exterior doors.
5. **NOTE:** If a shelter-in-place is due to concerns regarding outside air quality, it may be necessary to turn off air conditioning, heaters, fans, and/or close vents, which will normally be done by maintenance personnel.
6. Make a list of the people with you.
7. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
8. If available, turn on a radio or TV and listen for further instructions.
9. Do not leave shelter-in-place location until told to do so by an emergency responder.



HAZARDOUS MATERIALS

Minor Spills

If a chemical or related spill/leak **does not** pose an immediate danger to lives or property, you should:

1. Consult the Safety Data Sheet (SDS) for additional information including containment/clean-up procedures and personal protective equipment (PPE). A master file of SDS's is located in the Campus Police and Security Department (CET 122) and the Human Resources Department (BAB 105).
2. Be prepared to evacuate the area/building per **Evacuation (Exit the Building) – pages 10**.
3. As you are exiting the area/building, try to isolate the hazardous material by closing the door behind you.
4. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
5. **Do not** reenter the area until told to do so by an emergency responder.



Hazardous Materials Emergency

If chemical or related spill/leak **may pose an immediate danger** to lives or property, you should:

1. Remain calm and help others remain calm. Your actions will influence others.
2. **Do not** operate power switches, fire alarm, or use electronic devices such as cell phones.
3. Evacuate the area/building per **Evacuation (Exit the Building) – pages**.
4. As you are exiting the area/building, try to isolate the hazardous material by closing the door behind you.
5. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
6. Consult the Safety Data Sheet (SDS) for additional information.
7. **Do not** reenter the area until told to do so by an emergency responder.



HAZARDOUS MATERIALS (continued)

Gas/Toxic Fume Release

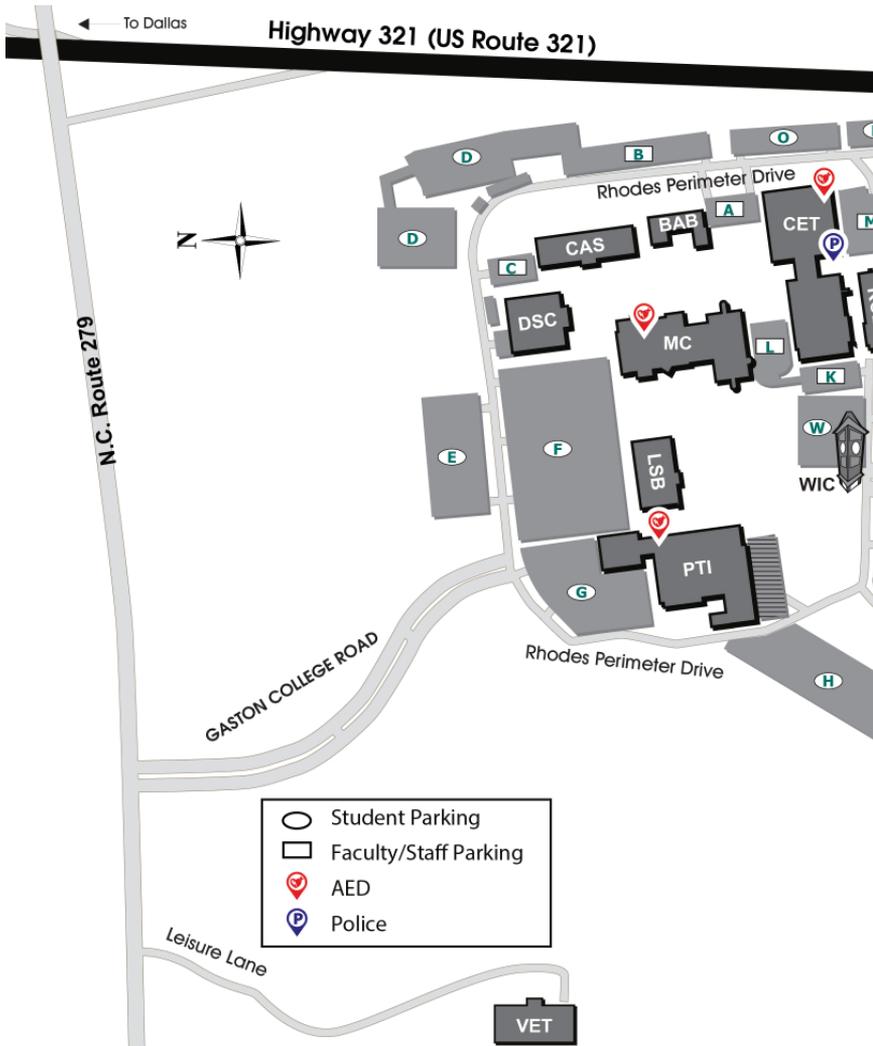
1. If you smell gas or other toxic fumes or experience irritation, coughing, burning eyes, and/or difficulty breathing, evacuate the area immediately by following the **Evacuation (Exit the Building) – pages 10**.
2. If you smell gas in a dark room, **do not** turn on the lights; this action could ignite gas. **Do not** touch or activate power switches, fire alarms, lights, etc.
3. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
4. **Do not** reenter the area until told to do so by an emergency responder.



Biological Spill/Release

1. If you encounter a biological spill, **do not** attempt to clean up the spill unless you have been trained to do so.
2. Contact Campus Police and Security at **704.922.6480** and/or the Housekeeping Department at **704.922.6419** to cleanup a blood spill or any other body fluids.
3. If a bloodborne pathogen exposure or needle stick incident occurs, report the incident to Campus Police and Security immediately.

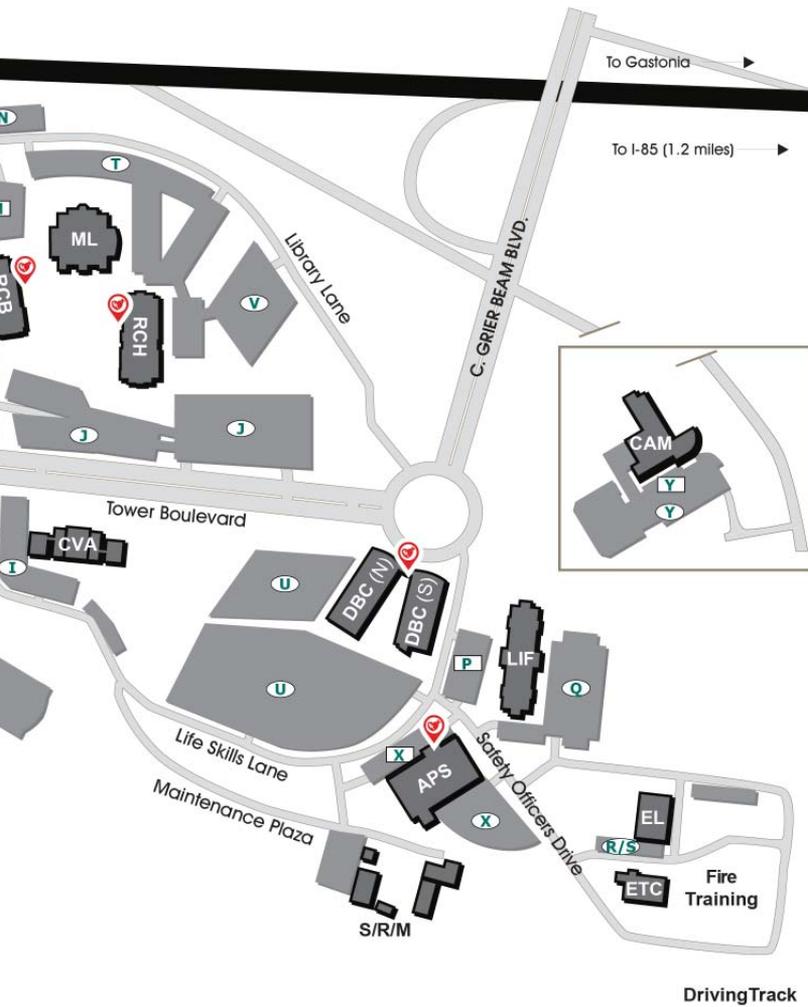
EVACUATION MAP (Dallas Campus)



Evacuate the building to the designated lot.

Abbr.	Building Name	Lots
APS	Albright Public Safety	X
BAB	Beam Administration	B
CAM	Center for Advance Mfg.	Y
CAS	Craig Arts & Sciences	D, F
CET	Comer Engineering Tech.	O, J

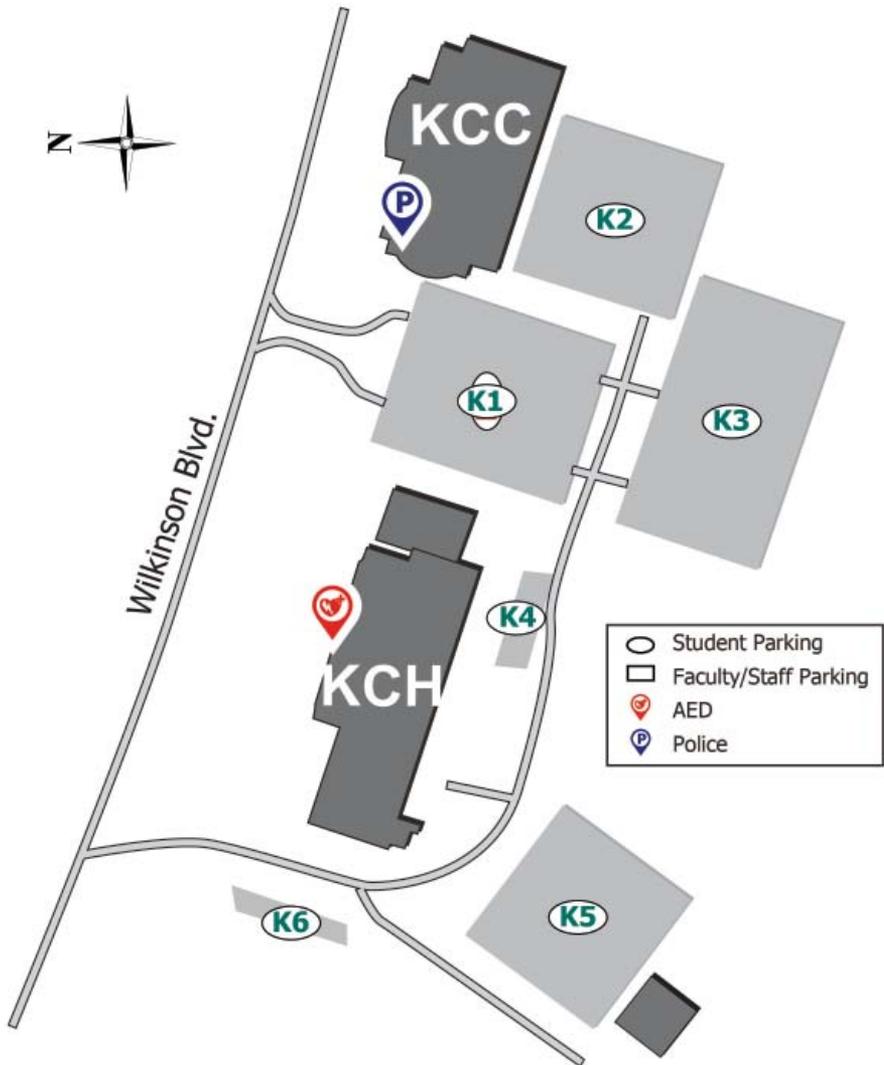
Abbr.	Building Name	Lots
CVA	D. F. Beam Center for Visual Arts	U
DSC	Dalpiaz Student Success Ctr.	E
DBC	David Belk Cannon Health Ed. Institute	X
EL	Exercise Lab	X



Abbr.	Building Name	Lots
ETC	Reg. Emer. Serv. Training Center	X
RBC	Robinson Classroom	N
LSB	Lena Sue Beam (Early College)	G,W
LIF	Pearson Life Skills	X

Abbr.	Building Name	Lots
MC	Myers Center	F
ML	Morris Library	V
PTI	Pharr Trade & Ind'l Center	H
RCH	Rauch Science & Fine Arts	V
S/R/M	Shipping/Rec./Maint.	X
VET	Vet. Tech	Outside of fence

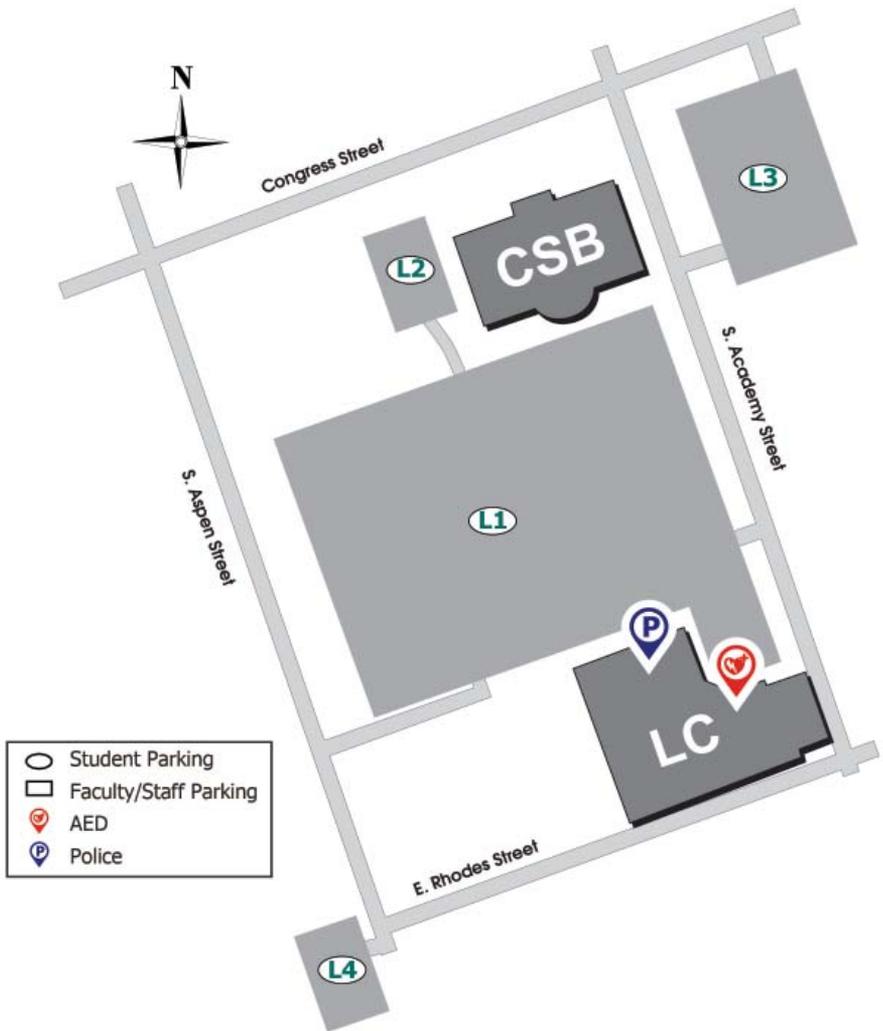
KIMBRELL CAMPUS & TEXTILE TECHNOLOGY CENTER MAP



Evacuate the building to the designated lot.

Abbr.	Building Name	Lots
KCH	Harney Hall	K5
KCC	Kimbrell Classroom Building	K3

LINCOLN CAMPUS MAP



Evacuate the building to the designated lot.

Abbr.	Building Name	Lots
LCC	Cochrane Building	L3
LC	Lincoln Classroom Building	L2

HOSTILE INTRUDER/ACTIVE SHOOTER

If you witness or encounter a hostile intruder/active shooter, contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**. In response, you should choose the safest option, either Run, Hide, or Fight.



1. **Run** - If there is a **safe** accessible escape path, try to evacuate the area.
2. **Hide** – If evacuation is not possible, find a place to hide where the intruder is less likely to find you and follow the **Lockdown** guidelines (below).
3. **Fight** – As a last resort and only when your life is in danger, attempt to disrupt and/or incapacitate the intruder.

LOCKDOWN (Hostile Intruder/Active Shooter)

In the event that a Lockdown is implemented for a hostile intruder/active shooter, you should:

1. Remain calm and help others remain calm. Your actions will influence others.
2. Find a place to hide where the intruder is less likely to find you. If you are in an open area, immediately seek protection by placing a barrier between you and the intruder.
3. If safe to do so, check hallway or adjacent areas for others.
4. **Do not** activate a fire alarm. If a fire alarm sounds during a lockdown, do not exit the building unless you see or smell smoke. If you see or smell smoke, follow the fire evacuation procedures.
5. Silence your cell phone.
6. Turn off lights, and if possible, lock and barricade doors.
7. Take cover, stay out of sight, and remain quiet.
8. Stay where you are until otherwise directed by emergency responders.
9. If needed, and safe to do so, tear out the Red Crisis Card in the back of this book and use it to alert emergency responders of critical injuries or the need for attention by placing in a window or sliding under the door. If possible, write the room number in the white space on the card.

HOSTILE INTRUDER/ACTIVE SHOOTER

(continued)

As part of hiding per the Lockdown procedures, it may be necessary to move to a different location in a building, or in some cases run to avoid danger. If you determine that running is necessary, be sure it is safe to do so and have an escape plan in mind. If you are unsure, **do not** attempt to run, but continue to hide and follow the lockdown guidelines. **Do not** attempt to run if a hostile intruder/active shooter is between you and your escape path.

Safety Tips

Hostile Intruder/Action Shooter

1. Be aware that an assailant may bang on the door and pretend to be a victim or emergency responder.
2. Do not open the door or otherwise unsecure the area, if there is any doubt about the safety of the individuals in the room.

LOCKDOWN (Other Reasons)

Although a Lockdown is generally associated with a hostile intruder/active shooter on campus, there may be other events when a Lockdown is implemented. An example of other reasons for when a Lockdown may be implemented includes certain emergency situations that occur in the community near a campus. Depending on the situation, the guidelines for a Lockdown for reasons other than a hostile intruder/active shooter Lockdown may be different. When appropriate, special instructions will be communicated.

INJURY or ILLNESS

In the event of a serious injury or illness, you should:

1. Remain calm and help others remain calm. Your actions will influence others.
2. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
3. If possible, do not move the individual. Keep them still and comfortable.
4. Administer first aid to the extent possible based on your level of training.
5. If possible, stay with the person until emergency responders arrive.
6. **Employee injury/illness** - In case of an injury or illness involving an employee, notify the employee's supervisor and/or the Safety Coordinator at **704.922.6286**.
7. **Student injury/illness** - In case of injury or illness involving a student or visitor, contact Campus Police and Security at **704.922.6480**.



Serious or Life Threatening Injury or Illness

1. Dial 911 for the following:
 - a. Loss of consciousness
 - b. Inability to breathe
 - c. Occurrence of chest pains
 - d. Serious injury to head, body, or limbs.
2. Provide the following information to the 911 Operator:
 - a. Your location and the number of sick or injured persons
 - b. The circumstances that led to the injury or illness
3. If possible, stay with the person until emergency responders arrive.
4. Try not to move the individual. Keep them still and comfortable
5. If the individual is conscious and oriented, they should make the decisions regarding their healthcare needs.
6. If the individual is unconscious, a medical professional should make the decisions regarding the individual's healthcare needs.

Situations that are Not Serious or Life Threatening

1. Administer first aid to the extent possible based on your level of training.
2. If in doubt, contact Campus Police and Security at **704.922.6480**.

FIRST AID FOR MEDICAL EMERGENCIES

*Please note that the First Aid section of the ERG contains general instructions for providing First Aid and CPR. These instructions are intended as a refresher for someone who is trained in the application of First Aid and CPR. The information supplied is not intended to be a substitute for treatment administered by medical professionals. In all cases of an illness or injury emergency, contact Campus Police and Security at **704.922.6480** or via a **Panic Button** on a computer desktop, or dial **911**.*

In the event of any medical emergency, you should:

1. Remain calm and help others remain calm. Your actions will influence others.
2. Contact Campus Police and Security at **704.922.6480**, or via a **Panic Button** on a computer desktop, or dial **911**.
3. **Note:** When administering first aid, use disposable gloves, other personal protective equipment (PPE), and obtain consent from the injured person, if possible.



Bleeding - Controlling External Bleeding

1. Cover the wound with a sterile dressing.
2. Apply direct pressure until the bleeding stops.
3. Cover the dressing with a bandage, and check for circulation beyond the injury (check for feeling, warmth, and color).
4. Apply more pressure.
5. If the bleeding does not stop:
 - a. Apply more dressings and bandages.
 - b. Continue to apply additional pressure.
 - c. Take steps to minimize shock.
6. If necessary, administer procedures for shock.
7. Wash hands with soap and water for at least 30 seconds after giving care.

Burns

1. Cool the burned area with cold running water, at least until pain is relieved.
2. Cover loosely with a sterile dressing.
3. If necessary, administer procedures for shock.

FIRST AID FOR MEDICAL EMERGENCIES

(continued)

Conscious Choking

1. Give 5 **back blows**:
 - a. Bend the person forward at the waist and give 5 back blows between the shoulder blades with the heel of one hand.
2. Give 5 **abdominal thrusts**:
 - a. Place a fist with the thumb side against the middle of the person's abdomen, just above the navel.
 - b. Cover your fist with your other hand.
 - c. Give 5 quick, upward abdominal thrusts.
3. Continue sets of 5 back blows and 5 abdominal thrusts until the:
 - a. Object is forced out.
 - b. Person can cough forcefully or breathe.
 - c. Person becomes unconscious.

Unconscious Choking

1. Give a rescue breath. Re-tilt the head and give another rescue breath.
2. If the chest still does not rise. Give 30 chest compressions.
3. Look for and remove the object, if seen.
4. Give 2 rescue breaths:
 - a. If the breaths do not make the chest rise, repeat steps 2 through 4.
 - b. If the chest clearly rises, check for breathing.
5. Give care based on conditions found.

Head, Neck or Spinal Injuries

1. Minimize movement of the head, neck, and spine.
2. Stabilize the head:
 - a. Manually stabilize the head in the position in which it was found.
 - b. Provide support by placing your hands on both sides of the person's head.
 - c. If the head is sharply turned to one side, **do not** move it.

Poisoning

1. If a person is conscious and alert, call the National Poison Control Center (PCC) hotline at **1.800.222.1222** and follow the advice given.
2. Give care based on the conditions found.

FIRST AID FOR MEDICAL EMERGENCIES

(continued)

Shock

1. Check for signs of drowsiness, confusion, rapid breathing and pulse, paleness, moist skin or loss of consciousness.
2. Reassure the person that you are going to help.
3. Keep the person from getting chilled or overheated and maintain body temperature by covering the person with a blanket.
4. If you do not think the person has an injury to the head, neck or back, or broken bones in the hip or leg area, raise the legs about 12 inches.
5. Do not give person anything to eat or drink.
6. Comfort and reassure the person until emergency responders arrive.

Strokes

1. If you suspect a person is having a stroke, think **F.A.S.T.**
 - a. **Face** - Ask the person to smile. Does one side of face droop?
 - b. **Arm** - Ask the person to raise both arms. Does one arm drift downward?
 - c. **Speech** - Ask the person to repeat a simple sentence. Is the speech slurred?
 - d. **Time** - Determine the time when signals first appeared. Note the time of onset of signals and report it to emergency responders.
2. If the person is drooling or has trouble swallowing, place him or her on one side to keep the airway clear.
3. Give care based on the conditions found.

Unconscious Person

1. Check the surroundings for safety. Make sure that there is no further risk for injury to the individual or yourself.
2. Check the individual for responsiveness. Tap their shoulder and shout, "Are you Ok?"
3. If an unconscious person is face-down, roll them face-up while supporting the head, neck and back in a straight line.
4. If the person responds, obtain consent for first aid treatment.
5. Check the person from head to toe and ask questions to find out what happened.
6. If the person does not respond, stay with them until emergency responders arrive.
7. If necessary, administer CPR. See directions on page 26.

FIRST AID FOR MEDICAL EMERGENCIES

(continued)

CPR - Cardiopulmonary Resuscitation

1. Open the airway by tilting the head and lifting the chin.
2. Check for breathing for no more than 10 seconds (redcross.org).
3. Administer chest compressions. Give 30 chest compressions at a speed of at least 100 compressions per minute. **(The person must be on a flat hard surface.)**
 - a. Place the heel of one hand on the chest between the nipples.
 - b. Place the heel of the other hand on top of the first hand.
 - c. Lean over the person, keeping your elbows straight.
 - d. Press the patient's chest down rapidly at a depth of 2 inches, then release.
4. Give 2 rescue breaths, one after the other:
 - a. Tilt the head back and lift the chin up.
 - b. Pinch the nose shut, then make a complete seal over the person's mouth.
 - c. Blow in for about 1 second to make the chest clearly rise.
5. Repeat steps 3 and 4 until:
 - a. You find an obvious sign of life, such as breathing.
 - b. An AED is ready to use.
 - c. An AED directs you to stop.
 - d. Another trained responder or EMS personnel takes over.
 - e. You are too exhausted to continue.
 - f. The scene becomes unsafe.

Using an AED (Automated External Defibrillator)

Note: Do not use pediatric AED pads or equipment on an adult or child older than 8 years or weighing more than 55 pounds.

1. Turn on the AED and follow the voice and/or visual prompts.
2. Supplies needed for AED should be attached in a side pocket or compartment.
3. Expose the patient's bare chest. Ensure the patient's chest is clean and dry. Shave chest hair if necessary, to ensure proper fit of AED pads.
4. Follow the voice prompts explaining how to open and apply AED pads to the patient's chest.
5. After AED pads are applied, make sure no one, including you, is touching the person. Say, "EVERYONE, STAND CLEAR."
6. Follow the voice prompts for heart rhythm analysis.
7. Follow the voice prompts for patient shock delivery.

FIRST AID FOR MEDICAL EMERGENCIES

(continued)

8. Wait for the voice prompt that states "It is now safe to touch the patient."
9. **If there is no response, the AED will instruct you to begin CPR. Follow the instructions for CPR on page 26.**



Automated External Defibrillators (AEDS) are used in cases of life-threatening cardiac arrhythmias. Their locations are as follows:

Campus	Building	AED Location
Dallas	Albright Public Safety (APS)	Lobby
	Comer Engineering Technologies (CET)	Campus Police Dept. CET 122-Hallway
	David Belk Cannon Health Education Institute (DBC)	Hallway next to the pool
	Myers Center (MC)	Lobby (Cafeteria side)
	Pharr Trade Industrial Center (PTI)	Front Lobby
	Rauch Science & Fine Arts (RCH)	Front Lobby (near Gallery)
	Robinson Classroom (RBC)	Lobby - 2nd floor (Highway 321 side)
Kimbrell	Harney Hall (KCH)	Harney Hall - Reception Desk
Lincoln	Lincoln Classroom (LCB)	LCB - Reception Desk

POWER OUTAGES, WATER, GAS LEAKS, AND EQUIPMENT FAILURE

Power Outage

1. Remain calm and help others remain calm. Your actions will influence others.
2. If safe to do so, remain in the immediate area since most power outages are short in duration.
3. If evacuation of the area/building is required, refer to the procedures for **Evacuation (Exit the Building) – pages 10**.
4. Assist disabled persons.
5. Turn off all light switches, computers, appliances, and other equipment to protect against damage when power is restored.
6. Extinguish any flames such as lab equipment or torches and, if necessary, open windows and/or doors for ventilation.
7. In cases where fume hoods and ventilation systems lose power, or for long-term power outages, it may be necessary to evacuate the area/building per **Evacuation (Exit the Building) – pages 10**.
8. **Do not** reenter the area/building until told to do so by an emergency responder.

Water and Gas Leaks

- **Water:** Use caution when operating power switches and other electrical devices.
- **Gas:** Do not operate power switches, fire alarms, or other electrical or electronic devices such as cell phones.
 1. Evacuate the area/building per **Evacuation (Exit the Building) – pages 10**.
 2. Contact Campus Police and Security at **704.922.6480** or a College official.
 3. **Do not** reenter the area/building until told to do so by an emergency responder.

Equipment Failure

In the event of equipment failure such as a water heater or piping (e.g. air or water lines), caution should be exercised to avoid any hazards and the matter should be reported immediately to Campus Police and Security at **704.922.6480**.

POWER OUTAGES, WATER, GAS LEAKS, AND EQUIPMENT FAILURE (continued)

Safety Tips

Signs of a Possible Gas Leak

1. A rotten egg odor.
2. Discolored or dead vegetation over or near the pipeline.
3. A hissing, whistling or roaring sound near a gas appliance or pipeline.
4. Debris being blown into the air.
5. Persistent bubbles in streams, ponds, or wet areas.
6. Flames (if a leak has ignited).

WEATHER

In the event of inclement weather, the College may close or modify its operating schedule. Decisions to close or modify the College's schedule are separate, and may be different from, Gaston and Lincoln County Schools or any other school system. For accurate information on College closings or modified schedules, check for weather-related notices specifically made by Gaston College.

In the event of inclement weather, persons are encouraged to use their best judgment when assessing their ability to travel safely.

Weather Notices

- Gaston College weather-related notices can be received via text message and/or email by subscribing to the College's Emergency Notification System (GC Alert).
- To subscribe to GC Alert, go to www.gaston.edu - click *About Us – Campus Police and Safety – Related Items – GC Alert*.

Weather-related notices are also normally posted on the following systems/media outlets:

- Gaston College Website at www.gaston.edu
- Gaston College at 704.922.6200
- EDAC-TV (Educational Access) Gaston County (Channel 21)
- WBTV-TV (CBS), Charlotte, NC
- WLNK FM 107.9, Charlotte, NC
- News 14 TV Carolina, Charlotte, NC
- WBT AM 1110, Charlotte, NC
- WSGE FM 91.7, Gaston College, Dallas, NC
- WBT FM 99.3, Charlotte, NC

WEATHER (continued)

Severe Thunderstorm/Tornado

1. Remain calm and help others remain calm. Your actions will influence others.
2. Seek shelter inside a building by following the guidelines for **Evacuation (Shelter in Place)** – pages 13.

Weather Notification Definitions		
	WATCH	WARNING
Severe Thunderstorm	Conditions are conducive to the development of severe thunderstorms in and close to the watch area.	A severe thunderstorm has been observed by spotters or indicated on radar, and is occurring or imminent in the warning area. Severe thunderstorms can produce tornadoes or cause damage from their strong wind gusts and/or hail.
Tornado	Conditions are conducive to the development of tornadoes in and close to the watch area.	A tornado has been sighted by spotters or indicated on radar and is occurring or imminent in the warning area.

Safety Tip

During or After a Severe Storm

1. Stay away from wet areas.
2. Do not handle electrical equipment in wet areas.
3. Leave an area immediately if you smell gas or vapors from chemicals.
4. Stay out of damaged buildings and structures.
5. If driving, don't underestimate the force and power of water. It is NEVER safe to drive or walk into flood waters. Just 12 inches of rushing water can carry away a small car, and two feet of rushing water can carry away most vehicles. **Turn Around Don't Drown®**.



Dallas Campus

201 Highway 321 South
Dallas, NC 28034
704.922.6200
704.922.2323 (f)

Lincoln Campus

P.O. Box 600
511 South Aspen St.
Lincolnton, NC 28093
704.748.5200
704.748.1074 (f)

**Kimbrell Campus &
Textile Technology Center**

P.O. Box 1044
7220 Wilkinson Blvd.
Belmont, NC 28012
704.825.3737
704.825.7303 (f)

APPLIES TO: All positions

POLICY

Effective: 7/1/16
Supersedes: 4/15/97

- A. It is the policy of Gaston College to make an ongoing effort to maintain a drug-free workplace by meeting the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.
- B. The misuse or abuse of drugs and/or alcohol can pose serious health risks and result in various issues including unsatisfactory work performance, poor decision making, absenteeism, injuries, interpersonal conflicts, and an increase in healthcare and healthcare costs. Additional risks or issues include: physical and mental impairment; emotional and psychological issues; short- and long-term physical health problems such as nausea, liver damage, and elevated blood pressure; negative effects on family, friends, and co-workers; and convictions for driving under the influence or while intoxicated.
- C. Employees are expected to report to work free from the adverse effects of drugs and/or alcohol, including any adverse effects of illegal or legal controlled substances such as certain physician-prescribed medications.
- D. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, or alcohol by any person, including visitors and vendors, is prohibited in or on the College premises; in vehicles owned, leased, or rented by the College; at any work site or location at which College duties are being performed by College employees or students as part of any College activity; or at sites of off-campus activities of student groups recognized by the College.
- E. The College encourages and supports treatment for drug- and/or alcohol-related issues by providing an Employee Assistance Program (EAP). The EAP is capable of assisting with many of these issues and can often provide short-term counseling, assessment, and referrals. For EAP-related services, employees should consult the Office of Human Resources and/or Policy 3-59 Employee Assistance Program.
- F. Any employee whose position is funded in full, or in part, by a federal contract or grant must notify Gaston College within five (5) calendar days if he or she is convicted of a criminal drug violation in the workplace. Upon receiving notice of the conviction, Gaston College is required to notify, in writing, the appropriate person or office in the federal agency within ten (10) calendar days. The notice must include the convicted employee's position title and the grant or contract identification number. Gaston College must notify the appropriate federal agency contact, regardless of how it learned of the conviction (i.e., by the employee, a co-worker, the newspaper, etc.). Employees are expected to know if their position is supported by federal funds.

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- G. A drug test is required subsequent to a work-related illness or injury that requires medical attention by an outside provider.
 - H. Certain agencies, such as medical clinics, may require that a Gaston College employee undergo a drug test as part of performing duties at their location.
 - I. The College will use certified drug-testing laboratories that follow established procedures by agencies such as the Substance Abuse and Mental Health Services Administration (SAMHSA). Drugs that are tested for include, but are not limited to, amphetamines, cocaine, cannabis, opiates, and phencyclidine. A Medical Review Officer (MRO) or alternate will be responsible for overseeing the drug-testing procedures, including the reporting of results.
 - J. A positive result for drugs screened per the established laboratory guidelines constitutes a failed drug test. Questions regarding a drug test will normally be handled by the testing laboratory and/or the Medical Review Officer (MRO).
 - K. An employee who reports to work under the influence of drugs and/or alcohol, is convicted of a drug or alcohol offense, refuses to submit to a required drug test, attempts to tamper with or alter a drug test, fails a drug test, or violates any expectation as outlined in this or related policies and expectations regarding drugs and/or alcohol, will be subject to disciplinary corrective action up to and including dismissal.
 - L. Violations of this policy may result in disciplinary corrective action, up to and including dismissal, or a supervisory referral to the Employee Assistance Program (see Policy 3-59 Employee Assistance Program), or both.

PROCEDURE

Effective: 7/1/16
Supersedes: 4/15/97

- A. All employees are required to review this policy as part of employment.
- B. When a Gaston College employee is required to undergo a drug test as part of his or her job duties (e.g., healthcare providers as part of performing duties at a medical clinic), the employee will be referred to an approved drug-testing facility.
- C. For work-related injury or illness where outside medical treatment is needed, an employee is required to submit to a drug test. In most cases, when possible, the College refers employees to CaroMont Occupational Health for treatment, which includes the administration of a drug test as part of the routine protocol; however, referrals for medical treatment, protocols, and the administration of a drug test may differ when another outside medical provider needs to be used.

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- D. The College will be notified of the results of all drug tests, positive or negative. In the event of a positive drug test, the Medical Review Officer (MRO) or alternate will report the results to the employee and answer any questions that the employee may have.

History

Issued: 4/15/97

Revised: 7/1/16 - Revised the statement concerning federal requirements related to employees who are in federal grant-funded or grant-supported positions; added a statement that employees in positions that are supported by federal funds are expected to know how their position is specifically covered by the policy; added the potential risks of drug use that includes examples of potential health-related issues; included the expectations of the College with regard to the unlawful use of drugs; clarified that the policy also covers medications prescribed by a physician; stated that the misuse or abuse of drugs and/or alcohol affects both the College and the employee; added that the College encourages and supports treatment for drug- and/or alcohol-related issues by providing an Employee Assistance Program (EAP); clarified when a drug test is required subsequent to a work-related injury where it "requires medical attention by an outside provider"; added a statement that certain positions are also required to undergo drug testing per the requirements for those positions; added a statement regarding the type of drugs that are tested as part of a drug screen; added a statement regarding the laboratory guidelines that constitute a failed test; added a statement regarding the role of a Medical Review Officer (MRO); included specific consequences of an employee's failure to comply with the policy; added procedures that further state that employees are required to review this policy as part of employment, a statement regarding referral to an approved drug-testing facility when a drug test is required as part of a specific job, a procedural statement regarding what will be done in the event of a work-related illness or injury, and a statement regarding the role of an MRO in the communication of positive drug test.

APPLIES TO: All Students

POLICY

Effective: 10/14/19

Supersedes: 9/18/17

- A. It is the policy of Gaston College to make an ongoing effort to maintain a drug-free educational environment by meeting the requirements of the Drug-Free Schools and Communities Act (DFSCA) Amendments of 1989.
- B. The misuse or abuse of drugs and/or alcohol pose serious health risks and result in various issues including unsatisfactory academic performance, poor decision making, absenteeism, injuries, interpersonal conflicts, and an increase in healthcare and healthcare costs. Additional risks or issues include: physical and mental impairment; emotional and psychological issues; short- and long-term physical health problems such as nausea, liver damage, and elevated blood pressure; negative effects on family, friends, and other students; and convictions for driving under the influence or while intoxicated
- C. Students are expected to arrive to campus free from the adverse effects of drugs and/or alcohol, including any adverse effects of illegal or legal controlled substances such as certain physician-prescribed medications.
- D. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, or alcohol by students is prohibited in or on the College premises; in vehicles owned, leased, or rented by the College; as part of any College activity; or at sites of off-campus activities of student groups recognized by the College.
- E. The College encourages and supports treatment for drug- and/or alcohol-related issues by providing students with campus programming, short-term counseling for personal issues and concerns, and referrals to community resources. The College may require a student to successfully complete a drug and/or alcohol rehabilitation program sponsored by an approved private or governmental institution as a precondition to continued enrollment or re-enrollment at the College.
- F. A student who arrives on College premises under the influence of drugs and/or alcohol, unlawfully manufactures, distributes, dispenses, possesses, or uses a controlled substance, illicit drug, or alcohol, is convicted of a drug or alcohol offense, or violates any expectation as outlined in this or related policies and expectations regarding drugs and/or alcohol will be subject to Student Code of Conduct sanctions up to and including expulsion, termination of student employment, and referral for prosecution.

- G. Per Policy 3-125, Sexual and Other Unlawful Harassment or Misconduct, the College recognizes that individuals may be reluctant to report instances of sexual misconduct when their own actions are violations of College policy related to the use of drugs and alcohol. While the College does not condone violations of its Drug-Free Campus-Students Policy, as appropriate, it will consider extending immunity for alcohol or substance abuse violations as part of reporting instances of sexual misconduct.
- H. Students employed by Gaston College (e.g., Work-Study, Work-Based Learning) are employees of the College and are also subject to Policy 3-131, Drug-Free Campus.

PROCEDURE

Effective: 10/14/19

Supersedes: 9/18/17

- A. The College complies with the Drug-Free Schools and Communities Act (DFSCA) Amendments of 1989 by implementing a Drug and Alcohol Abuse Prevention Program (DAAPP) and completing a biennial review of its DAAPP. The College distributes a written copy of the DAAPP annually to students via email, New Student Orientation, and the College's Consumer Information webpage.
- B. All students are provided access to this policy and the Student Code of Conduct in the Student Handbook and on the College website.
- C. Students who are in violation of this policy will be subject to sanctions as outlined in the disciplinary procedures of the Student Code of Conduct.
- D. Per federal regulations, a student's federal Title IV aid eligibility may be impacted with a drug conviction for an offense while receiving student aid.

History

Issued: 4/15/97

Revised: 9/18/17– Revised previous policy to apply specifically to students using Policy 3-131 Drug-Free Campus for consistency; added the potential risks of drug use that includes examples of potential health-related issues; included the expectations of the College with regard to the unlawful use of drugs; clarified that the policy also covers medications prescribed by a physician; stated that the misuse or abuse of drugs and/or alcohol affects both the College and the student; added that the College encourages and supports treatment for drug- and/or alcohol-related issues by providing campus programming, short-term personal counseling, and referrals to community resources; added statement that some Health and Human Services programs require students to submit documentation of non-academic criteria such as urine drug testing for program admissions requirements; added statement that the College follows Title IV Federal Financial Aid regulations as they relate to this policy; added amnesty statement from Policy 3-125 Sexual and Other Unlawful Harassment or Misconduct to this policy.

Revised: 10/14/19 – Added language to reflect implementation of Drug and Alcohol Abuse Prevention Program (DAAPP).

APPLIES TO: All positions, volunteers, and visitors

POLICY

Effective: 7/1/16
Supersedes: 11/18/13

- A. It is the policy of Gaston College to maintain a safe and secure working and learning environment for its students, employees, and the public.
- B. It is a violation to possess or carry any weapon on College property including firearms, explosives, BB guns, stun guns, air rifles or pistols, sling shots, and knives or other sharp instruments.
- C. The only exceptions to this policy are for law enforcement and military personnel in the discharge of their official duties or as otherwise permitted by law, for ceremonial or educational purposes, or when tools such as knives are used for construction, maintenance, or food preparation.
- D. Pursuant to G.S. 14-269, a person who has a concealed handgun permit in accordance with Article 54B, has a concealed handgun permit considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25, is permitted to have a handgun provided it is in a closed compartment or container within the person's locked vehicle and the vehicle is parked in a College parking area. A person may unlock the vehicle to enter or exit, but the handgun must remain in the closed compartment at all times and the vehicle must be locked immediately following the entrance or exit.

History

Issued: 4/15/97
Revised: 10/1/13 - To comply with new legislation (G.S. 14-269.2(k))
Revised: 11/18/13 - Added "personnel in the discharge of their official duties or as otherwise permitted by law"; changed the policy name to "No Weapons."
Revised: 7/1/16 - Added the list of exceptions regarding no weapons on College property.

APPLIES TO: Employees, Students, and Third Parties, as applicable

POLICY

Effective: 11/16/20

Supersedes: 9/26/16

- A. It is the policy of Gaston College to provide an inclusive, safe, and welcoming working and learning environment for all members of the College community. In accordance with applicable federal and state laws, administrative regulations, and College policy, the College prohibits discrimination in its education programs and activities based on sex. This Policy applies to conduct that occurs in a College Education Program or Activity located within the United States.
- B. Under Title IX, discrimination on the basis of sex includes quid pro quo harassment; sexual harassment; and sexual assault, stalking, dating and domestic violence (collectively referred to as "sexual harassment"). At the time that a complaint is filed, the Complainant must be participating in (or attempting to participate in) an education program or activity of the College. An education program or activity includes locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.
- C. This policy applies to allegations and complaints of sexual harassment as defined herein. All other complaints of discrimination or misconduct that do not fall within the jurisdiction of Title IX may be made through other procedures.
- D. To respond to a notice of sexual harassment or allegations thereof, the College's Title IX Coordinator (TIXC), Deputy Title IX Coordinator (DTIXC), or any College Official who has authority to institute corrective measures on behalf of the institution, must have *actual knowledge* of sexual harassment or allegations of sexual harassment, as defined by Title IX. *Actual knowledge* does not necessarily trigger the obligation to investigate, but may trigger the obligation to provide supportive measures. Actual knowledge is not met when the only person with actual knowledge is a Respondent.
- E. The College's Title IX Coordinator(s) (TIXC) and/or Deputy Title IX Coordinator(s) (DTIXC) has oversight responsibility for handling Title IX and Sexual Harassment complaints under this policy.

PROCEDURE

Effective: 11/16/20

Supersedes: 9/26/16

A. REPORTING AND SUPPORT SERVICES

1. The filing of a formal, written complaint initiates the formal complaint process and is available to any person who is participating in (or attempting to participate in) a College educational program or activity.
2. Any person wishing to make a report relating to Title IX and Sexual Harassment may do so by reporting the concern to the Title IX Coordinator (TIXC), Deputy Title IX Coordinator (DTIXC), or to any College Official who has authority to institute corrective measures on behalf of the

institution such as a supervisor, Dean, or administrator. A formal written complaint can be submitted in person, by mail, or by email.

3. College Officials who receive information regarding a potential violation of this policy, are to report this information to the TIXC or DTIXC promptly. In some circumstances, there are individuals in positions such as licensed health-care professionals and professional counselors, who are not required, or statutorily prohibited, to report such information.
4. Employee complaints or reports about sex discrimination, including sexual harassment, should be submitted to the TIXC, and student complaints or reports should be submitted to the DTIXC. The contact information for the TIXC and DTIXC are as follows:

Employee Reporting

Todd Baney, Title IX Coordinator
 Vice President for Administrative Services/CHRO
 Beam Administration Building
 Gaston College
 Office: (704) 922-6485
 baney.todd@gaston.edu

Student Reporting

Dr. Audrey Sherrill, Deputy Title IX Coordinator
 Vice President for Student Affairs and Enrollment Management
 Myers Center
 Gaston College
 Office: (704) 922-6217
 sherrill.audrey@gaston.edu

5. Law Enforcement

The College complaint process is not a substitute for instituting legal action, and individuals may also choose to report sexual misconduct directly to local law enforcement agencies. If required or warranted by the nature of the allegations, the College may notify appropriate law enforcement authorities. The College's investigation may be delayed temporarily while a criminal investigation gathers evidence. In the event of such a delay, the College will make available supportive measures when necessary. To file a report directly with local law enforcement agencies, individuals can dial 911. To file a report with Campus Police, or for assistance with filing a report, individuals may contact:

Gaston College Campus Police & Security Department
 122 Comer Engineering Building
 Gaston College
 (704) 922-6480

6. Amnesty

The College encourages reporting of incidents of prohibited conduct and seeks to remove any barriers to reporting. The College recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential

consequences for their own conduct. Individuals who report prohibited conduct or participate as witnesses will not be subject to disciplinary sanctions for personal consumption of alcohol and/or other substances; however, the College may initiate an educational discussion with individuals about their alcohol and/or drug use or may direct these individuals to services such as counseling for alcohol and/or drug use. Amnesty will not be extended for any violations of College policy other than alcohol/drug use. The use of alcohol, drugs, and/or legally prescribed medication does not justify or excuse behavior that constitutes prohibited conduct under this policy.

7. Preserving Evidence

It is important that evidence of sexual assault be preserved, because it may be needed for prosecuting a criminal case. Victims and others should not alter the scene of an attack. The victim should not change clothes, bathe or shower, drink or eat anything, or brush his or her teeth before reporting the assault. Any items worn by the victim during the assault, but are not currently being worn, and any materials encountered during the assault (i.e., bed sheets, blankets, etc.) should be placed in a paper bag and brought along with the victim to a local hospital emergency department that has kits to collect and preserve evidence of sexual assault.

8. Off-Campus Conduct

Conduct that occurs off-campus will be evaluated to determine whether the circumstances fall within the College's jurisdiction under Title IX or should be referred to a different department or official within the College.

9. Confidentiality

Except as compelled by law or as required to conduct a full and fair complaint proceeding in response to a formal complaint, the College will treat the information obtained or produced as part of the Title IX procedures as confidential. The College will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), including the conduct of any investigation, hearing, or judicial proceedings arising thereunder.

10. Availability of Counseling and Support Services

Counseling and other mental health services are available on campus and in the community. Students may use the Counseling Services department and may be able to seek help through the Student Outreach Services (SOS) program. Employees of the College may be able to seek help through the Employee Assistance Program. Local or community health agencies, and counselors and psychotherapists in private practice in the area can also provide needed services.

B. COMPLAINT PROCEDURE AND BASIC REQUIREMENTS

1. These procedures apply to all complaints regarding conduct that may constitute sexual harassment, including sexual assault, as defined in this policy. The College will respond

promptly to a report of sexual harassment. All other complaints shall be addressed through other procedures.

2. The College's Title IX complaint process includes formal and informal procedures that encourage prompt resolution of complaints. In most cases, the Complainant's submission of a formal, written complaint to the TIXC or DIXC will initiate the formal complaint process. However, the TIXC or DTIXC may also submit a formal complaint under the circumstances described below.
3. The College's complaint process shall adhere to the following principles:
 - a. A person who has been accused of sexual harassment (*Respondent*) is presumed *not responsible* for the alleged conduct until a determination of responsibility is made at the conclusion of the complaint process.
 - b. All relevant evidence, including exculpatory and inculpatory evidence, will be evaluated.
 - c. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
 - d. The TIXC, DTIXC, Investigator(s), hearing officer/decision-maker(s), and persons involved with the informal resolution, and any other persons that play a significant role in the Title IX complaint process, shall not have a conflict of interest or bias for (or against) Complainants or Respondents generally or for (or against) an individual Complainant or Respondent.
 - e. The time frames for concluding the complaint process shall be reasonably prompt, as set forth in more detail in the procedures below.
 - f. The complaint process may be temporarily delayed, and limited extensions of time frames may be granted, for good cause. In such instances, written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action will be provided. Good cause may include considerations such as the absence of a party, a party's Advisor, or a witness; concurring law enforcement activity; or the need for language assistance or accommodations of disabilities.
 - g. Questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege will not be required, allowed, relied upon, or otherwise used. The College shall not consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in the capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains that person's voluntary, written consent to do so for a complaint under this section.
 - h. No party shall be restricted from discussing the allegations under investigation or to gather and present relevant evidence.
 - i. All parties participating in a hearing, investigative interview, or other meeting shall be provided with a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

C. INITIAL INTAKE, RESPONSE, AND ASSESSMENT

1. Upon receiving a report of conduct that could potentially be a violation of this policy, the TIXC or DTIXC will contact the Reporting party, and:
 - a. Provide the person a copy of this policy
 - b. Explain the process for filing a formal complaint
 - c. Explain avenues for resolution, including informal and formal
 - d. Explain the steps involved in an investigation and hearing under this policy
 - e. Discuss confidentiality standards
 - f. Refer to law enforcement, counseling, medical, academic or other resources, as appropriate
 - g. Implement any supportive measures deemed appropriate
 - h. Determine whether the alleged conduct, as described by the reporting party, falls within the scope of this policy and if so, initiate the investigation and resolution procedures accordingly

2. If the reporting party (Complainant) requests that no further action be taken and/or that no formal complaint be pursued, the TIXC or DTIXC will inform the Complainant that retaliation is prohibited and that honoring the Complainant's request may limit the College's ability to fully respond to the matter.

3. The TIXC or DTIXC may initiate the complaint process, even where the Complainant declines to file a formal complaint, if it is determined that the particular circumstances require the College to formally respond to and address the allegations. Circumstances to be considered include, among others, a pattern of alleged misconduct by a Respondent and whether the complaint has alleged use of violence, weapons, or other similar conduct. The TIXC or DTIXC will also consider the Complainant's wishes with respect to supportive measures and desired response by the College. Where a report is made anonymously and the TIXC or DTIXC files the complaint, both the Complainant and Respondent will receive notice of the allegations with written details and identities of the parties, if known.

4. The TIXC or DTIXC may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

5. **Dismissal of Complaint Prior to Resolution**
 - a. A formal complaint must be dismissed by the TIXC or DTIXC if the alleged conduct:
 1. does not constitute sexual harassment, as defined in this policy, even if proven;
 2. did not occur in the College's educational program or activity; or
 3. did not occur against a person in the United States

 - b. In addition, a complaint may be dismissed if:
 1. at any time during the investigation or hearing, a Complainant notifies the TIXC or DTIXC in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
 2. the Respondent is no longer enrolled or employed by the recipient; or

3. specific circumstances prevent the gathering of evidence sufficient to reach a determination as to the formal complaint or any allegations therein.
 - c. Upon dismissal of a formal complaint, the TIXC or DTIXC will send simultaneous, written notice of, and reason(s) for, the dismissal to the parties. Upon notification of dismissal of the complaint, the parties may appeal this interim status via email or mail a written appeal to the President within ten (10) business days of receiving official notice of the interim status. Appeals may not exceed seven (7) double-spaced pages on 8 ½ x 11 paper with one-inch margins and 11-point font. The President shall conduct a review of the record and issue a final written decision that describes the result of the appeal and the rationale for the result. The President's decision is final.
 - d. Dismissal of a complaint under this Title IX policy does not preclude a Complainant from pursuing a complaint through other appropriate campus procedures.

D. FORMAL COMPLAINT

1. Following the initial intake, response, and assessment step involving the reporting party, if it is determined that an alleged conduct falls within the scope of this policy, the investigation and resolution procedures will be initiated.
2. The TIXC or DTIXC will send notification of the complaint to the Complainant and the Respondent (if known) with sufficient details to allow the parties to respond and prepare for initial interviews. The TIXC or DTIXC will send updated notices to both parties when additional details become available. The TIXC or DTIXC may choose to contact both parties just prior to sending the initial written notice to inform each that a notice is being sent. The initial notice should include, but is not limited to, the following:
 - a. The Complainant's allegations that potentially constitute sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview (including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under this policy, and the date and location of the alleged incident, if known)
 - b. A copy of this policy
 - c. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
 - d. A statement informing the parties that they have a right to have one Advisor of their choice to assist them throughout the proceedings who may be (but is not required to be) an attorney
 - e. A statement regarding possible informal resolution
 - f. A statement that the parties have the right to inspect and review all evidence collected during the complaint process
 - g. A statement that any party who knowingly makes false statements or submits false information during the complaint process will be subject to disciplinary procedure
 - h. A statement regarding non-retaliation

- i. A statement regarding confidentiality
- j. A statement regarding an investigation and hearing under this policy
- k. A statement about supportive measures that are already determined and being provided to the Complainant that would directly affect the Respondent
- l. A statement about available supportive measures
- m. If decided, the name of the Investigator appointed to investigate the allegations; however, if not decided, a subsequent written notice will need to be sent to both parties informing of the appointment

E. INFORMAL RESOLUTION

1. At any time after a formal written complaint is filed, but prior to reaching a determination regarding responsibility, the College may offer the parties the opportunity for voluntary informal resolution, or any party may request the College facilitate an information resolution.
Note: A student allegation of sexual harassment against a College employee is not eligible for informal resolution.
2. Upon a request for informal resolution, the TIXC or DTIXC will review the facts and circumstances of the case to determine if informal resolution is appropriate to ensure that any proposed informal resolution is consistent with the College's obligations to prevent and redress sexual harassment.
3. If information resolution is agreed upon by both parties, the TIXC or DTIXC will designate an independent person (i.e., Facilitator) to facilitate the informal resolution process and provide both parties written notice of proceeding with an informal resolution, which will include the following information:
 - a. the allegations contained in the formal complaint, including dates, location(s), and identities of the parties
 - b. any agreed-upon resolution reached at the conclusion of the informal complaint process will preclude the parties from resuming a formal complaint arising from the same allegations
 - c. the name of the designated Facilitator
 - d. The potential outcomes resulting from participating in the informal resolution process
 - e. notice that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the complaint process with respect to the formal complaint
4. Informal resolution is voluntary. The Complainant and Respondent must provide written consent for informal resolution to take place.
5. Informal resolution concludes the matter only when all parties have signed a written agreement that confirms resolution of the allegations.
 - a. The resolution agreement must include a waiver of the parties' right to have a formal hearing on the allegations that have been informally resolved.
 - b. Parties are prohibited from revoking or appealing a resolution agreement. Should the Respondent violate the terms of an informal resolution agreement, such violation will subject the Respondent to an investigation and the formal grievance process contained in this procedure.

- c. If a resolution agreement is not reached, the College will continue with a formal investigation.

F. SUPPORTIVE MEASURES

1. Supportive measures, as defined in this policy, will be based on the facts and circumstances of each situation. The TIXC or DTIXC is responsible for coordinating the effective implementation of supportive measures.
2. The College will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.
3. Supportive measures may include, but are not limited to, the following:
 - a. counseling
 - b. extensions of deadlines or other course-related adjustments
 - c. modifications of work or class schedules
 - d. campus escort services
 - e. mutual restrictions on contact between the parties
 - f. changes in working or housing locations
 - g. leaves of absence
 - h. increased security and monitoring of certain areas of the campus

G. INVESTIGATION

1. If resolution of the allegations does not proceed through the informal process, the matter will proceed with an investigation and resolution through the formal complaint processes.
2. Parties and witnesses are expected to cooperate in the investigation process to the extent required by law and this policy.
3. The TIXC or DTIXC is responsible for overseeing the prompt, equitable, and impartial investigation during the formal complaint process; however, extensions of timeframe for good cause are allowed, so long as written notice and the reason for the delay is provided to the parties. Good cause includes: The complexity and/or number of the allegations; The severity and extent of the alleged misconduct; The number of parties, witnesses, and other types of evidence involved; The availability of the parties, witnesses, and evidence; A request by a party to delay an investigation; The effect of a concurrent criminal investigation or proceeding; intervening holidays, College breaks, or other closures; good faith efforts to reach a resolution; or other unforeseen circumstances.
4. The TIXC or DTIXC will assign an Investigator and share the Investigator's name and contact information with the Complainant and the Respondent.
5. Immediately after the identity of the person who will conduct the investigation is determined and communicated to the parties, the Investigator, the Complainant, or the Respondent may identify to the TIXC or DTIXC in writing any real or perceived conflict of interest. The TIXC or DTIXC will carefully consider such statements and will assign a different individual as Investigator if it is determined that a material conflict of interest exists.

6. Investigations typically include interviews with the Complainant, the Respondent, and any witnesses, and the objective evaluation of any physical, documentary, or other evidence as appropriate and available. The College will give the Complainant and the Respondent written notice of any interview, meeting, or hearing at which a party is invited or expected to participate.
 - a. If, after a safety and risk analysis, the TIXC or DTIXC determines that the Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment, the TIXC or DTIXC may recommend the Respondent be removed from the College's programs or activities. In such instances, the Respondent will be provided with a written notice of the reasons for the removal. Nothing in this policy precludes the College from placing a non-student employee Respondent on administrative leave during the pendency of the complaint process.
 - b. Upon notification of interim suspension (student) or interim administrative leave (employee), the party may appeal this interim status via email or mail a written appeal to the President within ten (10) business days of receiving official notice of the interim status. Appeals may not exceed seven (7) double-spaced pages on 8 ½ x 11 paper with one-inch margins and 11-point font. The President shall conduct a review of the record and issue a final written decision that describes the result of the appeal and the rationale for the result. The President's decision is final.
7. Interviews conducted as part of an investigation under this Procedure may be recorded by the College. Recordings not authorized by the College are prohibited.
8. Both parties have the right to be accompanied by an Advisor of their choosing during all stages of an investigation.
 - a. A party may elect to change Advisors during the process.
 - b. All Advisors are subject to the same rules:
 1. During the investigation, the Advisor's role is limited to providing advice, guidance, and support to the Complainant or Respondent. An Advisor is not permitted to act as a participant or advocate during the investigative process.
 2. Advisors are expected to maintain the privacy of the records shared with them.
 3. Advisors are expected to refrain from interfering with investigations.
 4. Any Advisor who oversteps their role or interferes during an investigation process will be warned once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the Advisor will be asked to leave. The Title IX Coordinator determines whether the Advisor may return or should be replaced by a different Advisor.
 5. Note: Advisors must sign a Family Educational Rights and Privacy Act (FERPA) release to receive information related to a Title IX matter.
9. Prior to finalizing the Investigation Report, the Investigator will provide all parties an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the College does not intend to rely. The evidence will be provided in an electronic format or a hard copy.

The parties may submit a written response to the evidence within 10 business days after receipt of the evidence. The investigator considers any responses received from the parties and conducts any further investigation necessary or appropriate.

10. The Investigation Report shall fairly summarize the relevant evidence and must include the following items and information that is relevant to the allegations in the formal complaint:
 - a. the dates of the TIXC's or DTIXC's initial receipt of a report of alleged sexual harassment against the Complainant, intake meeting, and the filing of the formal complaint
 - b. a statement of the allegation(s), a description of the incident(s), the date(s) and time(s) (if known), and location of the alleged incident(s)
 - c. the names of all known witnesses to the alleged incident(s)
 - d. the dates that the Complainant, Respondent, and other witnesses were interviewed, along with summaries of the interviews
 - e. descriptions or summaries of any physical or documentary evidence that was obtained (e.g., text messages, emails, surveillance video footage, photographs)
 - f. any written statements of the Complainant, Respondent, or other witnesses
 - g. the response of College personnel and, if applicable, College-level officials, including any supportive measures taken with respect to the Complainant and Respondent

11. The Investigator shall provide a draft of the investigative report to the TIXC or DTIXC for review before the report becomes final. An electronic or hard-copy version of the final investigative report will be provided to each party (and each party's Advisor) concurrently.

H. DETERMINATION HEARING

1. At least 10 business days after the issuance of the Investigation Report, a Live Hearing will be conducted to determine outcome and resolution of the complaint. The parties and their Advisors, if any, will be notified of the date, time and location of the hearing.

2. **Hearing Officer/Decision-Maker**
 - a. Within 5 business days of the release of the Investigation Report to the parties, or as soon as practicable thereafter, the TIXC or DTIXC will appoint a Hearing Officer/Decision-Maker, who may be (but is not required to be) an individual not employed by the College, who will be responsible for conducting the Live Hearing and making findings regarding responsibility and, if applicable, recommend any necessary remedies and sanctions. The TIXC or DTIXC will provide a copy of the formal complaint and the Investigation Report, along with the parties' written responses to the Investigative Report, to the Hearing Officer/Decision-Maker.
 - b. Immediately after the identity of the person who will conduct the live hearing and act as the decision-maker is determined and communicated to the parties, the Hearing Officer/Decision-Maker, the complainant, or the respondent may identify to the TIXC or DTIXC in writing any real or perceived conflict of interest. The TIXC or DTIXC will carefully consider such statements and will assign a different individual as the Hearing Officer/Decision-Maker if it is determined that a material conflict of interest exists.

3. **Submission of Witnesses Lists**

Within 5 business days after receipt of the notice of the Hearing Officer/Decision-Maker, both parties may provide to the Hearing Officer/Decision-Maker a list of witnesses, if any, that they propose to be called to testify, and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute. Absent good cause, a party cannot include a witness on the party's pre-hearing witness list unless the witness was identified during the investigation. The Hearing Officer/Decision-Maker reserves the right to call relevant witnesses who may not have been included on a party's witness list.

4. Notice of the Live Hearing

The hearing shall be conducted promptly but no sooner than 10 business days after release of the Investigation Report. At least 10 business days prior to the Live Hearing date, the Hearing Officer/Decision-Maker will provide a separate notice to the Complainant, Respondent, and any other witnesses whose testimony the Hearing Officer/Decision-Maker deems relevant, requesting such individuals to appear at the hearing to determine responsibility. The notice shall set forth the date, time, and location for the individual's requested presence. The Hearing Officer/Decision-Maker shall provide, in the notice to the parties, the names of the witnesses that the Hearing Officer/Decision-Maker plans to call.

5. Failure to Appear

If any party fails to appear at the hearing if requested to do so, and such party was provided notice of the hearing as set forth above, then, absent extenuating circumstances, the Hearing Officer/Decision-Maker will proceed to determine the resolution of the complaint. For a party who fails to appear, the Hearing Officer/Decision-Maker will need to rely solely on the non-appearing party's version of events based as per the formal complaint, prior statements, and/or the Investigative Report.

6. Option for Virtual Presence

Live hearings may be conducted with parties present in the same geographic location or, at the College's discretion, any or all parties and witnesses may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. Either party may request not to be in the same room as the other party. If any party makes such a request, then both parties will be required to attend the hearing from a location or room different from where the Hearing Officer/Decision-Maker is sitting. If the hearing is virtual, or there is a request for separate rooms at a physical location, the College will ensure that all participants are able to simultaneously see and hear the party or the witness answering questions. Instructions will be provided for accessibility prior to the hearing date.

7. Recordings

An audio or audio-visual recording will be created of the live hearing and will be made available for inspection and review at any party's request.

8. Advisors

Both the Complainant and Respondent may be accompanied by an Advisor during the hearing. The Advisor's role at the hearing shall consist of (1) providing private advice to the party he/she is supporting and (2) questioning the opposing party and other witnesses because the parties are not permitted to ask questions or cross-examine the other party or witnesses during the hearing. The Advisor can be anyone, including an attorney. A party may arrange for

the party's Advisor of choice to attend the hearing at the party's own expense. Alternatively, the College will select and provide an Advisor to assist a party at the hearing to determine responsibility, without fee or charge, upon a request for an Advisor at least 5 business days prior to the date of the hearing. In either scenario, the Advisor may only participate in the hearing to the extent allowed under this policy.

9. Evidentiary Matters and Procedure

The parties, through their Advisors, shall have an equal opportunity to question the opposing party and other witnesses, including fact and expert witnesses, and present relevant evidence, including exculpatory and inculpatory evidence. Formal rules of evidence will not be observed during the hearing. The Hearing Officer/Decision-Maker will conduct the initial questioning of witnesses prior to the questioning by an Advisor. The Hearing Officer/Decision-Maker will make all determinations regarding the order of witnesses, relevancy of questions, and the evidence to be considered or excluded during the hearing and decision-making process. The Hearing Officer/Decision-Maker may, in his or her discretion, choose to call the Investigator for the purpose of providing an overview of the investigation and findings.

10. Cross-Examination During the Live Hearing

Each party's Advisor is permitted to question the opposing party and the other witnesses, so long as the questions are relevant and not duplicative of the questions posed by the Hearing Officer/Decision-Maker. The questions may include challenges to credibility. No other questioning or speaking participation by an Advisor will be allowed. A party may not examine a party or witness directly; rather, a party must utilize the services of an Advisor for the purpose of posing questions to another party or witness.

11. Relevancy of Questions

The Hearing Officer/Decision-Maker will make determinations regarding relevancy of questions before a party or witness answers. If a determination is made to exclude the question based on relevancy, the Hearing Officer/Decision-Maker will provide an explanation of why the question was deemed irrelevant and excluded.

12. Advisor Notification and Expectations

A party should notify the Hearing Officer/Decision-Maker at least 5 business days in advance of the hearing if the party will be accompanied by an Advisor. The Hearing Officer/Decision-Maker may disallow the attendance of any Advisor if, in the discretion of the Hearing Officer/Decision-Maker, such person's presence becomes disruptive or obstructive to the hearing or otherwise warrants removal. Advisors will not be permitted to badger or question the opposing party or any witness in an abusive or threatening manner. Absent accommodation for a disability, the parties may not be accompanied by any other individual during the hearing process except as set forth in this policy. College officials may seek advice from the College Attorney on questions of law, policy, and procedure at any time during the process.

13. Prior Sexual Conduct

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the

conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

14. Refusal to Submit to Cross-Examination

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer/Decision-Maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Hearing Officer/Decision-Maker cannot draw an inference about the determination of responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

15. Confidentiality and Disclosure

To comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the complaint process is not open to the general public. Accordingly, documents prepared in anticipation of the hearing (including the formal complaint, investigative report, evidentiary materials, notices, and prehearing submissions), recordings of the hearing, and documents, testimony, or other information used at the hearing may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law. Records with a legally recognized privilege, such as medical treatment records, may not be used unless the individual or entity who holds the privilege waives the privilege. Any waiver must be written and made in advance of a hearing.

16. Decision of the Hearing Officer/Decision-Maker and Standard of Evidence

Following the conclusion of the hearing, the Hearing Officer/Decision-Maker will determine whether the evidence establishes that it is more likely than not that the Respondent committed a violation of this policy. In other words, the standard of proof will be the preponderance of the evidence. This standard applies to complaints against both students and employees. Other standard Rules of Evidence do not apply in complaint hearings under these procedures. In reaching the determination, the Hearing Officer/Decision-Maker will objectively and thoroughly evaluate all relevant evidence, and reach an independent decision, without deference to the Investigation Report.

17. Written Determination of Responsibility

- a. As soon as practicable following the Live Hearing (and ordinarily within 10 business days thereafter), the Hearing Officer/Decision-Maker evaluates all relevant evidence and reaches a determination regarding responsibility.
- b. The Hearing Officer/Decision-Maker will send simultaneous notification of the decision to both parties and their Advisors.
- c. The notification, where applicable, will include the following information:
 1. a summary of the allegations
 2. description of the procedural steps taken by the College to investigate and reach a determination of responsibility
 3. findings of fact supporting the determination
 4. conclusions regarding the application of College policies to the facts

5. a statement of and rationale for the result as to each allegation, including a determination of responsibility
6. whether remedies/sanctions designed to restore or preserve equal access to an education program or activity will be provided to the Complainant
7. any disciplinary sanctions the College recommends or imposes
8. the College's appeal procedures

18. Remedies/Sanctions

- a. When it is determined that a Respondent is responsible under this policy, Remedies/Sanctions may be issued as part of the final determination in order to:
 1. bring an end to the violation in question
 2. reasonably prevent a recurrence of a similar violation, and
 3. remedy the effects of the violation
- b. Remedies/Sanctions for a finding of responsibility will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this policy, or both, and may include:

Tier 1 Remedies/Sanctions:

Employee

- Performance Improvement Plan
- Required Counseling
- No Contact Order
- Required Training/Education
- Other consequences deemed appropriate

Students

- Verbal Warning
- Reprimand
- General or Restrictive Probation
- Administrative withdrawal from a course without refund
- Required Counseling
- No Contact Order
- Required Training/Education
- Other consequences deemed appropriate

Tier 2 Remedies/Sanctions:

Employee

- Official Warning
- Official Reprimand
- Disciplinary Probation
- Suspension
- Disciplinary Demotion
- Dismissal

Student

- Suspension
- Expulsion

- c. Remedies/Sanctions may be appealed pursuant to the procedure for appeals set forth in this policy.

I. DETERMINATION APPEALS

1. The Complainant or the Respondent may appeal for one of the following permissible grounds:
 - a. a procedural irregularity that affected the outcome of the decision;
 - b. there is new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made and that could affect the outcome of the matter;
 - c. the TIXC or DTIXC, Investigator(s), or Hearing Officer/Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents in general or against an individual Complainant or Respondent that affected the outcome
2. Parties must submit via email or mail a written appeal to the President of the College within ten (10) business days of receiving official notice of the decision giving cause for the appeal. Appeals may not exceed seven (7) double-spaced pages on 8 ½ x 11 paper with one-inch margins and 11-point font. The President will also receive the written record for the case.
3. Failure to submit a timely and proper appeal will constitute a waiver of any appeal rights related to this matter.
4. The person making the appeal may, in writing, withdraw their appeal at any time, which will constitute a waiver of any future appeal rights related to this matter, and result in the determination being final.
5. For an appeal of Tier 1 Remedies/Sanctions, the President shall conduct a review of the record and issue a final written decision that describes the result of the appeal and the rationale for the result. The President's decision is final.
6. For an appeal of Tier 2 Remedies/Sanctions, a Live Hearing will be scheduled before the President, with the President serving as the Hearing Officer/Decision-Maker. The hearing and appeal determination will follow the same procedures as set forth in this policy. The President's determination may be appealed to the College's Board of Trustees.
7. An Appeal to the Board of Trustees must be in writing and made through the President within ten (10) business days of receiving notice of the President's appeal determination. Appeals may not exceed seven (7) double-spaced pages on 8 ½ x 11 paper with one-inch margins and 11-point font.
8. The President will forward the written appeal to the Chair of the Board of Trustees, and include the written record of the case, including the President's appeal determination notice.
9. The Chair of the Board of Trustees will appoint a 3-member Board Panel to conduct a hearing of the appeal. The Chair of the Board of Trustees will also appoint one of the three members to be the Panel's Chair.

10. The Live Hearing will be scheduled before the 3-member Board panel, and the members of the Board panel will serve as the Hearing Officer/Decision-Makers. The hearing and appeal determination will follow the same procedures as set forth in this policy. The 3-member Board Panel's decision is final.

J. STATEMENTS OF PROHIBITION

1. Retaliation against any person participating in connection with a complaint under this policy is strictly prohibited. Retaliation includes, but is not limited to, any form of intimidation, coercion, threats, punitive actions, reprisal (acts of vengeance) or harassment. Retaliation is a serious violation and should be reported immediately. Reports of retaliation will be addressed through this procedure and/or other applicable College procedures.
2. Willfully making a false report of sexual harassment or submitting false information as part of any proceedings is a violation of College policy and is a serious offense. Any person who makes or participates in making a false or frivolous report of sexual harassment, retaliation, or other misconduct will be subject to disciplinary action up to and including dismissal or expulsion.

K. TRAINING

1. Title IX Coordinators/Deputy, Hearing Officer/Decision-Makers, Investigators, involved in any informal or formal resolution processes shall receive annual relevant training pursuant to this Policy and Procedures.
2. Each year, all students and employees will receive an electronic copy of this Policy sent to their College email address of record.
3. The College will also provide prevention and awareness training of Violence Against Women Act (VAWA) offenses (i.e., domestic violence, sexual assault, dating violence, and stalking) and the information contained in the Policy and Procedures will be offered to students and employees.

L. RECORDKEEPING

The College maintains all records of Title IX proceedings and all materials used to train Title IX personnel for at least seven (7) years.

M. DEFINITION OF TERMS

The following definitions are not intended to operate as speech codes, promote content and viewpoint discrimination or suppress minority viewpoints in the academic setting. Because a student's speech or expression may be deemed offensive by others, it does not mean it constitutes discrimination or harassment. Speech or expression should be viewed in its context and totality using the standard that the alleged victim subjectively views the conduct as discrimination or harassment and that the conduct is so objectively severe or pervasive that a reasonable person would agree that the conduct is discriminatory or harassing.

Actual Knowledge: notice of sexual harassment (including allegations of sexual harassment) to the College's Title IX Coordinator, Deputy Title IX Coordinator, or any College Official who has authority to institute corrective measures on behalf of the institution.

Advisor: a person who can assist and support a Complainant or Respondent in understanding and navigating the investigation process, including attending hearing and asking questions of the other party or witness on behalf of the Complainant or Respondent.

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment, as defined by Title IX.

Consent: explicit approval to engage in sexual activity demonstrated by clear actions or words. This decision must be made freely and actively by all participants. Non-verbal communication, silence, passivity or lack of active resistance does not imply consent. In addition, previous participation in sexual activity does not indicate current consent to participate and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent has not been obtained in situations where the individual is forced, pressured, manipulated or has reasonable fear that they will be injured if they do not submit to the act; is incapable of giving consent or is prevented from resisting due to physical or mental incapacity (including being under the influence of drugs or alcohol); or has a mental or physical disability which inhibits his/her ability to give consent to sexual activity.

Dating Violence: crimes of violence against a person with whom the person has or had a social relationship or a romantic or intimate relationship.

Days: Refers to working or business days, rather than calendar days, unless otherwise specified.

Decision-Maker: a person who conducts an objective evaluation of all relevant evidence and determines responsibility by applying the standard of evidence. Makes decisions regarding process appeals.

Domestic Violence: crimes of violence against a current or former spouse or intimate partner; a person with whom the student shares a child in common; a person with whom the student cohabitates or has cohabitated as a spouse or intimate partner; a person similarly situated to the student as a spouse under local domestic laws; or any person who is protected under local domestic laws of the jurisdiction.

Education Program or Activity: for purposes of these Procedures, this means any locations, events, or circumstances over which the College exercised substantial control over both the Respondent(s) and the context in which the alleged sexual harassment occurs.

Employee: a person who is hired and employed by the College to perform certain tasks in exchange for wages or a salary. Third-party vendors are not considered employees of the College as per this definition for Title IX purposes.

Formal Complaint: a document filed by a Complainant or signed by the Title IX Coordinator or the Deputy Title IX Coordinator alleging sexual harassment against a Respondent and requesting the College investigate the allegation(s). A Formal Complaint initiates a formal complaint process in which parties are entitled to due process protections.

Informal Resolution: a resolution reached regarding an allegation of sexual harassment without the filing of a Formal Complaint. Informal Resolution may include mediation, facilitated dialogue, conflict coaching, restorative justice, or other models of alternative dispute resolution. Informal Resolution cannot be used for a student's allegation of sexual harassment against a College employee.

Investigator: a person responsible for conducting investigations into allegations involving allegations of sexual harassment under Title IX.

Party: The Complainant or Respondent.

Preponderance of the Evidence: A standard of proof where the conclusion is based on facts that are more likely true than not.

Respondent: an individual who has been reported to be the committer of conduct that could constitute sexual harassment, as defined by Title IX.

Retaliation: to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.

Sexual Assault: an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the [FBI's Uniform Crime Reporting system](#).

Sexual Harassment: quid pro quo harassment; unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity, including conduct based on sex stereotyping; or any instance of sexual assault, dating violence, domestic violence, or stalking. Quid pro quo harassment is a person having power or authority over another and conditioning an educational or employment benefit or service or access to receiving the educational or employment benefit or service upon a person's participation in unwelcome sexual conduct.

Stalking: engaging in a course of conduct directed to a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Student: a person who has applied to the College or is currently enrolled in credit or non-credit courses offered by the College at any location or online.

Supportive Measures: individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party that are designed to ensure equal educational access, protect safety, or deter sexual harassment. Examples of support measures are counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on

contact between the parties, leaves of absences, increased security and monitoring of certain areas of the College, and other similar measures.

Title IX Coordinator and/or Deputy Title IX Coordinator: a person(s) who is designated by the College to coordinate the College's compliance with Title IX.

Witness: a person who may have knowledge of facts or circumstances concerning a claim of sexual harassment or misconduct under Title IX.

History

Issued: 4/15/97: Title: "Sexual Harassment."

Revised: 7/1/16: Changed title to "Sexual and Other Unlawful Harassment or Misconduct." Referenced College policy and relevant federal laws including: Equal Opportunity, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the Clery Act and Violence Against Women Act (VAWA); added references to Title IX, the Clery Act and Violence Against Women Act (VAWA), and other unlawful harassment or misconduct; clarified statements and expectations related to sexual harassment and misconduct; added procedural statements regarding reporting and investigations.

Revised: 9/26/16 – Clarified "reasonable person" standard and added the qualifiers "severe, persistent, and pervasive" related to hostile environment. 9/18/17: Editorial: Added immunity statement under Section C. Title IX.

Revised: 11/16/20: Changed title to: "Title IX and Sexual Harassment." Revised as per the recent Title IX regulations issued by the Department of Education. Due to the significant changes, the former policy entitled "Sexual and Other Unlawful Harassment or Misconduct" underwent a complete rewrite with the title changed to *Title IX and Sexual Harassment*.

Gaston College Annual Security Report Criminal Offenses Reporting and Key Definitions

Gaston College Campus Police and Security is required by the Clery Act to report certain types of crimes on an annual basis including all Part 1 Criminal Offenses, as well as Hate Crimes as required by the Clery Act, for crimes occurring on campus and certain non-campus properties. These crimes include:

- Criminal Homicide
- Sexual Assault, including Rape, Fondling, Incest, and Statutory Rape
- Stalking
- Domestic Violence
- Dating Violence
- Rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hate crimes
- Arrests and Disciplinary Referrals for Violations of Weapons, Drug, and Liquor Laws

As per the Clery Act and Campus Crime Statistics Act, the Violence Against Women Act (“VAWA”), and the FBI's Uniform Crime Reporting (UCR) program, the following definitions are provided for reference:

Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation including:

- *Rape*, defined as the carnal knowledge of a person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;
- *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the person, including instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity;
- *Sexual Assault With An Object*, defined as the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the person, including instances where the person is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;
- *Fondling*, defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the person, including instances where the victim is incapable of giving consent because of his/her youth or because of age or because of temporary or permanent mental or physical incapacity;
- *Incest*, defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law;
- *Statutory Rape*, defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

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; and
- where the existence of such a relationship shall be determined based on the consideration of the following factors:
 - The length of the relationship
 - The type of relationship;
 - The frequency of interaction between the persons involved in the relationship; Stalking

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitation with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction;

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

- fear for their own safety or the safety of others; or
- suffer substantial emotional distress

Additional Definitions Prior to 8/14/2020

“Consent” means an affirmative decision to engage in an activity given by clear action or words. It is an informed decision made freely, willingly, and actively by all parties. Behavior will be considered “without consent” if no clear consent, verbal or nonverbal, is given. Consent cannot be procured by physical force, compelling threats, intimidating behavior, or coercion. A person cannot give consent if they are incapacitated as a result of alcohol or drug consumption (voluntary or otherwise), is unconscious, unaware or asleep during the act, is under the legal age to provide consent, or otherwise lacks the capacity to consent. In determining whether a person is incapacitated, the analysis must include whether the accused individual knew or should reasonably have known that the person was incapacitated. A lack of protest or resistance is not a valid form of consent. Silence is not a valid form of consent. A prior relationship or prior sexual activity is not sufficient to demonstrate consent for sexual activity. Consent can be revoked or withdrawn at any time, even during a sexual act. If consent is withdrawn, the sexual act is no longer consensual.

“Relationship or Interpersonal Violence” includes Dating Violence, Domestic Violence, and Stalking. Relationship or interpersonal violence occurs when one person in a social relationship of a romantic or an intimate nature uses abuse to maintain power over a partner. Abusive behaviors can be physical or emotional, including but not limited to, threats of self-harm or harm to others, pervasive and derogatory name calling, belittling, isolation, engaging in sexual acts while in a dating or domestic relationship when one of the individuals does not consent.

- *Dating Violence* is conduct arising out of a social, personal, romantic or intimate relationship or a dating relationship that: inflicts physical injury upon another person; or is a pattern of coercive behavior that is used by one person to gain power and control over another. It may include the use of physical and sexual violence, verbal and emotional abuse, or any conduct that places another in fear of, or at risk of, physical injury or danger.
- *Domestic Violence* is conduct that arises out of a personal, romantic or intimate relationship where the parties are current or former spouses, persons who live together or have lived together, persons who have one or more children in common, or are current or former household members, and inflicts physical injury upon a party to the relationship or shows a pattern of coercive behavior that is used by one person to gain power and control over another. It may include the use of physical and sexual violence, verbal and emotional abuse, or any conduct that places another in fear of, or at risk of, physical injury or danger.

- *Stalking* is engaging in a course of conduct directed at a specific person, whether in the context of a social or intimate relationship or otherwise, that would cause a reasonable person to feel fear for their safety or safety of others or suffer substantial emotional distress. Stalking, including cyber stalking, may include, for example, non-consensual communication, including in-person communication or contact, surveillance, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts or any other communications that are undesired and/or place another person in fear of, or at risk of, physical injury or danger.

“*Sexual Assault*” means an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- *Rape*: The 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. In North Carolina, a person is guilty of rape if the person engages in vaginal intercourse with another person: (1) By force and against the will of the other person; or (2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated, or physically helpless.
- *Fondling*: The touching of the private 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. In North Carolina, fondling is included in the crime of “sexual battery”, which occurs if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person: (1) by force and against the will of the other person; or who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.
- *Incest*: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In North Carolina, a person commits the offense of incest if the person engages in intercourse with the person's (i) grandparent or grandchild, (ii) parent or child or stepchild or legally adopted child, (iii) brother or sister of the half or whole blood, or (iv) uncle, aunt, nephew, or niece.
- *Statutory Rape*: Sexual intercourse with a person who is under the statutory age of consent. In North Carolina, a person is guilty of statutory rape if the defendant engages in vaginal intercourse with another person who is 15 years of age or younger and the defendant is at least 12 years old and at least six years older than the person, except when the defendant is lawfully married to the person.

“*Sexual Misconduct*” includes sexual assault, sexual harassment, sexual exploitation and retaliation against a person because she or he filed a complaint of sexual misconduct, relationship or interpersonal violence or participated in an investigation or procedure involving sexual misconduct, relationship or interpersonal violence.

