

**Edgecombe Community College**  
**Annual Campus Security and Crime Awareness Report**  
**October 2015**

In accordance with the Crime Awareness and Campus Security Act of 1990, the Edgecombe Community College Board of Trustees have adopted the following policy.

*Edgecombe Community College will provide adequate security personnel and procedures to protect the safety of its students, faculty, and staff, and to ensure the security of the college's assets. It is the responsibility of every college employee and student to report crimes whenever they become aware of them. While on college property, all persons are expected and required to obey all federal, state, and local laws and ordinances, as well as college policies governing appropriate conduct. Persons who violate this policy will be subject to legal action determined appropriate by the ECC administration.*

**1.0 Reporting Criminal Actions**

Students, employees, and visitors should report immediately any violation of criminal law, including sex offenses.

An **immediate threat** is violent, disruptive, or criminal behavior.

A **potential threat** is a situation or behavior that may produce future acts of violence, disruptive, or criminal activity.

For urgent situations, immediate threats, and potential threats that warrant immediate action, call 911 to report the behavior.  
 Once you have made this call, notify one of the Campus Security Authorities (CSA) listed on the chart below.

**Tarboro Campus.** Dial "0" on any campus telephone in Tarboro to reach the campus Receptionist. You may also report a crime to any of the following persons:

**Tarboro Campus – Campus Security Authorities**

Security Officer ( day and evening)	567-9901
Vice President of Administrative Services	823-5166, x225
Vice President of Instruction	823-5166, x251
Vice President of Student Services	823-5166, x295
Director of Human Resources	823-5166, x262
Dean of Enrollment Management	823-5166, x257
Evening Director Or call receptionist to dispatch Assistant to The Director	823-5166, x0

**Rocky Mount Campus (including College and Career Readiness, 1<sup>st</sup> and 3<sup>rd</sup> floor of Alford Building).**

Dial "320" on any campus telephone in Rocky Mount to reach the campus Receptionist. You may also report a crime to any of the following.

**Rocky Mount Campus – Campus Security Authorities (CSA)**

Security Officer (day)	813-8556
Security Guard (evening) Call receptionist to dispatch	446-0436, x320
Dean of Students	446-0436, x332
Evening Director	446-0436, x326

The CSA will involve the appropriate law enforcement agency, if necessary, and complete an incident report in Maxient.

The lead Title IX Coordinator is Carmen Nunalee, General Counsel, located on the Tarboro Campus in Room 158 of the McIntyre Building. Ms. Nunalee may be reached by telephone at 252-823-5166 ext 114 and by electronic mail at nunaleec@edgecombe.edu.

Edgecombe Community College encourages anyone who is the victim of or witness to any crime occurring on College property to promptly report the incident to a Campus Security Authority. Reporting crimes promptly ensures they are included in the daily crime log and annual crime statistics survey and aids the College in providing timely warning notices to the community.

All reports of crime will be investigated. The College does not have procedures for confidential reporting of crimes. Violations of the law will be referred to law enforcement agencies and, when appropriate, to the Vice President of Student Services for disciplinary review. Because these reports are public records under the Clery Act, ECC cannot keep reports of criminal activity confidential.

The ECC Safety Committee may review all completed *Crime Statistic Report Forms* and may recommend action to the college's Executive Council. Further review of and action related to any incident may occur up through the chain of command, including the College President and the Board of Trustees.

Edgecombe Community College does not maintain residence halls nor does it sponsor any off-campus student organizations.

**Civil Rights Complaints.** *Students* who believe that an ECC employee or another ECC student has discriminated against them because of their *gender, a handicap, or disability* should register their complaints with the Student Support Counselor, at 823-5166, ext. 263. The Student Support Counselor office is 105 in the McIntyre Building in Tarboro. Student Services in Rocky Mount has a schedule of days and times the Student Support Counselor will be on the Rocky Mount Campus each semester.

Those *students* who believe that they have experienced discrimination because of their *race, age, religion, or national origin* should report their complaints to the Dean of Students, at 823-5166, ext. 332, in office 118 of the Barnes Building in Rocky Mount. The Dean of Students meets students on the Tarboro Campus with an appointment.

*Employees* should report all civil rights complaints to the Director of Human Resources.

## **2.0 Security and Access Policies**

Edgecombe Community College is open to students, employees, and visitors who have legitimate business to conduct during normal operating hours of 8 AM – 10 PM on Monday through Thursday, and 8 AM – 4 PM on Fridays and to students and employees for scheduled classes between the hours of 4 PM – 10 PM on Friday and 8 AM - 10 PM on Saturday and Sunday. Any individual found to be interfering with the educational process or normal business operations or posing any threat whatsoever to students or employees will be escorted off campus.

Students, visitors, and staff entering the third floor of the Alford Building do so through a security door.

Community groups and individuals may reserve available facilities for use during or after operating hours on the Tarboro Campus by contacting the appropriate persons at 252-823-5166:

- Rocky Mount Campus: *Kim Lucas*
- Tarboro Campus: McIntyre 141 and Boardroom – *Julie Thomas*  
McIntyre Auditorium; FLEMING BUILDING; Keihin Auditorium, Mobley Atrium, and  
Cummings Conference Room - *Debra Glover*  
Classrooms in Continuing Education Wing of Fleming – *Brittany Harrelson*

Emergencies may necessitate changes or alterations to any posted schedules.

The Director of Institutional Research conducts an annual Environmental Survey on employee and student satisfaction with security issues such as landscaping, locks, alarms, lighting, and communications.

### 3.0 Security Officers

The Tarboro Campus is located within the jurisdiction of Town of Tarboro Police Department. This campus is patrolled during day and evening hours Monday – Friday by off-duty Tarboro Police officers. The Rocky Mount Campus is located within the jurisdiction of the Rocky Mount City Police Department. This campus is patrolled during day and evening hours Monday – Friday by off-duty Rocky Mount Police officers.

Police Officers have complete police authority to apprehend and arrest anyone involved in illegal or disruptive acts on-campus and in areas immediately adjacent to the campus. Campus security officers on both campuses are empowered to protect the college community by enforcing local, state, and federal laws, as well as ECC rules and regulations.

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local police who will investigate to solve these serious felony crimes. The prosecution of all criminal offenses committed in Edgecombe County is conducted at either the Magistrate, District, or Superior Courts of Edgecombe County or federal District Court.

The College recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the College. All persons on campus are subject to these laws and rules at all times. Rocky Mount, Tarboro, and Nash and Edgecombe County law enforcement officers may enter the campus to conduct business as needed. Additionally, these officers are invited to patrol the campus to assist ECC security personnel in deterring crime.

Edgecombe Community College enjoys cooperative relationships with local public safety personnel. The College has a Memorandum of Understanding with each of the following agencies:

- Tarboro Police and Fire Departments
- Edgecombe County Emergency Management Services and Emergency Rescue
- Edgecombe County Sherriff
- Rocky Mount Police and Fire Departments

### 4.0 Security Awareness Programs

ECC is dedicated to providing the opportunity to work and develop in a safe environment.

**Safety Practices.** *Prevention is everyone's responsibility.* Become familiar with the procedures below to help ensure a safer environment at Edgecombe Community College.

- Go to the nearest campus phone and dial **0** in *Tarboro* or **320** in *Rocky Mount* to get the receptionist or dial 911 if any of the following occur:
  - You see a suspicious person.
  - You see or have contact with someone behaving in a threatening or unusual manner;
  - You see people fighting;
  - You see someone, other than a uniformed law enforcement officer, with a weapon.
- Be alert and aware of your surroundings at all times! **Your safety depends mostly upon your attitude and actions.**
- Carry your handbag, book bag, or briefcase close to your body.
- Park near the last building you will be in for the day or evening.
- Remember to lock your vehicle.
- Note where you parked.
- When returning to your car, have your keys out and ready.

- If you commute to school by taxi or someone drops you off at school, wait for the taxi or your ride inside the lobby of the building your transportation will drive to. If you cannot see approaching vehicles from inside the lobby, tell your ride to pick you up in front of Building A or H in Tarboro or in front of the Barnes building in Rocky Mount. In these buildings, you can wait inside the lobby with the receptionist and easily see when your transportation arrives.
- Check the back seat and floorboard of your car before getting into it.
- Avoid walking alone in the dark; avoid shortcuts that go through poorly lighted or confined areas.
- Walk in groups whenever possible.
- Walk confidently and look directly at passers-by.
- Do not leave any belongings (handbag, cell phone, books, book bags, etc.) unattended.

## **5.0 Emergency Response and Evaluation**

**Declaration and Notification of a State of Emergency.** The authority to declare a campus state of emergency rests with the College President or designee.

During the period of any campus major emergency, the President or designee, as required, shall place into immediate effect the appropriate procedures necessary in order to meet the emergency, safeguard persons and property, and maintain educational facilities.

When this declaration is made, only registered students, faculty, staff, and affiliates (i.e., persons required by employment) are authorized to be present on campus. If the situation permits, those who cannot present proper identification or other I.D. showing their legitimate business on campus will be asked to leave the campus. Unauthorized persons will be subject to arrest in accordance with state and/or local statutes.

**Behavioral Assessment Team.** The College designated a Behavioral Assessment Team to evaluate referrals from faculty and staff of behavior that likely indicates that a student or another employee is a danger to himself or others. The team has conducted personnel training at semester in-service meetings and produced a guide to aid employees in evaluating behaviors and reporting observations.

**Emergency Response Manual (ERM).** All employees are provided with a copy of ECC's *Emergency Response Manual* (revised February 2013) and a card for placement under their desk telephones containing emergency telephone numbers and extensions for each campus; a concise explanation of emergency codes and corresponding procedures; and instructions for receiving a bomb threat by telephone. Once each year, employees attend an information/demonstration session that emphasizes selected emergency responses to remind them of the information in the *Manual*; this occurs on one of the in-service days at the beginning of the spring, summer, or fall semesters.

Members of the Executive Council, Safety Committee, and campus Emergency Response Teams have received NIMS training and 2-year certifications in adult, child, and infant CPR; AED; and Basic First Aid. Selected members of the Emergency Response Teams and maintenance employees have also received Lift, Drag, and Carry Rescue training.

**Emergency Alert System.** Each campus is equipped with an emergency alert system that is audible both inside individual buildings and outside those buildings. This system can be activated by the ECC President, the Vice-Presidents, the HR Director, the Evening Directors, or the Plant Superintendent as the President instructs or the situation requires. An emergency alert will begin with an audible multi-tonal signal which will always be the same, followed by an oral announcement specifying the type of emergency and procedure to implement. If the emergency requires a building evacuation, the announcement will identify the outside assembly area.

This system is tested at least twice a year in combination with an emergency response drill, most recently as part of a Lock Down drill on March 4, 2015 on both campuses.

**Security Cameras.** There are a total 54 security cameras installed on both campuses, inside and outside of buildings. All activity is recorded and saved, available for viewing as needed.

**AEDs.** These are located in all buildings on both campuses. Members of the college management team, emergency response teams on both campuses, and ECC's Safety Committee have been trained to use the AEDs.

**Evacuation Chairs.** These are located on the second floors of the Fountain and Fleming Buildings on the Tarboro Campus and the Barnes and Biotech Buildings on the Rocky Mount Campus. Members of the emergency response teams on each campus have been trained to use these chairs to evacuate physically disabled person from second floors.

**E-mail Alerts.** College employees and students can opt-into an e-mail emergency alert system maintained and initiated by the Director of Computer Services. Upon instruction from the college president, the Director will activate the alert.

**Timely Warning.** In the event that a situation arises, either on or off campus, that constitutes an ongoing or continuing threat to students and employees of the College, a campus-wide "timely warning" will be issued through the ECC e-mail system and/or website to students, faculty, and staff. Should a situation arise on either campus that constitutes a threat to the local community, the warning will be issued through the College website, local authorities, and radio stations. The College President, through consultation with members of the College management team and the local and county law enforcement, will determine when such events occur. The College President or her designee will also issue such a warning should she declare a state of emergency for either the Tarboro or Rocky Mount Campuses individually or collectively.

Anyone with information warranting a timely warning should report those circumstances to the President's office (ext. 235 or 253), located in the McIntyre Building on the Tarboro Campus in person or by telephone.

**County-wide Reverse 911.** Once the president or her designee has declared an emergency, she will alert Edgecombe County Emergency Services Management and issue a message that will be sent to all full-time College and Early College High School employees on both their cell and home telephones. This system is tested in January of each year.

## **6.0 Health Services and Standards**

Student health services are not provided on campus. Students should seek medical attention from an area healthcare facility or provider.

Students with communicable diseases may be prohibited from registering for classes when health records indicate that their attendance would be detrimental to their health and safety or to the health and safety of other persons with whom they may come in contact. After recovery, students may be registered for classes.

Students who have significant health conditions or limitations may be required to submit a report or medical examination prior to their initial registration and are encouraged to inform their instructors at the beginning of each semester.

When deemed appropriate by the Vice President of Student Services and consistent with FERPA and privacy laws governing health conditions, faculty advisors, instructors, and/or counselors are notified of students identified as having significant health conditions.

Certain programs have technical standards that must be met for admission to the program. Technical standards are defined as physical, mental, social, and psychological requirements needed for educational training. Those standards are required in order that students not be a danger to themselves or others with whom they come in contact in the pursuit of their educational objectives.

The college seeks to assist students who have special health conditions or limitations in the attainment of their educational goals. Services are provided in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

In the event of accident or illness, the Student Services Department or the Business Office should be notified immediately. First aid is provided by college personnel in accordance with their capabilities. First aid kits and automatic electronic defibrillators (AED's) are located in the Student Services Department and the library on both campuses, the Cosmetology Building on the Rocky Mount campus, and the reception area in Buildings B, E, and H on the Tarboro campus. First aid kits are also located in Buildings D and I and the Norfleet House on the Tarboro campus.

Students who become ill, are injured, or develop health problems requiring professional attention are referred to the emergency room at the most convenient hospital or to a local physician in accordance with instructions given by students or their family. In an emergency situation that requires immediate attention, students may be taken directly to the hospital by professional first responders.

Environmental health and safety on the campus are the responsibility of the Vice President of Administrative Services.

## **7.0 Alcoholic Beverage, Drug, and Weapons Policy**

**Alcoholic Beverages.** In accordance with North Carolina state law, Edgecombe Community College prohibits the possession, transportation, use, or sale of any alcoholic beverage within the property boundaries of the College. This policy applies to any student or employee of the College or visitor to ECC property. Violators are subject to College disciplinary action, criminal prosecution, fine, and imprisonment.

**Drugs.** Edgecombe Community College property has been designated "Drug Free". The *ECC Student Code of Conduct* specifically prohibits the use, possession, sale, or transportation of any controlled substance as defined by the *North Carolina General Statutes*. Within these statutes is the stipulation that even though a person may be under the influence of "legally prescribed medication", that person is totally responsible for his or her behavior.

The *ECC Employee Handbook* contains a "Drug Free Workplace Policy" statement, an acknowledgement of which is signed by all faculty and staff at their employment. This document is kept in the employee's personnel file.

Violators of this policy are subject to College disciplinary action, criminal prosecution, fine, and imprisonment.

Edgecombe Community College has developed a program to discourage the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals, and college disciplinary actions.

Edgecombe Community College's Student Services provides overall coordination of the Drug-Free School Program. Services offered by the College include the following:

- **Alcohol and Drug Education.**
  - Annual alcohol and drug seminar for staff and students.
  - Alcohol and drug educational materials displayed in Student Services areas.
- **Counseling Services.** Student Development counselors, a Student Support Specialist, and a Special Services Counselor.
- **Referral Services.** Student Development Counselors have a resource guide of area providers to which students can be referred.
- **College Disciplinary Actions.** Vice-President of Student Services

**Weapons.** All students, employees, and visitors are prohibited from using or carrying a weapon onto Edgecombe Community College property *unless they are uniformed law officers*. This prohibition applies to anything that can be construed or used as a weapon, such as firearms, knives, clubs, stun guns, etc. The Edgecombe Community College *Student Code of Conduct* specifically prohibits the use or possession of weapons and dangerous instruments on college properties as described in the *North Carolina General Statutes*. Violators of this policy are subject to College disciplinary action, criminal prosecution, fine, and imprisonment.

In July 2013, the North Carolina General Assembly enacted a limited exception to the general prohibition stated above. The exception states that a firearm is permissible on a community college campus only under the following limited circumstances:

1. The firearm is a handgun; AND
2. The individual has a valid concealed handgun carry permit or is exempt from the law requiring a permit; AND
3. The handgun remains in either a closed compartment or container within the locked vehicle of the individual holding the permit or a locked container securely affixed to the locked vehicle of the individual holding the permit; AND
4. The vehicle is only unlocked when the individual with the permit is entering or exiting the vehicle; AND
5. The handgun remains in the closed compartment or locked container at all times.

### **8.0 Student Code of Conduct**

This Student Code of Conduct applies to conduct that occurs on College property, at College sponsored activities, and to off-campus conduct that adversely affects the College and/or the pursuit of its objectives as determined by the Vice President of Student Services. Each student is responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, diploma, or certificate. The Student Code of Conduct applies to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

Any student found to have committed or to have attempted to commit any of the following misconduct is subject to the disciplinary sanctions outlined below:

- A. Falsification, forgery, alteration, unauthorized possession, or misuse of College documents, records, or identification, or knowingly furnishing false information to the College or to a College employee.
- B. Destruction, damage, unauthorized entry, possession, or misuse of private or College property.
- C. Theft or attempted theft of property or damage, other than accidental, to property of the College, members of the College community, or campus visitors or other personal or public property.
- D. Disruption or obstruction of teaching, administration, or any other function or activity of the College.
- E. Denial of or interference with any person's lawful right of access to, use of, or exit from any College property or with any other lawful right of any person on the campus.
- F. Verbal, physical, or psychological abuse, threats, intimidation, harassment, coercion, and/or other conduct, including but not limited to stalking or bullying, in person or by electronic means, which threatens bodily harm to self or another person or persons in the College community or endangers the health or safety of any person.
- G. Hazing of any kind, including acts directed against an ECC student by another student, or by a group of students which intimidates or subjects another student to indignity or humiliation. The express or implied consent, apathy, or acquiescence of the victim will not be a defense.
- H. Sexual harassment as defined by the College's Sexual Harassment Policy in the Student Handbook.

- I. Sexual violence or attempted sexual violence including physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.
- J. Engaging in any type of sexual activity on any College property.
- K. Conduct that is disorderly, lewd, or indecent; breach of the peace; or aiding, abetting, or procuring another person to breach the peace on College property or at a College activity.
- L. Conducting or participating in gang activity on the College's campuses or at any College sponsored event. This violation includes, but is not limited to, displaying of gang symbols and colors.
- M. Violation of the College's Tobacco-Free Campus Policy found in the Student Handbook.
- N. Possession, use, manufacturing, sale, or delivery of alcoholic beverages on College properties or violation of the College's Alcoholic Beverage, Drug, and Weapons policy in the Student Handbook.
- O. Possession, use, manufacturing, sale, or delivery of marijuana, narcotics, or other controlled substances or dangerous drugs or illicit drugs in violation of local, state, or federal law or the College's Alcoholic Beverage, Drug, and Weapons policy in the Student Handbook.
- P. Being under the influence of alcohol or drugs.
- Q. Possession or use of firearms, illegal knife, dangerous weapons, explosives, and/or dangerous chemicals while on campus in violation of the College's Alcoholic Beverage, Drug, and Weapons policy in the Student Handbook. The appropriate use of chemicals in class is exempt from this policy.
- R. Malfeasance or misuse of elective or appointed office in a student organization which is injurious to the organization, its members, or the welfare of the College community.
- S. Failure to comply with the directions of College employees or law enforcement officers acting in the performance of their duties and/or to identify oneself to these persons when requested to do so.
- T. Violation of any College policy, rule, or regulation.
- U. Violations of any city, state or federal law.
- V. Theft or other abuse of computer facilities and resources, including but not limited to:
  - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - b. Unauthorized transfer of a file.
  - c. Use of another individual's identification and/or password.
  - d. Use of computing facilities and resources to interfere with the work of another student, faculty member or College employee.
  - e. Use of computing facilities and resources to send obscene or abusive messages.
  - f. Use of computing facilities and resources to interfere with normal operation of the College computing system.
  - g. Use of computing facilities and resources in violation of copyright laws.
  - h. Violation of the Acceptable Use Guidelines for College Computing Resources.
- W. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress.
- X. Failure to report behavior that threatens the public safety of the College community.
- Y. Abuse of the Due Process for Students and Student Appeals process, including but not limited to:
  - a. Failure to obey the notice from an Academic Dean or Dean in Student Services or the Campus Appeals Committee to appear for a meeting or hearing as part of the Due Process for Students and Student Appeals process.
  - b. Falsification, distortion, or misrepresentation of information to an Academic Dean, Dean in Student Services, Vice President, or before the Campus Appeals Committee as part of the Due Process for Students and Student Appeals process.
  - c. Disruption or interference with the orderly conduct of a Campus Appeals Committee proceeding.
  - d. Submission of an allegation that a student has violated the College's policy prohibiting academic dishonesty or Student Code of Conduct in bad faith.

- e. Attempting to discourage an individual's proper participating in, or use of, the Due Process for Students and Student Appeals process.
- f. Attempting to influence the impartiality of a member of a Campus Appeals Committee prior to, and/or during the course of, a proceeding.
- g. Harassment (verbal or physical) and/or intimidation of a member of a Campus Appeals Committee prior to, during, and/or after a proceeding.
- h. Failure to comply with the disciplinary sanction(s).
- i. Influencing or attempting to influence another person to commit an abuse of the Due Process for Students and Student Appeals process.
- z. Other violations determined by College authorities to warrant disciplinary action.

## **9.0 Family Rights and Privacy Policy**

Students at the college are informed annually of the institutional policy regarding their rights in relation to their educational records and the privacy of those records. The annual notice to students includes the following:

1. The types of educational records and the information contained therein.
2. The name and position of the official responsible for maintenance of educational records, the persons who have access to the records, and the purposes for which they have access.
3. The policy of the institution for reviewing and purging records.
4. Procedures for challenging the contents of educational records.
5. The cost of reproducing copies of records.
6. Categories of information designated by the institution as directory information and the condition for release of this information.
7. Other rights and requirements.

## **10.0 Sexual Assault/Harassment Prevention and Education**

The college is committed to preventing sexual harassment at the college or college-related events. Educational programs include training activities at new student orientations, periodic workshops during the academic year, and online programming materials for education of continuing students. Student-oriented training includes material pertinent to bystander intervention and education for students about the college sexual misconduct and confidentiality policies.

### **Training**

All college employees receive training annually about the college sexual misconduct and confidentiality policies applicable for students and employees, including identifying and responding to sexual misconduct. The Title IX coordinator and investigators receive annual training in responding to, investigating, and adjudicating sexual misconduct. The members of the Campus Appeals Committee will be trained annually by the Title IX coordinator in adjudicating sexual misconduct appeals.

### **Response**

In accordance with section 170101(j) of the Violent Crime Control and Enforcement Act, information on registered sex offenders may be obtained at the Tarboro and Rocky Mount Police Departments.

### **Sexual Harassment Policy**

The college has long been dedicated to maintaining and fostering a fair, humane, and responsible environment for all students, staff, and faculty. The college affirms Title VII of the *Civil Rights Act of 1964*, the *Age Discrimination in Employment Act*, the *Americans with Disabilities Act of 1990*, and the *EEOC Guidelines on Discrimination Because of Sex*, Section 1604.11. The college prohibits harassment against students and employees because of race, color, religion, national origin, age, disability, marital status, citizenship, sexual orientation, gender, or any other characteristic protected by law. Any questions regarding the nondiscrimination policy and procedures of the college should be referred to one of the Title IX Coordinators of the college. You may also refer any questions to the Department of Education Office of Civil Rights, available at using the following contact information:

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Harassment is defined as any unwanted explicitly derogatory statement or discriminatory remark referring to a recipient's race, color, religion, national origin, age, disability, marital status, citizenship, sexual orientation, or gender made by someone anywhere on either campus, in an off-campus classroom, on a field-trip or at a school-related conference which is offensive or which causes the recipient discomfort or humiliation or which unreasonably interferes with that recipient's attempt to learn or perform his/her job. Sexual harassment includes sexual misconduct. Employees or students who believe they have experienced harassment because of any of the characteristics mentioned that are protected by law should follow the processes described below.

The college does not tolerate sexual harassment and prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking on campus, in an off-campus or online classroom, field trip or school-related conference, via online, electronic mail or digital contact, or in the workplace. No employees or students – either male or female – should be subject to unwelcome verbal or physical conduct that is sexual in nature or that shows hostility to the employee or student because of gender. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and that therefore, interferes with education and work effectiveness.

The college and case law specify that sexual harassment not only occurs when male supervisors, co-workers, or instructors harass female employees or students, but can also involve women harassing men, women harassing women, or men harassing men, regardless of whether the harassing individual is a college employee, a student, or a third party such as a vendor or a member of the public.

### **Management Responsibility**

Management at all levels of the college is responsible for preventing sexual harassment in the workplace and classroom. This responsibility includes immediately reporting conduct by anyone, whether a coworker, supervisor, student, or non-employee, that may constitute sexual harassment.

### **Definitions**

The college consults the updated Federal Bureau of Investigation (FBI) definitions for the forcible sexual offenses (forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling) and the updated FBI and North Carolina definitions for the nonforcible sexual offenses (incest and statutory rape).

Consent is a voluntary agreement to engage in sexual activity. Past consent does not imply future consent; consent can be withdrawn at any time. Silence or lack of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion, force, or threats of either coercion or force invalidate consent. Someone who is too young to give consent or is temporarily or permanently incapacitated mentally or physically cannot consent.

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, including, but not limited to, sexual or physical abuse or the threat of such abuse; and where the existence of such a relationship shall be determined based on the complainant's statement and with consideration of the following factors:

1. The length of the relationship.
2. The type of relationship.
3. The frequency of interaction between the persons involved in the relationship.

Domestic Violence is a felony or misdemeanor crime 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 cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Hate Crimes are crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected, in whole or in part, by the offender's bias, a preformed negative opinion or attitude toward the complainant based on their actual or perceived race, gender, gender identity, sexual orientation, religion, disability, ethnicity or national origin.

Incapacitation can be due to use of alcohol or drugs, sleep, the state of unconsciousness, or because of intellectual or other disability that prevents someone from having the capacity to agree to engage in sexual activity. In North Carolina, someone under the age of sixteen is presumed too young to consent to engage in sexual activity if the other party is at least 12 years old and is at least four years older than the victim, unless the parties are lawfully married.

Sexual assault is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the Federal Bureau of Investigation's Uniform Crime Reporting Program.

Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, sexual violence, and other verbal, nonverbal or physical conduct of a sexual nature, of conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to interfere with or limit a student's ability to participate in or benefit from the education program, or to create a hostile or abusive educational environment.

In addition, sexual harassment in the workplace is unwelcome verbal or physical:

1. conduct of a sexual nature when submission to the conduct is made either an explicit or implicit term or condition of employment (such as promotion, training, timekeeping, overtime assignments, leaves of absence) or academic progress;
2. conduct of a sexual nature when submission to or rejection of the conduct is used as a basis for making employment or academic decisions;
3. conduct of a sexual nature when the conduct has the purpose or effect of substantially interfering with individuals' work performance or creating an intimidating, hostile, or offensive work or academic environment; or
4. nonsexual conduct that denigrates or shows hostility toward persons because of their gender when the conduct has the purpose or effect of substantially interfering with individuals' work or academic performance or creating an intimidating, hostile, or offensive work or classroom environment.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress (significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling).

### **Examples of Prohibited Conduct**

Examples of conduct prohibited by this policy include, but are not limited to, the following:

1. Any sexual activity, conduct, or touching between a college employee and a student in their current and direct supervision, including in the classroom, (because such activity is presumed to be nonconsensual).

2. In exchange for sexual activity, offering or implying an employment-related reward (such as a promotion or raise) or offering or implying a particular grade to students.
3. Threatening or taking a negative employment action (such as termination, demotion, denial of a leave of absence) if sexual conduct is rejected; threatening or assigning a low or non-passing grade if sexual conduct is rejected.
4. Making unwelcome sexual advances or engaging in repeated flirtations.
5. Engaging in unwelcome intentional touching of another person or other unwanted intentional physical contact (including patting, pinching, or intentionally brushing against another person's body).
6. Engaging in unwelcome whistling, staring, or leering at another person.
7. Asking unwelcome questions or making unwelcome comments about other persons' sexual activities, dating, personal or intimate relationships, or appearance.
8. Giving unwelcome sexually suggestive or flirtatious gifts.
9. Sending unwelcome sexually suggestive or flirtatious letters, notes, e-mails, texts, tweets, or voice mails.
10. Engaging in conduct or making remarks that are sexually suggestive or that demean or show hostility to persons because of their gender (including jokes, pranks, teasing, obscenities, obscene or rude gestures or noises, slurs, epithets, taunts, negative stereotyping, threats, blocking of physical movement).
11. Displaying or circulating pictures, objects, or written materials (including graffiti, cartoons, photographs, pinups, calendars, magazines, figurines, novelty items) that are sexually suggestive or that demean or show hostility to persons because of their gender.

### **Confidentiality for incidents of sexual misconduct Policy**

The College encourages complainants of sexual misconduct to talk to someone about the incident so complainants can get the support they need and so the College can respond appropriately. The College also provides an online system for anonymous reporting. All reports of sexual misconduct will be investigated. The Office of Student Services will design procedures to maintain a complainant's confidentiality, if requested by the complainant, within the constraints allowed by an investigation and to inform the complainant of the possible consequences to the investigation of a confidentiality request.

The College remains committed to meeting its reporting or other obligations under federal and state law. In addition, if the College determines that the alleged perpetrator(s) pose a serious and immediate threat to the College community, the College may issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

The College must weigh any request by a complainant to maintain confidentiality, or request by a complainant that no investigation into a particular incident be conducted or disciplinary action taken, against the College's obligation to provide a safe, non-discriminatory environment for all students, including the complainant. If the College determines that it cannot maintain a complainant's confidentiality, the College will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response. The College may not require a complainant to participate in any investigation or disciplinary proceeding.

## **PROCEDURES WHEN A STUDENT IS A COMPLAINANT OR RESPONDENT**

### **Complaints**

Students who believe that they have been sexually harassed on campus, in an off-campus or online classroom, on a field trip or at a school-related conference, or via online, electronic mail or digital contact are encouraged but not required to promptly tell the offending individual that the conduct is unwelcome and ask the person to stop the conduct. Persons who receive such requests must immediately comply with them and must not retaliate against the student for rejecting the conduct.

Students who believe they have been sexually harassed should report the harassment to one of the campus Title IX Coordinators. If the student is complaining of harassment by one of the campus Title IX Coordinators, the employee should report the harassment to a different Title IX Coordinator. If a student reports the harassment to any other college employee, then that employee has the responsibility to report the harassment to a Title IX Coordinator.

If a student is aware of conduct that might constitute sexual harassment, the student is encouraged to report the conduct to a Title IX Coordinator, regardless of how the student became aware of the conduct.

The college has designated one Title IX coordinator on each campus for daytime (until 5pm weekdays) and one Title IX coordinator for nights and weekends (total number of three co-coordinators). The daytime Title IX coordinator on the Tarboro campus is responsible for the college's overall response to sexual misconduct. Any Title IX coordinator may be obligated to inform a campus safety officer or local law enforcement if a crime may have been committed.

Students who believe they have been sexually harassed may report the harassment to any college employee, keeping in mind that any college employee who learns of conduct that may be sexual harassment is obligated to inform the Title IX Coordinator and may be obligated to inform a campus safety officer or local law enforcement if a crime may have been committed.

### **Criminal Complaints**

Regardless of whether a student reports sexual harassment to a responsible employee, the student has the right to report allegedly criminal sexual harassment to a campus safety officer or local law enforcement. Students should be aware that campus safety officers or local law enforcement officers may inform the college of alleged criminal conduct that is reported to them.

### **Immediate Assistance**

The college is committed to providing immediate assistance to students in a crisis situation to obtain needed resources including medical care, to explain reporting options, and to help the students to navigate the reporting process.

Students should call 911 for emergency medical and safety assistance. Students may call any of the following at the campus switchboard, 823-5166:

- Tarboro campus security;
- Rocky Mount campus security;
- Title IX Coordinator on duty.

The college does not provide on-campus medical care, counselors, or sexual misconduct advocates. Students may obtain assistance from off-campus community service organizations. The Title IX Coordinator and the Office of Student Services maintain an updated list of community service organizations with the facilities to assist students.

Students who experience sexual violence are advised to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other physical and mental health services. In seeking immediate medical treatment, students may be able to preserve evidence that may assist in seeking remedies such as legal prosecution of a perpetrator. Medical providers will assist students who need examination for a rape kit or by a sexual assault nurse examiner. On-campus security officers can accompany, or assist with arrangements to transport, a student to a local hospital or medical center or one of the area domestic violence and rape crisis centers (such as My Sister's House in Rocky Mount and Tarboro, Hannah's Place in Roanoke Rapids, or Wesley Shelter in Wilson).

The college will make immediate, reasonable efforts to ensure the safety and well-being of the complainant, for example, by making scheduling changes in academics, internships, Federal Work Study assignments, allowing the complainant to withdraw from or retake a class without penalty, and providing access to academic support such as tutoring.

### **Ongoing Assistance**

The area domestic violence and rape crisis centers (such as My Sister's House in Rocky Mount and Tarboro, Hannah's Place in Roanoke Rapids, or Wesley Shelter in Wilson) provide counseling and support for victims of sexual misconduct. These services are available to our students whether or not the student chooses to make an official report to the college or to a law enforcement agency or participates in the college's disciplinary or any criminal process. These community organizations can explain whether they have any obligations to disclose information students may want to remain confidential.

The college acknowledges that sexual violence can have ongoing effects on students' physical and mental health. Students who experience sexual misconduct are encouraged to refer to the college policies regarding disability accommodations for further assistance if such accommodations would improve the student's educational experience.

The Title IX Coordinator will provide ongoing support to students during the college's investigation into sexual misconduct, including any disciplinary process. The Title IX Coordinator will provide a written explanation of the student's rights and options regarding reports of on- or off-campus offenses of dating violence, domestic violence, sexual assault, or stalking.

While an investigation is pending, the college will make ongoing, reasonable efforts to ensure the safety and well-being of the complainant, for example, by making scheduling changes in academics, internships, Federal Work Study assignments, allowing the complainant to withdraw from or retake a class without penalty, providing access to academic support such as tutoring, imposing no-contact orders upon the respondent, and changing the respondent's course schedule. In the case of a complainant requesting confidentiality, the college may be unable to change the respondent's course schedule without breaching confidentiality but will assist the complainant in changing the complainant's course schedule.

### **Retaliation**

This policy also prohibits retaliation, intimidation, threats, coercion, or other discrimination against students who file a complaint for sexual harassment on behalf of themselves or others, who press criminal charges for conduct prohibited under this policy, are alleged to have conducted sexual harassment, or who assist in investigating charges, including as a witness. Students bringing a sexual harassment complaint or assisting in the investigation of such a complaint are not adversely affected in terms and conditions of employment (such as for internships or Federal Work Study), course requirements, environment, or grades and shall not be discriminated against, discharged, or dropped from a class because of the complaint or investigation. Retaliation may include disseminating information of a confidential nature that is defamatory or otherwise disrupts the reputation of an individual who has not been proven responsible for conduct in violation of this policy or criminal law. The college will take strong responsive action if retaliation occurs.

### **Investigation Procedures**

The Vice President of Student Services will appoint a Title IX Coordinator different from the one who received the initial complaint to investigate the conduct that is the subject of the complaint. The Title IX Coordinator who received the initial complaint shall remain as the point of contact and procedural support for the complainant. The Title IX Coordinators are trained to provide support and conduct investigations into complaints of sexual harassment.

To the extent possible within the constraints of the confidentiality policy, the investigator will interview the complainant, the respondent, and any witnesses to the conduct or others as recommended by the complainant and respondent. (If the complainant requests confidentiality, the investigator will necessarily be limited in how to proceed.) The investigator will review any existing written summaries of the conduct and interview the employee who wrote the summary. The investigator may interview additional persons as necessary to provide clarity in the investigation. The investigator shall include in the investigation any retaliatory conduct that arose after and is reasonably related to the initial harassing conduct. The standard of proof is a preponderance of the evidence. The investigator shall provide a written summary of the investigation into the conduct of sexual harassment or any retaliatory conduct thereafter with a

recommendation as to findings, for student-respondents, to the Dean of Students (Rocky Mount campus) or Dean of Enrollment (Tarboro campus), and for employee-respondents, to the Human Resources Director or, in that person's absence, to the supervisor of the Human Resources Director.

If an employee is the respondent in a complaint by a student, the Human Resources Director will report findings to the President of the college for further proceedings consistent with the employee procedures described below.

If a student is the respondent, then the Dean of Students (Rocky Mount campus) or Dean of Enrollment (Tarboro campus) shall determine any disciplinary sanctions, up to and including expulsion from the college, consistent with the Code of Conduct policy expressed in the then-current Student Handbook. The complainant and the respondent shall be informed at the same time in writing of the findings of the investigation. Any disciplinary sanctions imposed are confidential and shall not be included in the academic record or transcript of the student. The responsible student will be informed of any disciplinary sanctions. If disciplinary sanctions are imposed on the respondent, the complainant is entitled to be informed only that sanctions were imposed but not the exact nature of the sanctions.

If a complainant also makes a report to the appropriate law enforcement agency, then the Title IX Coordinator may be compelled by law to share information from the college's investigation with the parallel investigation by law enforcement and/or local prosecutors.

To the extent possible given the circumstances, the investigation will be concluded and the complaint resolved within 60 calendar days of the complaint. If the investigator and college administration cannot meet this timeframe, then the investigation shall be extended for a determinate amount of time as needed to complete the investigation and resolution of the complaint. The Title IX Coordinator who is the complainant's contact person will explain the extension, as well as the reason(s) for extending the timeframe.

### **Grievance/ Adjudication Procedures**

If either the complainant or the respondent is not satisfied with the findings of the Dean, then either party is entitled to initiate a Formal Appeal by submitting a written appeal within ten class days of the Dean's decision to the Vice-President of Student Services. The Formal Appeal Procedures For Student Complaints is described in detail in the Student Handbook. Mediation is never appropriate in sexual misconduct cases.

At or around the time that the Formal Appeal hearing is scheduled, both parties shall be notified of the names and job titles of the college employees serving on the Campus Appeals Committee to provide either party the opportunity to raise issues related to potential conflicts of interest of such individuals. To the extent permitted by the college's obligations to abide by requests for confidentiality, both parties shall be provided the written materials that are submitted to the Campus Appeals Committee Chair by the Dean of Students or Dean of Enrollment Management as those materials will form the background material reviewed by the Campus Appeals Committee prior to the hearing.

In the case of a Formal Appeal that is scheduled while criminal charges are pending against the respondent for the conduct that is the subject matter of the hearing, the respondent is entitled to the assistance of an attorney at the respondent's expense. If the respondent chooses to be assisted by an attorney at the hearing, then the respondent must provide notice to the Campus Appeals Committee Chair and the General Counsel of the college at least ten class days prior to the scheduled hearing. Only if the respondent chooses to be assisted by an attorney at the hearing, then the complainant is also entitled to the assistance of an attorney at the complainant's expense. If the respondent does not provide notice to the college as described above, then the Campus Appeals Committee Chair may reschedule the hearing at the complainant's request to provide time for the complainant to arrange attorney assistance.

The complainant and respondent should inform any attorney assisting them that the Formal Appeal hearing is not a civil court proceeding or an administrative tribunal with formal civil and administrative procedures. There are limitations on the evidence that may be presented. The respondent is prohibited from questioning witnesses about, or introducing other evidence about, the complainant's prior sexual conduct with anyone

other than the respondent. Both parties should know that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct. The respondent may not personally cross-examine the complainant; any questions should be provided in writing and will be read verbatim to the complainant by the Campus Appeals Committee Chair.

For conduct that may be criminal under state or federal law, both parties should be aware that the respondent may be found by the college to be responsible for conduct under the standard of proof used by the college of preponderance of the evidence and have a different result from law enforcement or prosecution for the same conduct based on the different standard of proof used by the local jurisdiction.

Regardless of the outcome of an investigation, findings of the Dean or Campus Appeals Committee, or disciplinary sanctions imposed, the college will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the proceeding.

### **Prevention and Education**

The college is committed to preventing sexual harassment, dating violence, domestic violence, sexual assault, and stalking at the college or college-related events. Educational programs will include training activities at new student orientations, periodic workshops during the academic year, and online programming materials for education of continuing students. Student-oriented training will include material pertinent to safe and positive options for bystander intervention, risk reduction, and education for students about the college sexual misconduct and confidentiality policies.

### **Training**

All college employees will receive training annually about the college sexual misconduct and confidentiality policies applicable for students and employees, including safe and positive options for bystander intervention, risk reduction, and identifying and responding to sexual misconduct. The Title IX coordinators will receive annual training in responding to, investigating, and adjudicating sexual misconduct. The members of the Campus Appeals Committee will be trained by the Title IX coordinators in adjudicating sexual misconduct appeals.

### **PROCEDURE WHEN EMPLOYEES ARE BOTH THE COMPLAINANT AND RESPONDENT**

Employees who believe that they have been subjected to sexual harassment on campus, in an off-campus classroom, on a field trip or at a school-related conference, or via online, electronic mail or digital contact are encouraged to promptly tell the individuals that the conduct is unwelcome and ask the persons to stop the conduct. Persons who receive such requests must immediately comply with them and must not retaliate against the employees for rejecting the conduct.

Employees who believe they have been sexually harassed should report the harassment directly to the Human Resources Director or, in that person's absence, to the supervisor of the Human Resources Director. If the employee is complaining of harassment by the Human Resources Director, the employee should report the harassment to the Vice President of Administrative Services. If employees complain of harassing conduct by students, the complaint should be directed to the Vice President of Student Services. The investigation and disciplinary process for any employee complaint that involves a student as the respondent shall follow the procedures described above, "PROCEDURES WHEN A STUDENT IS A COMPLAINANT OR RESPONDENT."

If a supervisor or other employee has not received a complaint but suspects that conduct might constitute sexual harassment, that person should report the conduct to the Human Resources Director, or to the Vice President of Student Services if the conduct is by a college student, regardless of how that person became aware of the conduct.

## **Complaint**

An employee who receives an initial complaint of sexual harassment should listen carefully to the complaint, write a summary of it, and ask the complainant to read it for accuracy and sign it. If the employee does not want to sign the summary, the complaint recipient will note the refusal, sign and date the summary. The complaint recipient must immediately forward the complaint to the Human Resources Director, unless the Human Resources Director is the accused, in which case the complaint recipient should immediately forward the complaint to the Vice President of Administrative Services.

The Human Resources Director must advise the complainant in writing of his/her rights and assistance available for reports of on- or off-campus offenses of dating violence, domestic violence, sexual assault, or stalking and the college's policy and procedures regarding the investigation and disciplinary process for complaints of sexual harassment. If the Human Resources Director is the accused, then the Vice President of Administrative Services or his/her designee will advise the complainant and conduct the other duties of the Human Resources Director as listed in this policy below.

## **Investigation**

The President shall designate a neutral administrator to investigate the alleged conduct in accordance with the confidentiality policy described hereinabove.

To the extent possible within the constraints of the confidentiality policy, the investigator will interview the complainant, the respondent, and any witnesses to the conduct or to the characters of the complainant and respondent as recommended by the complainant and respondent. (If the complainant requests confidentiality, the investigator will necessarily be limited in how to proceed.) The investigator will review the written summary of the conduct and interview the employee who wrote the summary. The investigator may interview additional persons as necessary to provide clarity in the investigation. The investigator shall provide a written summary of the investigation with a recommendation as to findings to the President. The President shall determine any disciplinary sanctions, up to and including termination of employment for just cause. The complainant and the respondent shall be informed in writing of the findings of the investigation. Any disciplinary sanctions imposed in response to a finding of responsibility for sexual harassment are a confidential employment matter. The respondent will be informed of any disciplinary sanctions. If disciplinary sanctions are imposed on the respondent, the complainant is entitled to be informed only that sanctions were imposed but not the exact nature of the sanctions.

## **The Hearing**

After both parties are informed of the findings of the investigation, either the complainant or the respondent may request a hearing by a Hearing Committee to contest the findings. The Hearing Committee is composed of the following: the Human Resources Director, who acts as chair; three Harassment Complaint Representatives appointed by the college President; the Vice President of Instruction; and the Vice President of Student Services. If the respondent is a regular member of the Hearing Committee, then the President will designate a substitute member.

The Hearing Committee shall begin its investigation by reviewing the findings and recommendation of the investigator and the President prior to admitting the complainant and respondent to the hearing. The hearing will be audio-recorded and minutes transcribed from the audio-recording. Both parties have the opportunity to submit evidence (including calling witnesses) they deem relevant to the charge, with the complainant presenting evidence first and the respondent having the opportunity to answer. Both parties are required to be present at the hearing for the complaint to be heard, but the Hearing Committee will make arrangements upon request by the complainant so that they do not have to meet face to face.

The Hearing Committee shall deliberate on the findings and recommendation of the investigator, the recommendation of the President for disciplinary sanctions, if any, and on the evidence presented during the hearing. The Human Resources Director, as chair of the Hearing Committee shall report the results of the hearing to the President. If the Hearing Committee determines that the sexual harassment charges are true, the President decides upon and implements the penalty. The complainant and the respondent each have the

right to appeal the President's decision as specified in the section entitled "Due Process for Personnel" in the *Employee Handbook*. The Office of the HR Director shall maintain the record of the hearing (either summary or verbatim) and all evidence presented at the hearing.

### **Retaliation**

This policy also prohibits retaliation, intimidation, threats, coercion, or other discrimination against employees who file a complaint for sexual harassment on behalf of themselves or others, who press criminal charges for conduct prohibited under this policy, are alleged to have conducted sexual harassment, or who assist in investigating charges, including as a witness. Retaliation may include disseminating information of a confidential nature that is defamatory or otherwise disrupts the reputation of an individual who has not been proven responsible for conduct in violation of this policy or criminal law. Retaliation in violation of this policy may result in discipline up to and including termination of employment for just cause. Employees bringing a sexual harassment complaint or assisting in the investigation of such a complaint are not adversely affected in terms and conditions of employment. The college will take strong responsive action if retaliation occurs.

### **12.0 Student Complaints – Academic and Non-Academic Grievances**

If a student has an academic or non-academic grievance, i.e., other than one related to the College's policy prohibiting academic dishonesty and the Student Code of Conduct, the student should attempt to resolve their concern with the member of the college community having direct responsibility for their concern. The student should discuss his/her concern with the student, faculty member, or College employee(s) involved and try to reach a mutually agreeable solution as soon as possible after the event takes place or when it is reasonably discovered but no later than the first ten class days of the academic term immediately following the term in which the alleged event occurred.

If the student's concern relates to a course of study, course, grade, faculty member or College employee(s), the faculty member or College employee(s) should meet with the student to discuss the concern within ten class days. In the event a faculty member or College employee(s) is unable or declines to meet with the student, the student may meet with the appropriate department head.

Every reasonable attempt should be made to resolve informally any dispute between students and the college at the level at which the dispute arises. Recognizing that such matters cannot always be resolved informally, ECC provides a formal process through which students can appeal the application of certain college rules and regulations and the assignment of a grade. In all cases, it is the intent of the College to assure the fair and equitable treatment of all students in the college community.

If the student is not satisfied with the response provided by the student, faculty member, or College employee(s) involved, the student may submit a complaint, in writing, to the appropriate Dean. Upon receipt of the complaint, the Dean reviews the facts of the complaint and may conduct further inquiry. The Dean will notify the student of his/her decision in writing within ten class days after receipt of the student's complaint. If the Dean does not render a decision satisfactory to the student, the student may initiate a Formal Appeal by submitting a written appeal within ten class days of the Dean's decision to the Vice President of Instruction if it relates to an academic grievance or the Vice President of Student Services if it relates to a non-academic grievance.

### **Formal Appeal Procedure for Student Academic Dishonesty, Student Code of Conduct, and Student Complaints**

1. The appropriate Vice President submits the Student's appeal to the Campus Appeals Committee Chair, within ten class days of his/her receipt, for consideration. *If the Vice President receiving the Appeal is implicated in it, that Vice President will forward it to the other Vice President for submission to the Campus Appeals Committee and final decision.*

2. The Campus Appeals Committee Chair schedules the hearing within ten class days from the date of his/her receipt of the Student's appeal from the Vice President. The hearing will be held not more than fifteen class days nor less than five class days after the Accused Student or Complainant has been notified of the hearing date unless the Chair extends the date for the hearing for good cause. If the appeal involves more than one Accused Student, the Chair may permit the hearing to be conducted jointly or separately in his/her sole discretion.
3. The Campus Appeals Committee Chair notifies the Accused Student or Complainant of the date, time, and place of the hearing. In addition, the Chair notifies the Accused Student or Complainant that he/she may submit any statements or documents that he/she wishes for the Chair to distribute to the members of the Campus Appeals Committee prior to the hearing, to arrange for witnesses to present pertinent information at the hearing, and may be accompanied at the hearing by an advisor. *The Accused Student and/or Complainant may be assisted by any advisor they choose, at their own expense. The advisor must be a Student or College employee and may not be an attorney. The Accused Student and/or Complainant must notify the Campus Appeals Committee Chair of the name and contact information of any witnesses and advisor not less than two class days before the scheduled hearing.*
4. The Campus Appeals Committee Chair may notify the Complainant, Dean, and other witnesses identified by the Accused Student, Complainant, or Committee of the date, time and place of the hearing and ask them to appear and/or provide relevant documents to be distributed to the Accused Student and/or Complainant and members of the Campus Appeals Committee prior to the hearing. The Committee will accommodate concerns for personal safety, well-being, and/or fears of confrontation of the Accused Student and/or Complainant or witnesses by using a visual screen, electronic communication, and/or written statement as determined appropriate in the sole discretion of the Chair.
5. The Campus Appeals Committee convenes the hearing.
  - a. The hearing is conducted by the Committee in private and in an informal and expeditious manner.
  - b. Only members of the Campus Appeals Committee, Accused Student and/or Complainant and their advisors, if any, and witnesses testifying before the Committee are permitted to attend the hearing. Admission of any other person to the hearing will be at the sole discretion of the Committee Chair. Only the Accused Student and/or Complainant and their advisors are permitted to attend the entire portion of the hearing (excluding the Committee's deliberations). If the Accused Student and/or Complainant does not appear at the hearing, the hearing will proceed, evidence considered, and decision made by the Committee.
  - c. At the hearing, the Accused Student and/or Complainant and witnesses may testify. The Accused Student and/or Complainant's advisor is not permitted to speak or participate directly in the hearing. The Accused Student and/or Complainant and witnesses may be questioned only by members of the Campus Appeals Committee. The Accused Student and/or Complainant may suggest questions to be asked of witnesses to the Committee Chair and he/she will decide whether the questions are appropriate to be asked of the witness.
  - d. The Dean will present the information he or she received during the investigation.
  - e. The Committee Chair is empowered to rule on procedural matters and the relevance of witnesses and/or evidence.
  - f. After the portion of the hearing concludes in which all pertinent information has been received and the Accused Student and/or Complainant and advisors have been dismissed, the Campus Appeals Committee will determine (by majority vote) whether the Accused Student committed academic dishonesty or violated the Student Code of Conduct or its decision regarding the Student complaint.
  - g. A tape recording or other record of the hearing (excluding deliberations) is made and preserved for reference and review until the appeal is decided by the appropriate Vice President.
6. The Campus Appeals Committee Chair communicates the Committee's decision, in writing, to the appropriate Vice President. The Vice President reviews the decision of the Committee and sanction(s) and may accept, repeal, or amend the decision and/or sanction according to his/her best

judgment. The Vice President will render a decision and notify the Accused Student or Complainant within ten class days of his or her receipt of the written decision by the Campus Appeals Committee. The decision of the Vice President is final and cannot be appealed.

### **Composition of The Campus Appeals Committee**

- a. A chairperson appointed by the college President
- b. Two full-time faculty members nominated by the Vice President of Instruction
- c. Two Student Services staff members nominated by the Vice President of Student Services
- d. One student nominated by the campus Student Government Association
- e. One Dean/Administrator nominated by the college President

The college President has the authority to accept or reject the nominated members and alternates to the Campus Appeals Committee. The Campus Appeals Committee serves for a period of one academic year. *Two alternative faculty and Student Services staff members and one alternative student and Dean/ Administrator will be nominated to serve on the committee in times when conflicts of interest are present.*

At least one representative from each group (student, faculty, staff/administrator) must be present at the hearing.

### **13.0 Educational Awareness Programs**

Once each fall and spring semesters, Student Services hosts an ice cream social for students on each campus sponsored by Eastpointe, a referral agency for behavioral healthcare serving Edgecombe and 11 surrounding counties. Students have the opportunity to talk with staff of various agencies and obtain printed material about mental health, substance abuse, and developmental disorders; anxiety disorders; depression and addiction; alcoholism and alcohol abuse; and substance abuse and recovery.

### **14.0 Disclosure of Crime Statistics**

A **Crime Log** is located at the receptionist's desk on both campuses for public examination. This log is maintained by the Director of Human Resources and identifies the nature, date, time, general location, and disposition of all crimes reported to have been committed on ECC property and reported to the HR Director within the most recent 60-day period. Older portions of the log are on file in the HR Director's office and may be examined within 2 days of a written request.

**Campus Security and Crime Awareness Report.** The Director of Human Resources prepares this report annually to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the ECC web site at <http://www.edgecombe.edu> under FACULTY AND STAFF: *Reports and Documents.*

Campus crime, arrest, and referral statistics include those reported to Campus Security Authorities (CSA) and campus security officers as well as those occurring on public property adjacent to ECC property and reported to the local police.

Each year, an e-mail notification is made to all enrolled students stating that this report has been completed and providing the information to access this report online. All employees receive similar notification. Printed copies of this report may be obtained from the office of the Director of Human Resources.

**Annual National Campus Crime and Security Survey.** As required by Section 485 (a) and (f) of the Higher Education Act, the Director of Human Resources reports ECC crime statistics for each calendar year online to the National Campus Crime and Security Survey during the annual collection period of August 22 to October 15. The public may access the results of the survey online at <http://www.ope.gov/security>.

15.0 Crime Statistics – Number of Occurrences

Tarboro Campus

Crime	On-campus property			Non-campus property			Public Property Adjacent to Campus		
	2014	2013	2012	2014	2013	2012	2014	2013	2012
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses-Forcible	1	0	0		0	0		0	0
Sex Offenses-Nonforcible: incest & statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	3	1	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrests: Weapons Possession	0	0	0	0	0	0	0	0	0
Disciplinary Referrals: Weapons	0	0	0	0	0	0	0	0	0
Arrests: Drug Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals: Drug Violations	0	0	0	0	0	0	0	0	0
Arrests: Liquor Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	n/a	0	0	n/a	0	0	n/a
Domestic Violence	0	0	n/a	0	0	n/a	0	0	n/a
Stalking	0	0	n/a	0	0	n/a	0	0	n/a
Unfounded crimes, of any type	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a

“n/a” = statistics not required to be reported prior to calendar year 2014.

**Rocky Mount Campus**

Crime	On-campus property			Non-campus property			Public Property Adjacent to Campus		
	2014	2013	2012	2014	2013	2012	2014	2013	2012
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses-Forcible	0	0	0		0	0		0	0
Sex Offenses-Nonforcible: incest & statutory rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	1	0	0	0	0	0	0	2
Burglary	3	0	1	0	0	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrests: Weapons Possession	0	0	0	0	0	0	0	0	0
Disciplinary Referrals: Weapons	0	0	0	0	0	0	0	0	0
Arrests: Drug Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals: Drug Violations	0	3	0	0	0	0	0	0	0
Arrests: Liquor Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	0	0	0	0	0	0	0	0	0
Hate Crimes	0	1	0	0	0	0	0	0	0
Dating Violence	0	0	n/a	0	0	n/a	0	0	n/a
Domestic Violence	0	0	n/a	0	0	n/a	0	0	n/a
Stalking	0	0	n/a	0	0	n/a	0	0	n/a
Unfounded crimes, of any type	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a

“n/a” = statistics not required to be reported prior to calendar year 2014.