

# Saint Augustine's

## 2017 Annual Security Report



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## **Emergency Numbers**

Calls to the emergency number listed below are answered 24 hours a day, 7 days a week.

- Information Booth (919) 516-4911

## **Contact Us**

Saint Augustine's University Campus Police Department

Lynch Hall Suite 1

1315 Oakwood Avenue

Raleigh, NC 27610

Phone: (919) 516-5202

Fax: (919) 516-5198

Website: <http://www.st-aug.edu/public-safety-73.html>

## **A MESSAGE FROM THE CHIEF OF POLICE**

The Saint Augustine's University Campus Police Department (SAUCPD) is proud to present our 2016 Annual Security Report. This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and is intended to disseminate important information to the University community. Crime statistics include those reported to local police, SAUCPD and designated campus officials. The report is not only the communication of mandatory information, it is designed to inform and educate the University and at-large communities about the Campus Police Department, the proper procedures for reporting crime on campus, as well as policies and procedures regarding emergency situations, student grievances, special events and parking.

The Saint Augustine's University Campus Police Department is committed to providing a safe environment for its students, faculty, staff and guest. To this end, the philosophy of Campus Police Department is that campus security and safety can only be accomplished through a unified partnership involving its officers, students, faculty and staff and the community at-large. It is important to fight crime via a proactive department united together with an informed and supportive community. The SAUCPD is committed to maintaining active and close partnerships with our area law enforcement agencies and First Responders including the Raleigh Police Department, the Wake County Sheriffs' Office, the Raleigh Fire Department, State Highway Patrol and the State Bureau of Investigations in an effort to reduce crime and respond to emergencies on and around our campus.

At Saint Augustine's University, the safety and well-being of our students, faculty and staff are our top priority. The SAUCPD seeks to promote a friendly, customer service oriented face to all students, faculty, staff and community. The SAUCPD is committed to a safe, welcoming environment.

Randy D. Nelson  
Acting Chief, Campus Police Department

# **Saint Augustine's University Campus Police Department**

## **About Us**

The Saint Augustine's University Campus Police Department at Saint Augustine's University is committed to the safety and well-being of all members of the University community. Saint Augustine's Campus Police Officers have the same powers and responsibilities as the local police and sheriff's departments. The police officers are complimented by full-time security officers.

The Department operates 24 hours a day, 365 days a year. Uniformed police officers and security officers patrol campus in vehicles and on foot. The SAUCPD enforces North Carolina laws, investigate crimes, respond to emergencies, patrols University property and provides safety education to the campus community.

## **Departmental Mission**

The SAUCPD is committed to providing a safe environment for its students, faculty, staff, and guests. To this end, the philosophy of the police department is that campus security and safety can only be accomplished through a unified partnership involving its officers, students, faculty and staff and the community at-large.

## **Core Values**

In carrying out our stated mission, all members of the department should strive to embrace the following core values:

- Accept responsibility for our actions.
- Exhibit respect of the individual.
- Maintain open lines of communication within the community and our department.
- Ensure fairness to those whom we serve and with whom we work.
- Demonstrate a commitment to excellence.
- Solve problems in the community that we serve.
- Demonstrate sensitivity to opposing points of view.
- Always remain professional.

## **Departments and Staff**

### Administrative

The Administrative Division handles the budgetary, personnel, IT, and compensation functions of Campus Police. The recruiting and training functions are also components of the Administrative department, as Campus Police ensures that the most qualified applicants are recruited and hired and that all officers are provided with innovative and realistic training to ensure that they can respond promptly and professionally to any incident that may occur on campus. The administration also looks at backgrounds of potential candidates and identifies with the assistance of the Department V.P. to ensure that each candidate is a good fit for the Saint Augustine's University Campus Police Department.

### Operation

The most highly visible responsibilities of the SAUCPD are to pro-actively patrol the campus in an effort to prevent crime, solve problems, investigate crimes and accidents, make arrests pursuant to criminal behavior, provide safety escorts, serve as building liaisons, conduct safety programs and build partnerships within the campus and local community. This department is also responsible for handling investigations.

### Communication

The SAUCPD is equipped with a 24-hour Emergency Communications Center with trained and certified Emergency Communications Officers that answer both 9-1-1 phone lines and non-emergency administrative phone lines. The tele-communicators are a vital link to public safety with the University community and surrounding area. The tele-communicators are the first line of communication dealing with the public when assistance is needed.

## **Crime Prevention Education and Awareness**

Saint Augustine's University's Campus Police Department stresses the importance of crime prevention. For this reason, the department's crime prevention program is based on the concept of reducing and minimizing opportunities for criminal activity and encouraging students and employees to be responsible for their own security and the security of others. Educational material is also published on crime prevention topics and is available to all members of the University community upon request. During Summer Orientation and Welcome week, the department offers crime prevention information to incoming students. To enhance personal safety and safeguard property, the SAUCPD coordinates the following programs:

**Campus Safety Seminars** These seminars provide information to students, faculty, and staff on ways to make themselves and their surroundings less attractive to criminals. The seminars focus on preventing robberies, larcenies, motor vehicle theft, sex offenses/rapes, and domestic situations.

**Emergency Telephone/Call Boxes** There are four blue light emergency

telephones located throughout the campus. There are currently four emergency telephone transponders presently on University grounds. This allows for faculty, students, staff, and visitors to push a button when they are in an emergency situation on campus.

**Residence Hall Watch Program** This program utilizes a proactive approach to crime prevention whereby the students in residence halls keep watch for any suspicious activities and/or persons in and around the residence hall.

## **The Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to it. Saint Augustine's University publishes a report every year by October 1<sup>st</sup> that contains three years of campus crime statistics, disclose policy statements for the campus and public area immediately adjacent to or running through campus, maintains a public fire log of fires that occur in on-campus residential facilities, and certain security policy statements, including "timely warning" notices of those crimes which have occurred and pose an ongoing "threat to students and employees". Students should contact the Campus Police Department for more information and to request a copy of the report.

## **Policy Statements**

### **Timely Warning Notices and Emergency Messaging**

In the event a situation arises, either on or off campus, that in the judgment of the Chief of the Police constitutes an ongoing or continuing threat, a college-wide "timely warning" will be issued. Such threats include but are not limited to fires, explosions, accidents, vehicular mishaps, and severe weather. The Office of Institutional Advancement at SAU is designated as the lead unit for the coordination and dissemination of critical information regarding crisis situations.

Saint Augustine's University uses **The Rave System** which provides an immediate, easy, and effective way to send timely warnings, emergency notifications, and other important announcements via text messages, email, and/or recorded voice messages. Depending on the circumstances surrounding the need for Rave System initiation, the Director of Information Technology and the Chief of Campus Police will share responsibilities for Rave System initiation.

To ensure the efficiency of the Rave System communication, each student must provide the University with his/her cell phone number, email address, and landline phone number for emergency notifications. SAU also utilizes an emergency alert line, Facebook, and Twitter for wide focus alerts. The system is tested at least once a year.

## **Daily Crime and Fire Log**

The Campus Police Department maintains public crime and fire logs. Criminal acts are reported to Campus Police and will be entered into the crime log within three business days unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

## **Emergency Preparedness and Evacuations**

The Chief of Police is a member of the University's Crisis Emergency Management Team. This team is composed of senior managers from various administrative units within Saint Augustine's University. The team meets to review and discuss the Crisis Management and Response Plan. The Campus Police Department maintains a copy of all approved plans. For more information about the University's emergency response, and business continuity plans, visit [http://www.st.aug.edu//Crisis Management and Response Plan.pdf](http://www.st.aug.edu//Crisis%20Management%20and%20Response%20Plan.pdf). The Office of Residence Life also houses evacuation plans for each campus residential facility. Campus drills and residential meetings are performed each semester as training for evacuating campus facilities.

## **Campus Law Enforcement Authority**

The Saint Augustine's University Campus Police Department has complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and within areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, the campus police may also refer the individual to the disciplinary division of Ethics and Conflict Resolution. Major offenses such as rape, murder, aggravated assault, robbery, and auto theft may be reported to the local police and joint investigative efforts with investigators from SAU and the city police are deployed to solve these serious felony crimes.

The University 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 University. All persons on the campus are subject to these laws and rules at all times. While the University is private property, and Constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed. Campus Police personnel work closely with local, state, and federal police agencies.

## **Reporting Criminal Incidents**

The Campus Police Department responds to calls for service 24 hours a day, seven days a

week 365 days a year. Officers responding to calls are responsible for ensuring the safety and security of individuals, the crime scene and any property involved. Any occurrence that takes place on campus is to be reported immediately. Those that occur off campus on should be reported as soon as possible. The individual's identity will be safeguarded when possible.

The University has emergency two-way call boxes (Blue Light phones) around campus. By pressing the button on the stations, users are immediately connected with the Campus Police Information Center.

Officers will conduct preliminary investigations by interviewing victims and witnesses to obtain all facts of the incident and follow up with a final status report and disposition to solve or clear the reported incident. The SAUCPD closely cooperates with the Vice President for Student Development and Services, Title IX Coordinator, Dean of Students Services and the Counseling Center, to disseminate information about safety and security matters to the campus community through newsletters, annual brochures, scheduled meetings and other forms of communications. Any crime witness or victim can choose to report an incident either openly or anonymously, by contacting any member of the Saint Augustine's University faculty or staff or any of the following departments:

Campus Police Department: (919) 516-4911

Dean of Student Services: (919) 516-4353

Vice President for Student Development and Services: (919) 516-4232

The SAUCPD encourages anyone who is a victim or witness to any crime to promptly report the incident to the Campus Police. The individual's identity will be safeguarded when possible.

### **Statement of Support for Students in Reporting Crimes**

University personnel will assist students or anyone who is a victim or witness to any crime in promptly reporting the incident to the campus or local police. Again, the individual's identity will be safeguarded when possible.

### **Statement on Reporting Crime Dispositions**

Following a request in writing, the University will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, US Code) or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the university. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

### **Security of and Access to Campus Facilities**

The Campus Police Department works to protect and secure the campus through the provision of facility lighting surveys, building and property checks, security surveys, designation of fire zones and on-campus signage. During business hours, the University (excluding student residential facilities) will be open to the general public (faculty, staff, students, and visitors). During non-business hours, access to all University facilities is by key, or by prior written approval, admittance via the SAUCPD.

Residence halls are secured 24 hours a day. Access to Residential Halls is restricted to students who live in the residence hall and staff who work in the residence hall. During emergencies or over extended breaks, the doors of all residence halls will be secured around the clock by temporarily disabling access cards of resident students. Doors are equipped with an electronic access card module. Academic and Administrative buildings on campus have individual hours, which may vary at different times of the year. Campus Police personnel closely monitor any security-related maintenance problems after hours until reported to and resolved by Physical Plant or a contracted vendor.

Saint Augustine's University parking rules and regulations supplement North Carolina Motor Vehicle Laws. **Parking on campus is by permit only.** Visitors must obtain a visitor parking hangtag. All students, staff, and faculty who park on campus are required to register their vehicles with SAUCPD, pay a registration fee, and permanently display a valid parking permit on their vehicles.

### **Missing Student Notification**

Each student living in an on-campus student housing facility has the option to register a confidential contact person to be notified in the case the student is determined to be missing and only authorized campus officials and law enforcement officers in furtherance of the missing person investigation has access to this information. Please note that even if the student does not register a contact person, Saint Augustine's University will inform local law enforcement that the student is missing. The University will notify a parent or guardian of a student who is less than 18 years of age and not emancipated. Individuals will need to contact the following people if a student has been missing for 24 hours:

Residential Students, 8:00 am – 6:00 pm Monday - Friday:

Dean of Student Services 919-516-4353

On the weekend or after 6:00pm:

Campus Police 919-516-4911

Students are required to complete a Student Identification Form each academic semester. It will be kept in the Office of Student Development.

## **University Policies Related to Alcohol and Drugs**

Saint Augustine's University is fully committed to achieving a drug and alcohol-free environment for its students. The University has a zero tolerance for illegal drugs and drug paraphernalia. Saint Augustine's University students are expected to comply with campus rules and regulations. Those rules prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students on University property or as part of any Saint Augustine's University activities. Violators will be referred to the Dean of Residential Life. For the full policy, see the *Saint Augustine's University Student Handbook*.

### **Alcohol and Other Drug Education**

Saint Augustine's University encourages education as the first step in assisting students to take responsibility for their behavior and to understand the consequences of current and future behavior as it relates to drug and alcohol use.

Saint Augustine's University requires all first-year students to participate in a First Year Experience course, where wellness and alcohol education are discussed. The Office of Residential Life in collaboration with SAUCPD, Wake County Alcohol Board, First Year Experience, Gordon Student Health Center, and the Counseling and Psychological Services (CAPS) Center, conducts an annual program to educate students about alcohol use, abuse and protective factors to minimize high-risk alcohol behaviors. In addition, the University makes available by request programs for high-risk student populations, such as Greek organization members and student athletes. The Office of Student Development also conducts awareness campaigns during National Collegiate Alcohol Awareness Week.

Such programs support the University's drug-free policy and employees and students are informed of the University's drug-free policy and its implications. Employees are offered smoking cessation programs and, through an employee assistance program, counseling on alcohol or drug abuse, among other benefits.

### **Substance Use Counseling, Assessment and Education**

If a student is charged with substance abuse, CAPS works in conjunction with the Dean of Students Office to provide assessments and education to these students. The recommendations resulting from the substance use assessment are strictly confidential and not a part of the student's academic record. Students need to plan to spend 60-90 minutes to complete the assessment. Once the assessment is completed, the student may be required to engage in off-campus services to get the help needed.

### **Preventing and Responding to Sexual Assault**

Sexual assault is a serious concern on university campuses. To address this problem, the Office of Residential Life educates the campus community about sexual assaults and "date rape" through quarterly sexual assault education and information programs. The University treats allegations of sexual assault seriously and has a system in place to assist

victims in obtaining medical treatment, counseling and advocacy services. The University Campus Police Department is committed to treating victims with care, compassion and respect. For the entire policy and procedure pertaining to sexual assault, visit ([www.st-aug.edu](http://www.st-aug.edu)) *Saint Augustine's University Student Handbook*.

### Actions for Sexual Assault

If a sexual assault does occur, the procedure for victims is as follows:

1. Try to remain calm and not panic.
2. Go to a safe place.
3. Get help by calling the Campus Police at 516-4911 or the residential life staff on duty.
4. To support your report, it is critical that you preserve all physical evidence:
  - a. **Do not** shower, bathe, or douche.
  - b. **Save** the clothing you were wearing.
  - c. **Do not** destroy anything in and around the crime scene.

### Seek Support Service

The safety and well-being of assault victims is important. The University strongly encourages victims to contact trained professionals for emotional support, medical services and advocacy as soon as possible.

Contact options include:

- A Community Director
- The Office of Student Development and Services
- Campus Police Department
- A Medical treatment facility
- Any trusted friend, advisor, or faculty member

Most University faculty and staff have an obligation to report incidents of sexual assault to a designated administrator responsible for campus safety. Students wishing to keep their information as confidential as possible should speak with a rape crisis counselor, a clinician at the counseling center, a medical provider in the context of receiving medical treatment or a member of the clergy. These members of the community are confidential and private resources for students and do not have the obligation to report instances of sexual assault.

### Seek Counseling

Students who are victims of sexual assault shall be offered access to counseling through mental health services available at the University, other victim service entities in the surrounding community or the nearest state designated rape crisis program. One such agency is Interact. Interact is a non-profit United Way Agency that provides services to survivors of domestic violence and rape/sexual assault. Services include short-term counseling, court assistance, support groups, information and referrals.

## 24 Hour Response Lines

- \* Interact: Sexual Assault: (919) 828-3005/ Toll free 866-291-0853
- \* Interact: Domestic Violence Line (919) 828-7740/ Toll free 866-291-0855
- \* Interact: Family Safety and Empowerment (919) 828-7501; 1012 Oberlin Road, Raleigh, NC 27605

### Filing a sexual assault report

Saint Augustine's University encourages victims of sexual misconduct and assault to report any such incidents to at least one of the individuals listed below. Victims do need to know that the federal law prohibits absolute guarantees of confidentiality, but the University will make every effort to protect the privacy, dignity and safety of victims who make reports.

Upon receiving a report of sexual misconduct, the University will launch an immediate investigation and take whatever disciplinary action is necessary against the perpetrator up to and including expulsion from campus immediately, permanent separation from the University, and reporting the perpetrator to police and prosecutors.

Students who wish to make sexual misconduct and assault complaints should report them to:

Title IX Coordinator: (919) 516-4167

Dean of Student Services: (919) 516-4353

Vice President for Student Development and Services: (919) 516-4232

Campus Police Department: (919) 516-4911

Raleigh Police Department (919) 996-3855

A representative from any of these offices will guide the victim through the available options and support the victim in his or her decision. Filing a police report with SAUCPD will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- Provide the opportunity for the collection of evidence helpful in prosecution, which cannot be obtained later
- Assure the victim has access to confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the Campus Police Department, a representative from Residential Life will also be notified. The victim of sexual assault may choose for the investigation to be pursued through the criminal justice system and the University Judicial Board, or only the latter.

Other campus personnel who learn of sexual assaults or sexual misconduct may have reporting obligations, (e.g., faculty, residence life staff, athletics staff, student affairs and academic affairs, supervisors in offices). The university conducts routine staff training to ensure full compliance with the federal rules on sexual assault.

### Changing of Living and Academic Situations

Victims of sexual assault may request changes in their class schedule or campus living environment and the University is required to provide them if they are reasonable and available. The Title IX coordinator will assist victims in making these accommodations.

## **Procedures for Alleged Sex Offense**

Saint Augustine's University will investigate all reports of sexual misconduct promptly. Complainants (the person making the complaint) who request anonymity or confidentiality should be aware that the university may not be able to honor that request in all cases. Saint Augustine's University is required by Title IX and its own policies to maintain the safety and security of the campus community, and in some instances the university may have to go forward over the objection of the complainant if the facts warrant. In every case, the privacy of the complainant will be preserved to the maximum extent possible.

### A. Protection and Support Resources

Prior to the full investigation or hearing on the matter, the university may impose interim measures to ensure the safety of the complainant or the community, such as orders of no contact between the parties, removal from residence halls, or immediate suspension and barring from campus in some cases. Saint Augustine's University will also provide the complainant with information and assistance in obtaining support resources.

### B. Initial Assessment

Any member of the faculty or staff who receives a student report about a case of sexual misconduct should notify one of the individuals listed above, who will also notify the Title IX Coordinator. Promptly following the receipt of a report, the Title IX Coordinator will assess the complaint to determine if there is evidence of a violation of this policy and will request information from the complainant, including a statement and list of witnesses, if any. If the Title IX Coordinator determines that there is sufficient evidence available to commence an investigation, then the case will proceed for further inquiry.

### C. Investigation

The Title IX Coordinator will direct an investigation conducted by a staff member

specially trained in the investigation of sexual misconduct. The investigation may include interviews and the gathering of any relevant documentary evidence, at the investigator's discretion.

The respondent (the person identified as the perpetrator of the misconduct) will receive notification of the complaint. The respondent be interviewed as part of the investigative process and will have the opportunity to provide a written statement. In addition to his or her statement, the respondent may attach other documents directly relevant to the charge. Letters of testimony to the respondent's good character will not be accepted. The respondent's failure to respond will not stop the process; the respondent may be found responsible, and sanctioned, *in absentia*.

***Respondents must not engage in any form of retaliation against the complainant. Retaliation is a separate offense that bears severe consequences.***

In the absence of extraordinary circumstances, the investigation should normally conclude within ten (10) business days of the receipt of the complainant's statement, though different fact patterns may result in variances to this timetable. At the conclusion of the investigation, the investigator will make a report to the Title IX Coordinator who, with the investigator, will determine whether it is more likely than not that sexual misconduct actually occurred.

#### D. If the Respondent Admits Sexual Misconduct

If the investigation results in a positive finding that sexual misconduct did occur, the Title IX Coordinator will meet with the complainant and the respondent **separately** to discuss the findings of the investigation, and give the respondent the opportunity to either admit or deny the allegations. If the respondent admits the allegations, then the case moves directly to the penalty phase which is entitled "disciplinary proceedings" in Section F. of this policy statement.

- **The Vice President for Student Development and Dean of Student Services** manage disciplinary review and imposition of penalties in cases involving student respondents who admit guilt.
- **The Director of Human Resources** manages disciplinary review and imposition of penalties in cases involving respondents who are University staff or faculty who admit guilt.
- **The Chief of Police handles** imposition of penalties in cases in which the respondents are the personnel of vendors, conference guests, or other visitors to campus.

In all cases, the complainant will receive a report on the disposition of the case including the penalty imposed on the respondent.

#### E. Hearings if Respondent Denies Allegations

If the respondent disputes the finding of sexual misconduct, the Title IX Coordinator directs that a hearing will convene as soon as reasonably possible after the investigation. The hearing will not be postponed on the grounds that there is a criminal proceeding

pending regarding the allegations.

In cases in which a hearing should be convened, both the complainant and the respondent should be mindful that the University has an obligation to protect the privacy of its students and staff to the extent possible. Prior to the hearing, both parties may be allowed to review and make notes (not photocopy) the contents of the disciplinary case file that will be in evidence at the hearing, but the University may redact portions of the file that contain information that should be kept confidential to protect witnesses, students or others, in the sole discretion of the University.

The University will appoint an independent hearing panel from among the professional personnel of the university who have received Title IX training. The panel will be constituted appropriately for the academic level and unit of the complainant, with care in the selection to avoid conflicts of interest, e.g., the academic advisor or departmental supervisor of the respondent would not be a panel member. One member of the panel will chair the proceeding. The hearing may not be recorded.

Rules of evidence will not apply in the hearing, nor may attorneys be present. This is not a legal proceeding. Each party may have a support person with them in the hearing, but that person may not speak during the proceedings. Each party may make a statement, and call witnesses, although character witnesses will not be heard. Any student who provides false information during the hearing may be charged with a violation of the student code of conduct. Any staff member who provides false information during the hearing will incur penalties within the context of University's personnel policies.

A respondent who fails to appear at a scheduled hearing may be adjudicated *in absentia*. In such cases, decisions will be based solely on witness testimony and other written information presented during the proceeding. In order to find against a respondent, the panel must decide that the preponderance of the evidence indicates that that the respondent was responsible of the misconduct as charged. Preponderance of evidence means that a greater weight of evidence has been demonstrated in order to decide in favor of one side or the other. This decision is based on the quality or likely accuracy of the evidence presented, not on the amount. The outcome of the disciplinary proceeding and the sanctions imposed, if any, shall be conveyed to the complainant and respondent in writing.

If the respondent is found guilty, the hearing panel is empowered to impose the sanctions described in the penalties section of this policy, below. In order to ensure the most appropriate application of the penalty and its enforcement, and before making a final decision on the penalty, the hearing panel should consult with the senior staff member named in the sections below depending upon the status of the respondent, and the hearing panel and the senior staff member should agree upon the protocols for administration of the penalty.

#### F. Disciplinary Proceedings and Penalties When Respondent Admits Responsibility

As stated in Section D, above, if the respondent admits responsibility after the initial

investigation, before empaneling a hearing, then the case moves immediately to the disciplinary proceeding and penalty phase described below.

If the respondent denies responsibility but is subsequently found guilty in the hearing process described in Section E, above, the hearing panel may impose the penalties described below after appropriate consultation with the designated senior staff manager who will carry out the actual administration of the penalty.

Disciplinary proceedings and penalties occur as follows:

1. If the Respondent is a Student

The Vice President for Student Development and Dean of Student Services, or their designees, will review the case file. They may meet with the parties separately should any additional discussion be necessary, depending on the nature of the case. Once they have reviewed the case, they will determine the appropriate penalty and issue notice of the penalty to the respondent in writing. They also have the authority to consult with other professionals on Saint Augustine's University staff, (e.g., Health Services, Legal Services, Academic Advisors, Residence Life Staff, Athletics Staff), in order to develop any necessary follow-up plans for both the respondent and complainant.

Depending on the facts and circumstances of the case, the Vice President and Dean may impose one or more of the following penalties:

- a) Expulsion with no opportunity to return to Saint Augustine's University;
- b) Expulsion with readmission consideration after a period of time;
- c) Suspension for a stated period of time, with or without conditions;
- d) Removal from campus housing, temporarily or permanently; e) Orders of "no contact" between complainant and respondent; f) Mandatory educational programs;
- g) Community service;
- h) Such other penalties as may be appropriate for the case.

Penalties of expulsion or suspension take place immediately. Students will receive "W" grades for courses in progress. No refunds will be issued.

Respondent may appeal a dismissal penalty to the president of the University whose decision in the matter is final. However, the dismissal is immediate even while the president considers the case. Should the president overturn the dismissal, it will be the respondent's obligation to make up class time and assignments missed during the dismissal period.

## 2. If the Respondent is an Employee

The Director of Human Resources and one additional member of the senior staff (not an immediate supervisor of the respondent) will review the case file and will meet with the parties should discussion be necessary. Following review, the following penalties may be imposed depending upon the circumstances of the case:

- a) Immediate termination from employment;
- b) Suspension without pay from employment for a stated period of time;
- c) Probation with conditions;
- d) Mandatory educational programs;
- e) Such other penalties as may be appropriate.

## 3. If the Respondent is a Vendor, Guest or Visitor

The SAUCPD in collaboration with campus sponsor or host will review the case file and take one or several of these actions:

- a) In the case of a vendor employee, request for immediate separation from the contract with the University;
- b) Report to the vendor supervisor with a request for disciplinary action and educational program participation should the vendor employee remain at the university;
- c) In the case of a visitor, guest, immediate removal from campus and a barring notice;
- d) Such other actions as may be warranted given the facts and circumstances of the individual case.

## **Policy on Sexual Harassment**

Saint Augustine's University's Harassment policy covers all forms of harassment, intimidation or assault broadly for all persons on campus. The harassment policy includes sexual, racial, ethnic, religious and all other forms of harassment as detailed in the government's recent "Not Alone" report. The University is committed to doing its best to prevent such occurrences and also to addressing situations that are reported to authorities. If you are a victim of sexual harassment or sexual violence, we hope that you will seek assistance; either here on campus or off-campus. If students have any questions regarding

University policies pertaining to Title IX, please contact Jamila Ormond, Title IX Coordinator, at [jaormond@st-aug.edu](mailto:jaormond@st-aug.edu).

All members of the University community have the right to be free from sex discrimination in the form of sexual harassment; as dictated by the Office for Civil Rights (OCR), acts of sexual violence are a form of sexual harassment. Sex discrimination, including sexual harassment and sexual assault, is prohibited by federal and state law as well as University policy. The University is committed to appropriately addressing alleged acts of sexual harassment and sexual violence.

Prior to the articulation of the policy, it is important to note options for assistance following an incident of sexual violence. Whether or not a student chooses to formally report an incident, receiving immediate medical attention and/or counseling is vital to the student's overall health and wellness. Likewise, seeking immediate medical attention is vital to preserve evidence if an investigation is to follow. More detailed information on resources is also available at the end of this policy.

Saint Augustine's University is committed to preventing sexual harassment. To that end, this policy and these procedures will be printed in appropriate University publications. In addition, educational programs will be conducted annually by the University to (1) inform students, faculty, staff and administration about identifying sexual harassment and the problems it causes; (2) advise members of the University community about their rights and responsibilities under this policy; (3) train personnel in the administration of this policy. The Sexual Harassment / Sexual Violence Policy and Procedures will be issued to all incoming students and personnel.

### **Definitions – Misconduct Offenses**

- **Sexual harassment includes** unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, including communications on social media, of a sexual nature when:
  1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic, co-curricular or employment evaluation or participation in any aspect of life at Saint Augustine's University;
  2. submission to or rejection of such conduct by an individual is used as a factor in any decisions affecting the individual;
  3. such conduct has the purpose or effect of substantially interfering with an individual's academic, co-curricular or other participation in the life of the Saint Augustine's University community, or creating an intimidating, hostile, offensive or demeaning educational or work environment.
- **Non-consensual sexual contact** means any intentional sexual touching or contact, without consent, no matter how slight, regardless of the relationship of the parties.
- **Non-consensual sexual intercourse** means unwanted penetration of any orifice with any object or body part, no matter how slight.

- **Sexual exploitation** means taking non-consensual or abusive sexual advantage of another for the perpetrator's benefit; such behavior may not fit into one of the previously mentioned categories. Examples of sexual exploitation include prostituting a student or recording sexual acts without the other person's consent.
- **Consent means** words or actions that communicate approval of sexual activity taking place between the parties; consent to one activity does not automatically imply consent to other forms of sexual activity. Consent must be made in the absence of coercion of any kind, and silence in and of itself cannot be interpreted as consent. In addition, persons who are incapacitated due to the use of alcohol or drugs cannot give consent.

Other misconduct offenses that may fall under this policy as well as other policies include:

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health and safety of any person, including communications on social media;
- Discrimination, as defined by actions that deprive other members of the community of educational access, benefits or opportunities on the basis of gender;
- Intimidation, defined as implied threats or acts that cause fear of bodily injury to a person or their family;
- Hazing;
- Bullying, which is defined as severe or repeated behavior intended to intimidate, control, or diminish another;
- Violence between those in an intimate partner relationship;
- Domestic Violence;
- Dating Violence;
- Cyberbullying;
- Stalking.

## **Sexual Harassment Complaint Process and Procedures**

Formal complaint process and procedure regarding sexual harassment:

- Upon receipt of a formal written complaint that alleges a violation of the University's policy against sexual harassment, the University's Title IX Coordinator, Deputy Title IX Coordinator, or designee shall begin an investigation of the charge(s). In cases of sexual violence involving students, the University may begin an investigation without a written complaint from the student.
- Upon beginning an investigation, the University may take any immediate interim actions deemed appropriate that may remain in effect until a decision is reached; these actions could involve the alteration of class schedules, extracurricular activities, or residential location; removal from

classes; or restrictions from communicating with involved parties.

- Likewise, the University may work with a reporting student to provide additional academic support or even withdrawing from class(es) without penalty. An investigation shall include an interview with the person filing the complaint, the person(s) accused of violating the anti-harassment policies and any person designated by either of the principle parties as witnesses to the incident in question. Throughout the entire process, the University prohibits retaliation against any person involved in the investigation; as a separate violation of university policy, serious sanctions, including separation from the institution may result from any act that could be reasonably deemed retaliation for participation in the process.
- The investigation shall be completed within ten (10) business days of the receipt of the complaint unless extraordinary circumstance arise that delay in the investigation. The matter shall then be presented to the President in the form of written recommendations.
- At the President's discretion, he may accept the recommendations, interview the persons involved, direct further investigation by the investigator and/or hold formal hearings on the matter. Hearings will not be held for instances of student sexual violence. All evidentiary decisions made regarding the complaint will be based on a preponderance of evidence standard. If formal hearings are ordered, no party is allowed to be represented by legal counsel. If a hearing is held in a student sexual violence situation, both parties will have the same access to information to be presented in the hearing and the complainant in the case may elect to participate in the hearing by phone rather than in person.
- This process shall be completed and the President shall make a final decision on the merits of the complaint and communicate that decision simultaneously to both parties in writing within 60 days of receipt of the complaint by the University. In matters involving students, staff, faculty, or administration, the decision of the President shall be final. Throughout this process, the university will keep the identities of the complaining party and accused confidential. The University will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the disclosure of information related to the outcome of the proceeding.

Possible outcomes of the investigation are:

- (1) that the allegation is not warranted and cannot be substantiated,
- (2) a negotiated settlement of the complaint, or
- (3) that the allegation is substantiated requiring a recommendation to the President that disciplinary action be taken.

In the case of students, disciplinary sanctions include those listed in the University's Social Code policy.

- If the President of the University is the accused, the case is referred to the Executive Committee of the Board of Trustees.
- If the chairperson of the Review Committee is the accused, the complaint shall be submitted to the President of the University. If any member of the Review Committee is the accused or for reason of prejudice must be recused, the President of the University shall appoint another member.
- The right to confidentiality of all members of the University community will be respected in both formal and informal procedures insofar as possible.

## Reporting Sexual Harassment

The University encourages individuals to immediately consult with or report incidents of sexual discrimination, sexual harassment, or sexual violence to the Office of the Vice President for Student Development, or to one of the institution's Deputy Title IX coordinators or Campus Security Authorities:

1. Issues involving **students**: Dean Ann Brown (Dean of Women) 919-516-5083; [abrown@st-aug.edu](mailto:abrown@st-aug.edu) or Dr. Paul A. Norman, (Dean of Men) 919-516-4240; [panorman@st-aug.edu](mailto:panorman@st-aug.edu).
2. Issues involving student **athletes**: Leon Carrington (Delany Hall, 2nd Floor 919-516-4372; [lcarrington@st-aug.edu](mailto:lcarrington@st-aug.edu))
3. Issues involving **faculty**: Dr. O.E. Hankins (Mosee Building; 919-516-4860; [oehankins@st-aug.edu](mailto:oehankins@st-aug.edu))
4. Issues involving **staff**: Lottie Ferrell, Director of Human Resources (Hunter Building 101 919-516-4168; [lferrell@st-aug.edu](mailto:lferrell@st-aug.edu))

Students may also report incidents of sex discrimination, sexual harassment, or sexual violence to any "campus security authorities" or CSAs (see below), who is then responsible to promptly notify any of the above Title IX coordinators of the reported incident. The University reserves the right to grant amnesty from drug, alcohol, or other violations of the social code for parties reporting allegations under this policy (i.e., if alcohol was involved in the incident, the reporting party would not then be charged with an alcohol infraction). Decisions regarding amnesty under the policy will be made by the dean of students in conjunction with the Title IX coordinator. Complaints or allegations of student-to-student sexual discrimination, sexual harassment, or sexual violence will be handled by the Dean of Students Office (919-516-4353.) Cases of sexual violence may also be reported to the Saint Augustine's University Campus Police Department. The University's Title IX coordinators can assist individuals with contacting the Campus Police Department. The University reserves the right to share any information from its own investigation with the Campus Police Department at the discretion of the Title IX coordinator. Any complaints of sexual discrimination, sexual harassment, or sexual violence involving non-students will be handled by the Director of Human Resources.

### On-Campus Resources Regarding Sexual Harassment

- Mr. Birchie Warren (919-516-4911): as the Director of the Counseling Center, Mr. Warren can assist the student seek resources and maintain a confidential relationship with the student following the incident.
- Rev. Nita C. Byrd (919-516-4241): as the Chaplain, Rev. Byrd can assist the student seek resources and maintain a confidential relationship with the student following the incident.
- Nurse Tim Stephenson-(919-516- 4305) as University Nurse, Mr. Stephenson can provide input and direction on all medical issues for students following the incident.
- University Police (919-516-4411 or 919-516-4911): available 24 hours a day; can connect the student to resources and procure medical attention.

### Off-Campus Resources (24 hours/7days)

- Interact: 919-828-3005
- National Domestic Violence Hotline: 866-291-0853
- Domestic abuse Helpline for Men & Women: 919-828-7501

### **Confidentially Disclosing Instances of Sexual Harassment or Sexual Violence**

The University encourages individuals who have experienced what they believe could constitute sexual harassment or sexual violence to speak with someone about what happened so that support can be offered and the University can respond appropriately. Different individuals associated with the University have different abilities to maintain confidentiality in this area. Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."

Some employees are required to report all the details of an incident (including the identities of both the survivor and alleged perpetrator) to the Title IX Coordinator. A report to these employees (called "campus security authorities") constitutes a report to the University and generally obligates the University to investigate the incident and take appropriate steps to address the situation.

It is also possible to report to a third-party counselor or advocate off campus who may maintain confidentiality and only inform the school that an incident has occurred. As reporting requirements vary, it is important to discuss confidentiality with the third party prior to speaking with that individual.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them so they can make informed choices about where to turn if an incident occurs. The University encourages students to talk someone identified in one or more of these groups. The options include:

## **Privileged and Confidential Communications**

### *Professional and Pastoral Counselors*

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. Following is the contact information for these individuals:

- Birchie Warren- Director, Counseling and Psychological Services (bwarren@st-aug.edu)
- Rev. Nita C. Byrd – Chaplain and Director of Spiritual Life (ncbyrd@st-aug.edu)

While these professional and non-professional counselors and advocates may maintain a victim's confidentiality vis-à-vis the University, they may have reporting or other obligations under state law. Such as mandatory reporting to law enforcement in case of minors; imminent harm to self or others; requirement to testify if subpoenaed in a criminal case.

If the University determines that the alleged perpetrator(s) pose a serious and immediate threat to the University community, campus security, the president, or dean of students may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

## **Reporting to Campus Security Authorities (CSA)**

A Campus Security Authority (CSA) is a University employee who has the authority to redress sexual harassment and/or violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a student tells a responsible employee about an incident of sexual harassment or sexual violence, the student has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A CSA must report to the Title IX coordinator all relevant details about the alleged sexual harassment or sexual violence shared by the student and that the University will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report. A responsible employee should not share information with law enforcement without the student's consent or unless the student has also reported the incident to law enforcement.

The following employees (or categories of employees) are the University's CSAs:

- Members of the Executive Management Team
- Employees of the Human Resources Staff
- Employees of the Student Development Staff
- Head Athletic Coaches
- Student Resident Advisors
- Faculty Advisors

Before a student reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations – and, if the student wants to maintain confidentiality, direct the victim to confidential resources.

If the student wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a student to request confidentiality, but will honor and support the student's wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a student to make a full report if the student is not ready to.

### **Requesting Confidentiality from the University: How the University Will Weigh the Request and Respond.**

If a student discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the reporting student.

If the University honors the request for confidentiality, a student must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the University may not be able to honor a student's request in order to provide a safe, non-discriminatory environment for all students. The University has designated the following individual to evaluate requests for confidentiality once a responsible employee is once a responsible employee is on notice of alleged sexual harassment or sexual violence:

- Deputy Title IX Coordinator – Dr. O.E. Hankins (oehankins@st-aug.edu)
- Deputy Title IX Coordinator - Ms. Lottie Ferrell (lferrell@st-aug.edu)

When weighing a student's request for confidentiality or that no investigation or discipline be pursued, The Title IX Coordinator will consider a range of factors, including the following:

The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:

1. Whether there have been other sexual harassment or sexual violence complaints about the same alleged perpetrator;
2. Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
3. Whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
4. Whether the sexual harassment or sexual violence was committed by multiple perpetrators;
5. Whether the sexual harassment or sexual violence was perpetrated with a weapon;
6. Whether the victim is a minor;
7. Whether the University possesses other means to obtain relevant evidence of the sexual harassment or sexual violence (e.g., security cameras or personnel, physical evidence);
8. Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the victim's request for confidentiality.

If the University determines that it cannot maintain a victim's confidentiality, the University will inform the student prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The University will remain ever mindful of the student's well-being, and will take ongoing steps to protect the student from retaliation or harm and work with the victim to create a safety plan. Retaliation against the reporting student, whether by students or University employees, will not be tolerated.

The University will also:

- Assist the student in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the student of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

Because the University is under a continuing obligation to address the issue of sexual harassment and sexual violence campus-wide, reports of sexual harassment and sexual violence (including non-identifying reports) will also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and

prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices. If the University determines that it can respect a student's request for confidentiality, the University will also take immediate action as necessary to protect and assist the student.

### **Anonymous Reporting**

Although the University encourages victims to talk to someone, the University provides an online option for anonymous reporting. The system will notify the user (before the individual enters information) that entering personally identifying information may serve as notice to the University for the purpose of triggering an investigation.

### **Off-campus Counselors and Advocates**

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the University unless the student requests the disclosure and signs a consent or waiver form. Following is contact information for these off-campus resources:

- Interact: 919-828-3005
- National Domestic Violence Hotline: 866-291-0853
- Domestic abuse Helpline for Men & Women: 919-828-7501

Additional information regarding how to respond to instances of sexual violence that also include other service providers include:

- The Federal Government's "Not Alone" Website: [www.notalone.gov](http://www.notalone.gov)
- National Domestic Violence Hotline: 1-800-799-7233 (SAFE)
- Domestic abuse Helpline for Men & Women: 888-7HELPLINE (888-743-5754)

**NOTE:** While these off-campus counselors and advocates may maintain a victim's confidentiality vis-à-vis the University, they may have reporting or other obligations under state law. Such as mandatory reporting to law enforcement in case of minors; imminent harm to self or others; requirement to testify if subpoenaed in a criminal case.

### **Policy on Stalking**

Saint Augustine's University is determined to provide a campus environment free of violence for all members of the campus community. For this reason, Saint Augustine's University does not tolerate stalking, and will pursue the perpetrators of such acts to the fullest extent possible. Saint Augustine's University is also committed to supporting victims of stalking through the appropriate provision of safety and support services. This policy applies to all students of the Saint Augustine's University community.

Stalking incidents are occurring at an alarming rate on the nation's college campuses. It is a

crime that happens to men and women of all races/ethnicities, religions, ages, abilities, sexual orientations, and sexual identity. It is a crime that can affect every aspect of a victim's life. Stalking often begins with phone calls, emails, social networking posts and/or letters and can sometimes escalate to violence.

Stalking is a crime in Saint Augustine's University and is subject to criminal prosecution. Students perpetrating such acts of violence will be subject to disciplinary action through the Saint Augustine's University Dean of Student's Office. This can include expulsion from Saint Augustine's University and/or criminal prosecution simultaneously.

**Notice:** The University takes issues of sexual harassment and sexual violence serious and, as such, permits the consideration of complaints made anonymously. Please be aware, however, that the University may have a limited ability to investigate with incomplete information and the inability to contact the reporting party. Entering personally identifying information may serve as notice to the University for the purpose of triggering an investigation. When filing a claim in person in Hunter 208, please include the following:

**Incident Summary (please provide all relevant details – date, time, location, parties present)**

- What is your relationship to the incident? Victim or Witness
- Heard about the incident?
- Names of witnesses or other parties that should be included in the investigation

**Definition of Stalking**

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Course of conduct is defined as "a pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct."

**Stalking Behaviors**

Stalking includes any behaviors or activities occurring on more than one occasion that collectively instill fear in a victim, and/or threaten her or his safety, mental health, or physical health. Such behaviors and activities may include, but are not limited to, the following:

1. Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, written letters, gifts, or any other communications that are undesired and place another person in fear.
2. Use of online, electronic, or digital technologies, including:
  - a. Posting of pictures or information in chat rooms or on Web sites

- b. Sending unwanted/unsolicited email or talk requests
  - c. Posting private or public messages on Internet sites, social networking sites, and/or school bulletin boards
  - d. Installing spyware on a victim's computer
  - e. Using Global Positioning Systems (GPS) to monitor a victim
  - f. Pursuing, following, waiting, or showing up uninvited at or near a residence
  - g. workplace, classroom, or other places frequented by the victim
3. Surveillance or other types of observation, including staring or "peeping"
  4. Trespassing
  5. Vandalism
  6. Non-consensual touching
  7. Direct verbal or physical threats
  8. Gathering information about an individual from friends, family, and/or co-workers
  9. Threats to harm self or others
  10. Defamation – lying to others about the victim

### **Reporting Stalking**

Saint Augustine's University encourages reporting of all incidents of stalking to law enforcement authorities, and respects that whether or not to report to the police is a decision that the victim needs to make. Advocates or CSAs are available to inform victims of the reporting procedures and offer appropriate referrals. Victims of stalking choosing to pursue the reporting process have the right to assistance or consultation of an advocate (reference own law in your state Saint Augustine's University offers services to victims even if they choose not to report the incidents. The Dean of Students Office provides services, advocates, and information for victims in a safe, supportive, and confidential setting. In some circumstances, a victim may wish to seek an order of protection from a court of appropriate jurisdiction against the alleged perpetrator. Victims may also seek restriction of access to Saint Augustine's University by non-students or non-employees in certain circumstances.

In certain instances, Saint Augustine's University may need to report an incident to law enforcement authorities. Such circumstances include any incidents that warrant the undertaking of additional safety and security measures for the protection of the victim and the campus community or other situations in which there is clear and imminent danger, and when a weapon may be involved. However, it is crucial in these circumstances to consult with University Police (x4911), since reporting may compromise the safety of the

victim.

## **Anti-Bullying Policy**

Bullying can foster a climate of fear and disrespect which seriously impairs the physical and psychological health of its victims and creates conditions that negatively affect any learning and working environment. Saint Augustine's University is committed to maintaining high standards for behavior where every member of the SAU community conducts himself/herself in a manner which demonstrates proper regard for the rights and welfare of others. This Anti-Bullying Policy, therefore, seeks to educate the SAU community about bullying, and to promote civility and respect among all its members, including the University's trustees, administration, faculty, staff, students, contractors, consultants and vendors.

### **Bullying Definition**

1. Bullying is defined as the aggressive and hostile acts of an individual or group of individuals which are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals.
2. Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents, and may manifest in the following forms:
  - a. **Physical Bullying** includes pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person's work area or personal property; and/or damaging or destroying a person's work product.
  - b. **Verbal/Written Bullying** includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
  - c. **Nonverbal Bullying** includes directing threatening gestures toward a person or invading personal space after being asked to move or step away.
  - d. **Cyberbullying** is defined as bullying an individual using any electronic form, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.

### **Bullying Prohibited**

1. Bullying is strictly prohibited on any university property; at any university function, event or activity; or through the use of any electronic or digital technology, whether or not such use occurs on university property.

2. This policy shall apply to all University trustees, administration, faculty, staff, students, contractors, consultants and vendors.
3. Any case of bullying suspected to be of a criminal nature shall be referred to local law enforcement authorities.

### **Reprimand or Criticism**

Bullying shall not include circumstances wherein:

1. A supervisor or any person with supervisory authority reports and/or documents an employee's unsatisfactory job performance and the potential consequences for such performance;
2. A faculty member or academic program personnel advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program; or
3. A faculty member or academic program personnel advise a student of inappropriate behavior that may result in disciplinary proceedings.

### **Procedures for Reporting Bullying**

#### 1. Reporting Bullying by Students

- a. Complaints alleging students bullying other students, employees, contractors, consultants or vendors should be reported immediately to the University Police.
- b. Any such complaints will be forwarded to the Dean of Students for investigation, in accordance with the procedures set forth in the Student Code of Conduct and Student Conduct Process.

#### 2. Reporting Bullying by Employees

- a. Complaints alleging University employees bullying other employees, students, contractors, consultants or vendors, should be reported immediately to the Assistant Vice President of Human Resources or their designee.
- b. In accordance with University policy, the Office of Human Resources will review the complaint, conduct an investigation, and recommend appropriate disciplinary action.

3. Complaints involving bullying by persons not identified in subparagraphs (1) and (2), herein, should be reported to the Campus Police Department.

## **Disciplinary Action on Bullying**

Violations of this policy shall be considered misconduct, and violators will be subject to disciplinary action in accordance with University policy, the applicable collective bargaining agreements, and the Student Code of Conduct and Student Conduct Process.

## **Bullying Education/Prevention**

1. This policy shall be disseminated through inclusion in the Faculty Handbook and in other employee materials, the Student Handbook, and on the University's website.
2. The Offices of Student Development and Academic Affairs will facilitate anti-bullying workshops and seminars throughout the academic year to provide continuing education for students.
3. The Office of Human Resources will facilitate anti-bullying training for University employees.

## **Other Remedies**

Nothing contained herein shall preclude or limit any right, remedy or cause of action provided under any other University policy, or any local, state or federal ordinance, law or regulation, including, but not limited to, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1964 or the Americans with Disabilities Act of 1990.

For more information, check out the following resources to learn more about preventing cyber bullying:

- § [www.ncpc.org](http://www.ncpc.org) provides information about stopping cyber bullying before it starts.
- § [Stop Cyberbullying Before It Starts \(PDF\)](#) provides useful information for parents.
- § [Cyberbullying.us](http://Cyberbullying.us) provides cyber bullying research, stories, cases, downloads, fact sheets, tips and strategies, news headlines, a blog, and a number of other helpful resources on their comprehensive public service website.
- § [www.stopcyberbullying.org](http://www.stopcyberbullying.org) has a fun quiz to rate your online behavior, information about why some people cyber bully, and how to stop yourself from cyberbullying.
- § [www.wiredsafety.com](http://www.wiredsafety.com) provides information about what to do if you are cyberbullied.
- § [www.stopbullyingnow.com](http://www.stopbullyingnow.com) has information about what you can do to stop bullying.
- § [www.ncvc.org/src](http://www.ncvc.org/src) provides training, technical assistance and materials to help develop anti-stalking programs.
- § [www.cyberlawenforcement.org](http://www.cyberlawenforcement.org) is a network that specializes in cybercrime.
- § [www.stalkingvictims.com](http://www.stalkingvictims.com) provides support safety tips and other education

## **Additional Information:**

For more information about your rights under Title IX, contact:

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)

## **Crime Awareness and Campus Crime Prevention Programs**

Using a multi-layered approach, the University provides services and employs strategies that maximize personal and campus-wide safety, while at the same time encouraging community members to take responsibility for their personal safety and the safety of those around them. Throughout the academic year Saint Augustine's University delivers various safety and security programs to new and returning students, faculty, staff and affiliates, including crime prevention, fire safety and emergency management training and education. Campus Police Department participate in student orientations, residence life training, and various other programs and functions sponsored by the University, for the purpose of providing information concerning crime awareness, campus safety, and other public safety procedures, practices and initiatives, and informational literatures are made available. Students, faculty, and staff may contact Campus Police Department to learn more about crime awareness education and prevention, or to request a presentation or literature.

## **Campus Sex Crimes Prevention Act**

The Campus Sex Crimes Prevention Act (CSCPA) 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at Institutions of Higher Education (IHE). The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is enrolled, employed or carrying on a vocation. The CSCPA further amends the Family Education Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

A listing of registered sex offenders in North Carolina can be found at the N.C. Sex Offenders and Public Protection Registry. Registry information provided under this section shall be

used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protections of the public in general. Use and/or misuse of this information by individuals, groups or entities to commit criminal acts (to include, but not limited to, threats, intimidation, stalking, harassment) against other persons are subject to criminal prosecution. Follow the link below to access the registry: <http://sexoffender.ncdoj.gov/search.aspx>.

## **Workplace Violence**

The Saint Augustine's Campus Police Department investigates all reports of crime. In serious cases, referrals are made to Raleigh City Police Department. For noncriminal workplace issues, please contact Human Resources (919) 516-4168 for information and assistance.

## **Campus Crime Statistics**

The Clery Act requires colleges and universities receiving federal student financial aid to disclose timely and annual information about crime on and around their campus. Crime statistics are collected by the Campus Police Department and are based on crimes reported directly to the Department. In preparation for annual reporting, persons with significant responsibility for student and campus affairs, Residential Life and Ethics and Conflict Resolutions are surveyed for knowledge of crimes that may not have been reported to the Campus Police Department.

Crimes that occurred in residence halls are reported both in the "On Campus" category and in the "Residence Hall" category. Thus, "Residence Hall" is a subset of "On Campus". The presentation of the table is designed to compare crimes committed in the same locales during the past three years.

## Saint Augustine's University 2016 Crime Statistics

### 2016 Crime Statistics

OFFENSE	ON CAMPUS			RESIDENTIAL FACILITIES			NON CAMPUS			PUBLIC PROPERTY		
	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014
<b>Murder/ Non-Negligent Manslaughter</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Negligent Manslaughter</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses, Forcible</b>	2	1	2	0	1	2	1	0	0	0	0	1
<b>Sex Offenses</b>	0	2	0	0	1	0	0	1	0	0	0	0
<b>Robbery</b>	4	1	3	0	1	1	0	0	0	0	0	1
<b>Aggravated assault</b>	2	7	0	0	5	0	0	0	0	0	0	5
<b>Burglary</b>	46	34	32	0	2	27	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	1	0	0	0	0	0	0	0	0	0	0	0
<b>Arson</b>	0	0	2	0	0	2	0	0	0	0	0	0
<b>Arrest for Alcohol</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Discipline for Alcohol</b>	0	2	4	0	1	0	0	0	0	0	0	0
<b>Arrests for Drugs</b>	0	2	0	0	2	0	0	0	0	10	0	0
<b>Discipline for Drugs</b>	5	12	7	5	1	4	0	0	10	0	0	0
<b>Arrest for Weapons</b>	2	0	1	1	0	0	0	0	0	0	0	0
<b>Discipline for Weapons</b>	2	0	1	1	0	1	0	0	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Dating Violence</b>	7	6	8	7	6	6	1	0	1	0	0	0
<b>Stalking</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Hate Crimes</b>	None of the crimes listed above were bias motivated											