

Annual Security Report | 2023

Department of Campus Health, Safety & Security

Includes policy statements for the 2023-2024 Academic Year and
Crime Statistics for Calendar Years (CYs) 2020, 2021 & 2022



**Rowan-
Cabarrus**
COMMUNITY COLLEGE



TABLE OF CONTENTS

- Message from the Director 6
- The Clery Act – Legal Requirements..... 7
 - Separate Annual Report 8
 - Public Safety Authority and Jurisdiction 8
 - Local Law Enforcement Statistics and Interagency Cooperation 9
- Campus Security Authorities..... 10
 - What responsibilities does a Campus Security Authority (CSA) have? 11
 - Reporting an Emergency 11
 - Emergency Response Priorities 11
- Emergency Response Operations Plan..... 11
 - Introduction and Purpose 11
 - Emergency Management 12
 - College Notifications 12
 - Persons that Reports Should Be Made to for the Purpose of Making Timely Warnings: 12
 - Campus Information 13
 - Campus Notifications 13
 - Campus Crime Warning (also called Timely Warnings) 13
 - Notification Methods 15
 - Emergency Authorization..... 15
 - Emergency Event Confirmation..... 15
 - Content of Notifications 15
 - Emergency Notification..... 16
 - Immediate Lockdown, Shelter in Place, and Evacuation..... 16
 - General and Targeted Notification 16
 - Emergency Notification and Response Procedures Testing 16
 - Emergency Response Procedure Publication..... 17
 - Additional Communications..... 18
 - Emergency Operations Assistant (EOA) and Building Coordinator Program 18
- Security considerations used in the Maintenance of Campus Facilities 19
 - Key Control 19
 - Key Issuance Procedure 20
- Weapons Policy 20

- College Drug and Alcohol Policy..... 21
 - Drug-Free Workplace 21
 - Alcohol Policy 22
 - Employee Assistance..... 22
 - Notice of Nondiscrimination 22
- College Sexual Misconduct and Interpersonal Violence Policy in Compliance with Title IX and the Campus Sexual Violence Elimination (SAVE) Act..... 23
 - Policy 23
 - Reporting..... 23
 - To Report Title IX Incidents 23
 - Confidentiality 23
 - Investigation 24
 - Standard of Evidence 24
 - Notice of Decision 24
 - Environmental Sexual Harassment 25
 - Consent 25
 - Stalking..... 26
 - North Carolina General Statute Definitions 26
 - Education, Training, Prevention, Counseling and Other Outreach 30
 - Education and Prevention 30
 - Bystander Intervention 30
 - Counseling and other outreach 31
 - Guide for Students Who Have Been Sexually Assaulted..... 31
 - When Sexual Assault Occurs 31
 - Past Abuse or Off-Campus Abuse..... 32
 - Medical Treatment..... 32
 - Immediate Emergency Services 33
 - Transportation..... 33
 - Non-emergency Medical Procedures..... 33
 - Counseling, Resources and Emotional Support Student..... 33
 - Receiving Assistance 33
 - Options for Immediate Assistance 33
 - On Campus Immediate Assistance Options 34
 - Off-Campus Immediate Assistance Options..... 34

- Community Counseling Resources..... 35
- Rowan-Cabarrus Title IX – Sexual Harassment Investigation, Resolution, and Sanction Procedure..... 36
 - Definitions..... 36
 - Scope and Applicability 38
 - Title IX Reporting..... 38
 - Title IX Grievance Procedures 39
 - Initial College Response and Assessment 39
 - Informal Resolution..... 40
 - Investigations 40
 - Title IX Grievance Hearings 43
 - Title IX Appeals..... 44
 - Protection Against Retaliation..... 45
 - Providing False Information 45
 - Limited Immunity..... 45
 - FERPA (Family Educational Rights and Privacy Act)..... 45
 - Suspending Procedures 46
 - Title IX Student and Employee Education and Annual Training 46
 - Title IX Recordkeeping..... 47
- Threat Assessment Team 47
- Crime Prevention Programs 47
 - Program Descriptions..... 47
- Prompt Reporting of Emergencies and Suspicious Activity 48
- Clery Definitions..... 49
 - Criminal Homicide..... 49
 - Sexual Assault (Sex Offenses)..... 49
 - Robbery..... 50
 - Aggravated Assault..... 50
 - Burglary..... 50
 - Motor Vehicle Theft 50
 - Arson 50
- Hate Crimes..... 51
- Violence Against Women Act Offenses 51
- Unfounded Crimes 51
- Excluded Crimes 51

Sex Offender Registry..... 52

Daily Crime Log 52

Campus Crime Statistics for Rowan Cabarrus Community College – North Campus 53

Campus Crime Statistics for Rowan Cabarrus Community College – South Campus..... 55

Campus Crime Statistics for Rowan Cabarrus Community College – College Station..... 57

Campus Crime Statistics for Rowan Cabarrus Community College – Cabarrus Business & Technology Center 59

Campus Crime Statistics for Rowan Cabarrus Community College – North Carolina Research Campus & Dr. Carol Spalding
Advanced Technology Center..... 61

MESSAGE FROM THE DIRECTOR

On behalf of the members of the Department of Campus Health, Safety, & Security, I want to thank you for your interest in our Annual Security Report. For the 2022 academic year, Rowan Cabarrus Community College's enrollment was nearly 20,275 students. The student body is comprised of approximately 51% women and 49% men. For the fall 2022 semester, there were 13,261 full-time equivalent (FTE) students at the college, and there were 929 full-time equivalent (FTE) employees (faculty and staff combined) at the college.

The Department of Campus Health, Safety & Security (DCHSS) is responsible for occupational health, emergency management and preparedness, and security on the campus. The Department is under the leadership of the Director of Campus Health, Safety, and Security, who reports to the Chief Officer Division of College Environment. The Director also manages institutional Clery compliance initiatives. The Department is open and staffed during regular college operating hours during the week by seven Campus Safety Coordinators, five part-time Campus Safety Coordinators, and one sworn Campus Resource Deputy. The Lead Campus Safety Coordinator is assigned Title IX investigations and department crime prevention and security awareness programming. Contract Security Deputies from the Rowan and Cabarrus County Sheriff's Offices provide law enforcement services on our five campuses in two counties.

While the department strives to provide exemplary campus safety services, campus community members must remember follow good safety practices and understand that safety is the responsibility of all community members. This includes using the safety escort service, locking your valuables, reporting concerning behaviors, and reporting suspicious/criminal activities. This includes educational programs on campus safety, preventative patrols, incident investigation and crime reporting, fire safety and prevention, and crime prevention. DCHSS also ensures that Contract Security Deputies maintain good standing within their agency for the requirements of law enforcement officers.

This publication is intended to provide information on educational programs, safety practices, crime statistics, and policies regarding the reporting of emergencies and campus crime rates. It is the primary objective of DCHSS to work together with campus community members in our joint efforts to continually enhance the safety of the campus environment, thereby affording opportunities for community members to work, live, study, and personally and professionally develop both intellectually and socially. Should you have questions, comments, or suggestions regarding the information contained within this publication or any related public safety policies, procedures, or operations, please feel free to contact me at (704) 216-7230.

Respectfully

Jeffrey R Insley
Director of Campus Health, Safety & Security

THE CLERY ACT – LEGAL REQUIREMENTS

The Clery Act requires colleges and universities to:

- Publish an annual report every year by October 1st that contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have “significant responsibility for student and campus activities.”
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing threat to students and employees.
- Disclose in a public crime log “any crime that occurred or allegedly occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department.”
- Prohibit the institution, or an officer, employee, or agent of the institution, participating in any program under this title from retaliating, intimidating, threatening, coercing, or otherwise discriminating against any individual with respect to the implementation of any provision of the Clery Act.

The Department of Campus Health, Safety & Security is responsible for preparing and distributing this report. We work with many other departments and agencies, such as the Title IX Coordinators, Office of Student Success, Campus Security Authorities, and local law enforcement agencies to compile the information. We encourage members of the Rowan Cabarrus community to use this report as a guide for safe practices on and off campus. It is available on the Campus Health, Safety & Security website. [insert website]

The Annual Safety and Security Report is written for disclosure of campus safety and security policies and campus crime statistics, and includes information students, prospective students, employees, and visitors may review regarding campus safety and crime prevention. In compliance with the federal Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act (20 U.S.C.1092(f)), Rowan-Cabarrus Community College publishes specified information on campus crime statistics and security policies. The information summarized in this document is available in the Office of Student Success or may be obtained by contacting the Director of Campus Health, Safety & Security at 704-216-7230.

The purpose of this report is to:

- Provide an overview of the Department of Campus Health, Safety & Security.
- Share crime statistics required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.
- Inform current and prospective students, staff and visitors about the policies and programs related to safety and security.
- Provide information regarding emergency preparedness and planning.

- Provide procedural information for the process of reporting crimes occurring in or near the College’s campuses and off-campus sites.
- Provide information regarding assistance and resources for counseling and incident reporting for victims of crimes, especially sexual assaults.
- Provide guidance regarding campus policies regarding the consumption or possession or distribution of alcohol or drugs on campus, and guidance regarding the possession or use of illegal weapons on campus.

Separate Annual Report

Rowan-Cabarrus Community College will produce a separate annual statistical report for each separate campus as defined in this report.

Public Safety Authority and Jurisdiction

The Department of Campus Health, Safety & Security serves as an administrative oversight authority for law enforcement, and security operations for all the campuses and centers. Rowan-Cabarrus is committed to providing quality security services to create a safe and secure environment for students, faculty, staff, and visitors. The Department of Campus Health, Safety & Security works closely with local law enforcement, local first responders as well as state and federal authorities throughout Rowan and Cabarrus Counties.

The Department of Campus Health, Safety & Security is administratively accountable to the Chief Officer, Division of College Environment. The Department is headed by the Director of Campus Health, Safety & Security and supported by Campus Safety Coordinators, a College Resource Officer at the North Campus, and part-time Campus Security Officers provided through a partnership with Rowan and Cabarrus County Sheriff’s Offices. The Director of Campus Health, Safety & Security has been designated by the Rowan Cabarrus Community College President as the Clery Act compliance officer for the purpose of enforcing provisions of the Act.

The Department is responsible for the safety of students, and staff on Rowan-Cabarrus Community College campuses and centers. Any campus event requiring security services must be coordinated through the Director of Campus Health, Safety & Security. The Department is staffed by Campus Safety Coordinators for operational coordination, safety, security, and emergency management on campus.

Agency	Campus
Rowan County Sheriff’s Office	North Campus
Cabarrus County Sheriff’s Office	South Campus
	North Carolina Research Campus (NCRC)/ Dr. Carol Spalding Advanced Technology Center (ATC)
	Cabarrus Business and Technology Center (CBTC)
	College Station

All Campus Security Officers working at Rowan-Cabarrus Community College are empowered to investigate alleged criminal activity, search and arrest persons and property as authorized by law, use necessary and reasonable force to enforce the law and maintain order, and protect persons and property from harm. All Campus Security Officers are armed and maintain current certification as required by the North Carolina Department of Criminal Justice Education and Training Standards Commission or North Carolina Sheriffs' Education and Training Standards Commission.

Campus Security Officers enforce all state and local laws and local ordinances, including underage drinking, controlled substances, and all other misdemeanor and felonious criminal laws. Campus Safety Coordinators enforce all campus rules and regulations, i.e., smoking violations, parking violations, etc.

The Department of Campus Health, Safety & Security provides the following services:

- Campus Emergency Management
- Campus Emergency Preparedness
- Campus security escorts
- Motorist assistance
- Lost property
- Criminal investigations
- Parking control
- Documenting criminal complaints
- Campus safety and security programs
- Maintain order on campus.
- Threat Assessment
- Enforce Campus policies and procedures.
- Campus Access
- Crime Alerts
- Crime prevention and reduction
- Enforcement of the Clery Act

Questions regarding the Department of Campus Health, Safety & Security should be directed to the Director of Campus Health, Safety & Security at 704-216-7230. For assistance from the Department of Campus Safety and Security call 704-216-7600.

Local Law Enforcement Statistics and Interagency Cooperation

Rowan Cabarrus Department of Campus Health, Safety & Security works partners with the Salisbury Police and Fire Departments, Rowan County Sheriff's Office, Kannapolis Police Department, Concord Police Department, Cabarrus County Sheriff's Office, local medical facilities, and area campus police agencies. The College can rely on the support of these agencies in emergencies, incident response, and investigative follow-up, special events and as needed for other purposes. Additionally, the Department members collaborate with federal and state agencies including the Department of Homeland Security, FBI, DEA, US Secret Service, NC SBI, NC DMV License and Theft Bureau as well as other agencies not listed. In addition, the Department maintains regular communications and a working relationship with the local two local colleges in Rowan

County. The College maintains memorandums of agreement (MOA's) for a full-time Campus Resource Officer at North Campus and part-time sworn law enforcement officers from the Rowan County and Cabarrus County Sheriff's Office.

CAMPUS SECURITY AUTHORITIES

A Campus Security Authority (CSA) is a term used in the Clery Act to describe someone who has significant responsibility for student and campus activities. The regulations that govern the Clery Act (34 CFR 668.46) define a CSA as:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus security department...such as an individual who is responsible for monitoring entrance into institutional property.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. Pastoral and professional counselors are not considered campus security authority when acting in their roles as a pastoral or professional counselor. Campus Security Authorities include but are not limited to the following positions at Rowan Cabarrus Community College:
 - President's Cabinet
 - Deans
 - Campus Safety Coordinators and security personnel, including contract employees
 - Directors, Managers whose job function involves working directly with students
 - Coordinator Student Retention
 - Counselor/Academic Advisors in the Student Success Center
 - Navigators
 - Accessibility Resources Counselors
 - Conduct Officer/Title IX
 - Principal and Assistant Principal(s) for Early Colleges
 - Staff Assistant, Minority Male Success Initiative
 - Director, Minority Male Success Initiative
 - Staff Assistant, Adult Literacy
 - Department Chair, Humanities, Communication & Fine Arts Study Abroad
 - Staff Assistants, All Off-site Centers
 - Career Counselors and
 - Advisors to Student Groups

What responsibilities does a Campus Security Authority (CSA) have?

CSA's and their supervisors must:

- Understand their reporting obligation and the types of information they must share. This understanding is obtained by completing the CSA training annually. The training is an online presentation through the Safe Colleges program for all CSA's and face to face training for CSAs with enhanced reporting obligations, such as the Title IX coordinator(s), campus police officers, security officers and contract security officers. This training consists of an overview of Clery and Title IX, defines what it means to be a CSA, explains reporting requirements as both a CSA and a Responsible employee, and provides an understanding of the Crime Log and information sharing.
- CSAs must immediately contact the Department of Campus Health, Safety & Security. to share the information that was reported to you. Under the Clery Act, a crime is considered "reported" as soon as it is brought to the attention of a CSA, and in some situations, an immediate warning to the campus community might be necessary.

Reporting an Emergency

In the event of an emergency on campus (all locations), the Department of Campus Health, Safety & Security shall be contacted by dialing 7600 from a campus phone or 704-216-7600 from a cell phone or dial 911.

Emergency Response Priorities

Rowan Cabarrus has an All-Hazards Emergency Response Operations Plan (EROP) to mitigate the impact during an emergency to protect students, faculty, staff, and visitors. The plan provides policies and procedures and assigns roles and responsibilities to respond effectively in an emergency. The primary objective for initial emergency response shall be to protect life and ensure safety. A disaster or emergency may occur at a time when certain college officials may not be present, readily available, or cannot be contacted. While the structure of this plan will remain intact, actual implementation of the plan may vary depending on the resources and college personnel that are available — and the totality of the circumstances that are present. Until sufficient key staff members specifically designated and trained for lead roles in the plan become available, the highest-ranking available college officials should seek to follow, as nearly as possible, the guidelines set forth in this plan while simultaneously trying to notify Director of Campus Health, Safety, & Security of the circumstances and obtain verification or advice on their actions.

EMERGENCY RESPONSE OPERATIONS PLAN

Introduction and Purpose

This college-wide plan establishes policies, procedures, and organizational structure for the College's response to and recovery from emergencies that may threaten the health and safety of Rowan Cabarrus or inhibit the College's ability to continue its mission-critical operations and activities. The objective of this plan is to increase the College's ability to react immediately in the most appropriate and effective way to emergencies of all types. This plan does not replace the procedures for safety, hazardous material response, or other emergency measures already established at the College. Instead, it supplements these existing

procedures with a temporary crisis management structure, which provides for an immediate managerial focus on response operations and early transition to recovery.

Emergency Management

The Plan addresses all five phases of standard emergency management: prevention, mitigation, preparedness, response, and recovery.

- Prevention — encompasses all measures taken to avoid, deter, or stop an incident from occurring.
- Mitigation — means the capabilities necessary to eliminate or reduce the loss of life and property damage by lessening the impact of an event or emergency. It also means reducing the likelihood that threats and hazards will happen. Preparedness or Protection — focuses on ongoing actions that protect students, faculty, staff, visitors, networks, and property from a threat or hazard.
- Response — means the capabilities necessary to stabilize an emergency once it has already happened or is certain to happen in an unpreventable way; establish a safe and secure environment; save lives and property; and facilitate the transition to recovery.
- Recovery — includes short-term and long-term actions to resume normal operations once an emergency incident is under control or over.

Prevention, mitigation, and general recovery efforts are addressed in the Business Continuity appendix. The main portion of this plan, along with routine training, drills, and exercises addresses the preparedness phase. The main portion of this plan addresses the response phase of emergency management.

Rowan Cabarrus performs a minimum of one test a year, of the Emergency Operations and Notification System. This test may be announced or unannounced and may take the form of an actual or simulated emergency. A complete version of the Rowan Cabarrus Emergency Response Operations Plan may be viewed at www.rccc.edu.

College Notifications

In the event a situation arises, either on or off campus, that constitutes an ongoing or continuing threat, a campus – wide “timely warning” will be issued. Timely warnings will be issued through the college email system and by utilizing Regroup to call all students, faculty, and staff.

Persons that Reports Should Be Made to for the Purpose of Making Timely Warnings:

Title	Phone
Director of Campus Health, Safety, & Security	704-216-7230
Chief Officer, Governance, Advancement & Community Relations	704 216-3706

Rowan-Cabarrus Community College may issue any of four types of notifications if conditions require them.

Campus Information

Administrative messages may be issued to communicate important but not emergency information to the campus community. These are “information only” notices and are not timely warnings. An example would be a notification for snow closing.

Campus Notifications

Campus Notifications may be issued for routine, but important information regarding non-emergency events or to elicit information leading to the clearance of non-violent crimes. Examples might include road hazards or information leading to the arrest and conviction of persons committing criminal acts occurring on our campuses.

Campus Crime Warning (also called Timely Warnings)

Campus Warnings may be issued whenever a report is received of a violent crime against a person or a substantial crime against property on campus that represents a serious or ongoing threat to the college community. Campus crime warnings will be issued to give students, faculty, staff, and visitors timely notification of crimes that may represent a serious or on-going threat and to heighten safety awareness. Campus crime warnings may also seek information that may lead to the arrest and conviction of serious and dangerous offenders when violent crimes against persons or substantial crimes against property have been reported.

The Department of Campus Health, Safety & Security, in conjunction with the Office of the President, members of the President’s Cabinet, and the Public Information Director issues campus crime warning alerts in a timely manner to notify campus community members about certain crimes. Members of the campus community who know of a crime or other serious incident that presents an on-going threat should report that incident to law enforcement and the Department of Campus Health, Safety & Security so a campus crime warning alert can be issued. Information for alerts may also come from other public safety agencies, i.e., law enforcement, Department of Corrections, Emergency Operations Center, etc.

Every attempt will be made to distribute the alert within a reasonable but expedited amount of time after the incident has been reported to the Department of Campus Health, Safety & Security, or other college officials; however, the release is subject to the availability of accurate facts concerning the incident, and investigation limitations allowed under the Clery Act. Updates to the Alerts may be made at any time as new information or circumstances develop warranting additional notification. Campus Crime Warning alerts are originated by the Department of Campus Health, Safety & Security, approved by the College President and Cabinet, and distributed by Public Information Officer. Campus crime warning alerts are triggered when Rowan-Cabarrus Community College determines that a crime for which it must report under the purview of the Clery Act has occurred and a continued threat exists. The crimes that may trigger the campus crime warning alert are the same as enumerated in the Definition of Clery Act Reportable Criminal Offenses section of this report.

Campus crime warnings may also be issued to give students, faculty, staff, and visitors timely notification of circumstances that although not crimes, could lead to criminal activity and pose a significant threat to the health or safety. The campus crime warning seeks to heighten awareness to identify possible on-going

criminal threats, identify potential criminal suspects, encourage the reporting of potential criminal threats, and empower campus security and executive officials to take timely and appropriate actions to prevent crimes.

Campus Crime Warnings may be assigned the same incident number as the corresponding security report as registered in the campus “crime log,” and as documented in the Department of Campus Health, Safety & Security Criminal Records Management System (CRMS) known as Maxient, and provide details of the crime or event, and a description of the suspect if known, and information on whom to contact with information and safety tips.

Campus Crime Warnings must be issued campus-wide for an ongoing or continuing threat for crimes covered by the Clery Act to include criminal homicide, negligent manslaughter, non-negligent manslaughter, rape and other forcible and non-forcible sexual assault, arson, robbery, aggravated assault, burglary, motor vehicle theft, weapons violations, drug law violations, liquor violations, hate crimes and certain other crimes committed for the purpose of intentionally selecting a victim because of the perpetrator’s bias based on race, gender, religion, sexual orientation, ethnicity or disability.

Campus Warnings may also be issued to announce information about off-campus crimes, the near presence of wanted persons, or other extraneous conditions that warrant urgent notification to the campus community or that poses a serious ongoing threat to the safety of students, faculty, and staff.

The issuance of Campus Crime Warnings may be delayed protecting the safety or identity of victims or witnesses, or when issuance may substantially hamper the ability of law enforcement to identify or capture criminal suspects.

Whenever local law enforcement issues a news release about an off-campus crime that represents a serious or on- going threat to the safety of students, faculty, and staff, the college may assist in publicizing the crime on campus.

Campus Crime Warnings typically include the following information:

- A concise statement of the incident
- Any connection to previous incidents
- Physical description and/or composite drawing of the suspect, if appropriate
- Date and time the bulletin was released
- Other relevant and important information
- Relevant safety tips

With respect to the “timely reports,” the Clery Act mandates for crimes considered a threat to other students and employees, that victims’ names be withheld.

Notification Methods

Rowan-Cabarrus Community College will issue Campus Crime and Safety Alerts using several methods. Once the college determines that an alert is necessary, the alert will be issued through the Campus Connect System utilizing email and telephonic communications; and the alert will be posted on the college website at <http://www.rccc.edu>. Campus Warnings may be E-mail, SMS text message, telephone recordings, bulletin boards or other available means, as reasonably and timely as possible to students, faculty and staff, distributed throughout the campus, provided to campus media, posted on the campus web site and, if appropriate, posted in off-campus areas frequented by students.

The Director of the Department of Campus Health, Safety & Security will coordinate with the Public Information Officer to develop the format, language, and information to be published in the alerts. If warranted, they will print and distribute warning posters on bulletins boards and exterior doors throughout the affected campus(s). Campus crime warnings will be issue as reasonably and timely as possible to faculty, staff, and students, distributed throughout the campus, provided to campus media, posted on the Rowan-Cabarrus Community College web site and, if appropriate, posted in off-campus areas frequented by students.

Emergency Authorization

The College President (or delegate), or any member of the President's Cabinet, is responsible for authorizing the issuance of emergency notifications of immediate threats to the campus community. However, other individuals in control of a campus location may be in a better position to take immediate action (see Immediate Lockdown, Shelter in Place, and Evacuation section) and issue emergency notifications, if only by voice announcement or intercoms. Emergency notifications must be made without delay and consider the safety of the campus community.

Emergency Event Confirmation

The decision to order the issuance of an immediate emergency notification will be based upon the reasonable belief that conditions exist that require notification to members of the campus community to allow them to protect themselves from imminent harm. A reasonable belief will be based upon any information received by the administrative decision-maker that is established by direct observation of an imminent threat to health or safety, or information from a credible source with like information, that would cause a reasonable person to believe that an imminent threat of violence exists or is imminent and requires immediate action to mitigate the threat.

Content of Notifications

The Public Information Officer, and the Department of Campus Health, Safety & Security shall develop the content of emergency notification message. Depending on the nature of the events and the notification delivery systems, some messages may be designed specific to the event or may be pre-scripted.

Emergency Notification

The Public Information Officer, will at the direction of the President or any member of the President's Cabinet, initiate electronic emergency notification systems (Re-Group) notifying the campus community of a significant emergency or dangerous situation involving a threat to the health or safety of the campus community, unless the notification at that time would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The College will delegate at least one other person on campus to serve as a back-up person who initiates the emergency notification systems.

Those authorized to issue Campus Emergency Alerts, upon report of an emergency condition, will disseminate emergency information to the campus community through the following methods of emergency notification, which may include but are not limited to public address system, voice messages to phones, communications to local media, campus and building safety coordinators, security staff, campus radio systems, campus email system, SMS text, campus websites and campus electronic signboards. Testing of message delivery systems shall be conducted at least on an annual basis. Evacuation, shelter-in-place, or lockdown shall follow campus procedures for such events. The College will provide more detailed follow-up information, following the initial emergency notification as soon as conditions permit. Follow-up information may be disseminated in an alternate method from the initial emergency notification.

Immediate Lockdown, Shelter in Place, and Evacuation

College leadership, Campus Safety Coordinators, Campus Security Officers, or any other College administrators in control of a campus, shall have the authority to order an immediate campus lockdown, shelter-in-place, or evacuation when a crisis is so imminent that serious injury or death might occur if immediate actions are not taken, and there exists no reasonable time or ability to contact the College President or any member of the President's Cabinet. There may be situations where individuals other than those listed above may need to make emergency decisions. Examples might include confirmed active shooter on campus, or explosions and tornados striking with little or no warning. Decisions to act under these circumstances shall follow the same reasonable belief described in the above "Emergency Event Confirmation" section.

General and Targeted Notification

Emergency notifications may come in different forms and may target only a segment or segments of the population. The notification response and targeted population will depend on several variables. An example might be a tornado affecting one campus but not others.

Emergency Notification and Response Procedures Testing

Rowan-Cabarrus Community College will conduct an annual tabletop exercise to test the preparedness, capabilities, and effectiveness of its overall emergency response plan. The exercise will include involvement of the College President, the President's Cabinet, the Department of Campus Health, Safety & Security, the Public Information Officer, the Director of Facilities Maintenance, and others as may be deemed necessary. There shall also be an annual test of all emergency notification systems. Finally, evacuation and drills shall be conducted at least once each semester on all Rowan-Cabarrus Community College campuses. Campus

Site Directors shall be responsible for coordinating and documenting all emergency tests, drills, and exercises. Documentation reports of these events shall include at least: Date, time, location, target population, type, system/process, activation and response times, problems noted and recommendations for improvement. Test/drill reports shall be submitted to the Department of Campus Health, Safety & Security for review, to determine the need for improvements, and to archive documentation of tests, drills, and exercises for seven years. Emergency tests, drills and exercises generally shall not be announced prior to the event, except to those who have a compelling need to know. In the interest of public safety, some exercises (full-scale) may be announced prior to the event and may require notification to external authorities. Where external notification is required, the Director of Campus Health, Safety & Security shall make notification to local public officials. For off-campus community notification, the Public Information Officer shall make notification to the local media of the upcoming event.

Emergency Response Procedure Publication

Rowan-Cabarrus Community College will publicize its emergency response procedures describing what students, faculty, and staff should do in the event of an emergency. (The publication of emergency plans are exempt by North Carolina law for public inspection). These procedures may be found in the College emergency procedures manual found on the SharePoint intranet site (accessible only to campus employees and faculty), on the public internet site at <http://www.rccc.edu>, E-mails, posters, flyers, training classes and presentations, room flip charts, and other forms of marketing and media releases.

The College has contracted with Campus Connect system to provide emergency notification services to the college community via cell phone text messages and email. These notices also post to the college web homepage at <http://www.rccc.edu>. The Rowan-Cabarrus Community College emergency text messaging system is available to all Rowan-Cabarrus Community College students, faculty, and staff. To receive this service, individuals must sign up by completing the request for telephone numbers and email addresses on the college website under WebAdvisor.

Emergency messaging will primarily be used only for those situations that pose an immediate threat to the health and safety of students or employees on campus or for the closing of an entire campus (i.e., severe weather, chemical spills, fires, and crimes). Messaging about criminal activity generally will not be sent using these systems unless it is decided there is an imminent threat of continuing danger. In those cases, a campus crime warning alert will be issued, as previously described.

The emergency messaging system is provided in addition to existing emergency notification procedures and does not replace or eliminate any other emergency notification systems (e.g., fire alarms, tornado, and sirens).

Rowan-Cabarrus Community College will generally provide follow-up information to the college community via the college website.

Additional Communications

In the event of a significant on-campus emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or staff, the college will also post information on its homepage at <http://www.rccc.edu>. As part of the College Disaster Recovery and Business Continuity Plan, the College maintains an off-site back-up server in the event any of the college campuses computing services fail during an emergency. Among preparations developed to respond in a disaster or emergency are large-scale power generators at many campus locations.

The Director of Governance, Foundation Operations and Public Information is charged with notifying the media in the event of an emergency. Updated information will be posted to the College's website and provided to the media.

Emergency Operations Assistant (EOA) and Building Coordinator Program

The Department of Campus Health, Safety & Security has implemented the EOA/Building Coordinator Program to train faculty and staff members from each academic and administrative building in basic emergency response procedures. EOA/Building Coordinators are responsible for providing safety instruction and assistance to faculty, staff, students, and visitors during campus emergencies.

During campus emergencies, EOA/Building Coordinators are trained to understand, assess, and initiate safety responses, including "shelter in place," "evacuation," and "safe have," procedures. They instruct building occupants on the proper procedures to follow in their assigned areas.

Responsibilities

- Assess situations
- Report information
- Follow guidelines and procedures
- Assist with building evacuations
- Assist with shelter-in-place procedures
- Be aware of occupants with disabilities
- Communicate with emergency responders
- Communication with building occupants
- Communicate with the college community

Primary Tasks

EOA/Building Coordinators must become familiar with their assigned building in the following ways:

- Know where all the exits are
- Locate the fire alarm enunciator panel
- Know where all stairwells are located
- Learn all evacuation routes and designated areas
- Retain contact information for your fellow EOA/building coordinators

Specific Responsibilities during an Emergency

- Share information and instructions
- If the situational response is to shelter in place, inform and reassure occupants
- If evacuation is recommended, ensure all occupants evacuate and assist them as needed
- Assess and report problems in your area
- Notify responding personnel of non-ambulatory individuals
- Report pertinent information to emergency responders on the scene
- Monitor Check-in activities at evacuation sites
- Keep evacuated persons out of the building until the “all clear”

Required Knowledge, Skills, and Abilities

- Attend initial Emergency Operation Assistant/Building Captain training
- Attend subsequent meetings
- Participate in tabletop exercises offered during monthly meetings

SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

Rowan Cabarrus Community College facilities and landscaping are maintained in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. Department of Campus Health, Safety & Security regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Campus community members can additionally report hazards directly to Facilities Management through an online service response reporting process. The campus’ overall safety and security program is supplemented by a variety of technological systems including access control, closed circuit television; emergency phones; and fire detection, suppression, and reporting systems. Other members of the College community are helpful when they report equipment problems to Department of Campus Health, Safety, & Security or Facilities Management. The Department of Campus Health, Safety, & Security is often consulted on security measures during construction and renovation capital project meetings. We encourage community members to report any deficiency in lighting to Facilities at 704-216-7138. Any community member who has a concern about physical security should contact Rowan Cabarrus Community College Department of Campus Health, Safety & Security at 704-216-7600.

Key Control

It is the policy of the College to keep classrooms, shops, and labs locked when not occupied. Faculty and staff accept full responsibility when they enter the building at any time other than during regular school hours. The normal school day is defined as the time between the hours of 7 a.m. and 10 p.m., Monday through Friday.

Everyone receiving a key must present a Key Authorization Form signed by their Dean/Director and personally sign for the key at the Facilities office in accordance with the issuance of keys procedures. When the key is no

longer needed, such as a part-time instructor not teaching during a semester, the individual should turn in the key to the Facilities office and witness proper crediting for the returned key.

Key Issuance Procedure

Purpose: To establish the responsibility, accountability, and procedure for the issuance of keys to employees of the College.

Concept: To provide security for the buildings and instructional equipment and to provide maximum assurance to instructors that teaching plans will not be interrupted because of others removing teaching aids and audiovisual equipment, all classrooms, shops, and laboratories must be locked when not in use.

Responsibility: The person(s) using a room, office, shop, or laboratory will always be responsible for keeping the facility locked when the facility is not occupied.

The Department of Campus Health, Safety, & Security and Facilities Management will be responsible for all outside building doors that do not open directly into a classroom, office, shop, or laboratory. Keys are distributed through Facilities. Keys that have been issued to individuals are not to be duplicated for any reason whatsoever. Broken or damaged keys will be replaced upon return of the residual part of the key to the Facilities Management. A Key Authorization Form with all required signatures must be submitted to the Facilities Management before a key is issued. When an employee ends employment with Rowan Cabarrus they must complete all out-processing and must return all College and State of North Carolina property such as building or office keys, grade books, attendance rosters, and name badge.

The request for issuance of keys should be submitted to the Facilities Management at least seven (7) days before the key(s) are needed, if possible. This will allow time to duplicate keys if there is not one for issuance in the inventory. Everyone receiving a key must present a Key Authorization Form with all required signatures and personally sign for the key at the Facilities Management. In addition to key control, all Rowan Cabarrus locations are secured with 24-hour security alarms and video surveillance to prevent and deter crime.

WEAPONS POLICY

Possession of firearms in vehicles or on campus is always prohibited unless in accordance with NCGS 14-269.2.

It is a violation of North Carolina Law (NCGS 14269.2) and Rowan Cabarrus policy to possess or carry any weapon on the College property, except under the following circumstances:

- Law enforcement personnel, firefighters, emergency service personnel, and military personnel, carrying out their official duties.
- A registered armed armored car service guard or registered armed courier service guard with the permission of Rowan Cabarrus.
- Ceremonial or educational uses specifically authorized by the President.
- A person who has a legally valid concealed handgun permit or who is exempt from obtaining such a permit under State law, and who has the handgun in a closed compartment or container within the person's locked vehicle or in a locked container securely affixed to the person's vehicle. A

person may unlock the vehicle to enter or exit the vehicle, provided the handgun always remains in the closed compartment and the vehicle is locked immediately following the entrance or exit, as provided in NCGS 14-269.2(k). Any such vehicle, when locked, must be parked in accordance with applicable College policies and parking ordinances.

COLLEGE DRUG AND ALCOHOL POLICY

The purpose of the Drug-Free College policy is to maintain a safe and productive teaching and learning environment and to comply with the Drug-Free Workplace Act of 1988, the Safe and Drug-Free Schools and Communities Act, NC Administrative Code Title 13, Chapter 20, and the NC Controlled Substance Examination Regulation Act.

Rowan Cabarrus maintains a comprehensive drug and alcohol policy for faculty, staff and students and maintains compliance with the Drug-Free Schools and Communities Act of 1989 (DFSCA).

Drug-Free Workplace

Rowan Cabarrus's Drug Free Workplace policy is detailed below. Employees should also be aware of the following information and resources regarding Drug and Alcohol Abuse:

- Health Risks
- Federal Penalties
- North Carolina Controlled Substance Act

Rowan Cabarrus provides an Employee Assistance Program (EAP). In addition, the following websites provide additional information on counseling assistance programs:

- The National Council on Alcoholism (NCADD) Information line (1-800-NCA-CALL) will provide referral for drug or alcohol problems.
- National Institute on Drug Abuse (NIDA) Hotline (1-800-662-HELP) will provide confidential information and referral.

The following is an excerpt from the Rowan Cabarrus Policy on Drugs and Alcohol. The complete policy may be accessed by employees at Drug and Alcohol Policy in the Employee Handbook or by visiting Human Resources. Student Drug and Alcohol policies are in the Student Handbook.

It is the policy of Rowan-Cabarrus Community College that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on the college campus or while participating in an official college activity is prohibited. At RCCC's sole discretion, drug testing may be required if an employee gives cause for such testing, such as display of drug paraphernalia or behaviors consistent with those under the influence of drugs. Any employee violating this policy will be subject to sanctions which may include termination of enrollment or employment.

This policy applies to all employees and all applicants for employment of Rowan Cabarrus to establish and maintain Rowan Cabarrus as a drug free workplace.

Alcohol Policy

College policy prohibits unauthorized possession, use, or sale of alcoholic beverages, use and possession by under-aged individuals, or sale of contrary to law. Rowan-Cabarrus Community College sworn law enforcement security enforces compliance with local ordinances, state and federal laws governing alcohol and other drugs. A violation of any law pertaining to alcohol and other drugs is also a violation of the college Code of Conduct. Such violations may be referred to the Office of Student Services and may be subject to additional sanctions. The College also prohibits the misuse of over-the-counter drugs and prohibits being in a state of intoxication on college premises or at college-sponsored or supervised functions (including off-campus functions) or in a college-owned vehicle.

Employee Assistance

Rowan-Cabarrus offers assistance to students and staff with alcohol and/or drug problems. Drug and alcohol education is available to students, faculty and staff and individual screenings for substance abuse and related problems are available for students through the Student Counseling Center. Referrals to community agencies and counselors offering more intensive treatment are facilitated as warranted. Information about community counseling resources is available at the Counseling Center. College policies pertaining to alcohol and other drugs are outlined in the college's Drug-Free Workplace Policy statement, and in the Code of Student Rights, Responsibilities, and Conduct. Statements of policy are contained in the college's Personnel Policies manual, and notices addressing the U.S. Department of Education Regulations regarding Alcohol and Drug use (required under Section 120(a)-(d) of the HEA) including available drug or alcohol treatment. These documents are available from the Office of the Vice President of Student Services, and the department of Human Resources. The Department of Campus Health, Safety & Security from time to time will sponsor or present alcohol and drug education programs to students, faculty, and staff.

Notice of Nondiscrimination

As a recipient of federal funds, Rowan Cabarrus Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. 5 1681 et seq. ("Title DC'), which prohibits discrimination on the basis of sex in educational programs or activities. Rowan Cabarrus does not discriminate based on sex in its educational programs or activities, including in the context of admission or employment. Inquiries concerning the application of Title IX may be referred to Rowan Cabarrus's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. Rowan Cabarrus Community College's Conduct Officer and Title IX Coordinator for students is Jonathan Rowe whose office is on the South Campus, Building 201. This office can be contacted by phone at 704-216-3750 or by email at jonathan.rowe@rccc.edu. Title IX issues involving Faculty or Staff should be reported to Claudine Robinson in Human Resources, North campus building 102 or by phone at 704-216-3677 or by email at claudine.robinson@rccc.edu.

COLLEGE SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE POLICY IN COMPLIANCE WITH TITLE IX AND THE CAMPUS SEXUAL VIOLENCE ELIMINATION (SAVE) ACT

Policy

Rowan-Cabarrus Community College takes pride in a commitment to its core values of civil personal conduct. Students, as integral members of the Rowan-Cabarrus Community College community, should conduct themselves in a manner that consistently represents the College in a positive light and exemplifies responsible citizenship. To that end, responsible citizenship includes an expectation that members actively participate in behavior that complements and upholds the values and mission of Rowan-Cabarrus Community College. Members of the College community are expected to engage in conduct that contributes to the culture of integrity and honor upon which the College is grounded. Acts of sexual misconduct, sexual harassment, dating sexual violence, acquaintance sexual violence, domestic violence and stalking jeopardize the health and welfare of our campus community and the larger community. Therefore, Rowan-Cabarrus Community College stands strongly behind its prohibited conduct as related to sexual misconduct, dating violence, domestic violence, and stalking.

Reporting

Reports regarding an alleged violation of Title IX, including those taking place off campus, such as sexual misconduct, sexual harassment, dating violence, domestic violence, stalking; sexual misconduct incidents involving minors, guests and third-party users; and any allegation of inequity in educational programs and activities should be reported to any College “Responsible Employee”, Student Success, Campus Security; and communicated to the Title IX Administrator immediately. By College definition, a “Responsible Employee” is any member of college full- time or part-time employee- faculty, adjunct faculty, staff, administrator, work study student or contract employee of the College. Information for the reporting of sexually inappropriate conduct or crimes may be found on the College website under “Help” and go to “Title IX.” The College Title IX staff, with contact information is:

To Report Title IX Incidents

Name	Title	Role	Phone	Email
Jonathan Rowe	Title IX Coordinator		704-216-3750	jonathan.rowe@rccc.edu
Crystal Ryerson	Deputy Title IX Coordinator	Students	704-216-3806	crystal.ryerson@rccc.edu
Claudine Robinson	Deputy Title IX Coordinator	Employees	704-216-3677	claudine.robinson@rccc.edu

Confidentiality

The College will take reasonable steps to protect student and employee confidentiality. However, confidentiality cannot be guaranteed since certain situations may require disclosure. Examples might include responses to court orders or non-identifying information for the purposes of recording and publicizing crime statistics. However, in all cases, the identity of complainants will not be released.

Investigation

Rowan-Cabarrus Community College will conduct a disciplinary investigation of all alleged acts of sexual misconduct, sexual harassment, stalking, dating violence or domestic violence. The College will assist complainants to contact local law enforcement to report crimes a complainant freely elects to report. The Director of Campus Health, Safety, and Security shall be responsible for reporting all felonious acts covered under this policy to the district attorney.

Standard of Evidence

The standard of evidence in determining violations for violations of the Student Code of Conduct is the “preponderance of proof,” or the greater weight of the evidence.

Notice of Decision

The accuser and accused must be notified “simultaneously” and “in writing” of the outcome of the proceeding; appeal procedures; any change to the result before it becomes final; and when the result becomes final.

Rowan-Cabarrus Community College identifies sexual misconduct as follows:

- Sexual assault: engaging in vaginal, oral, or anal intercourse or penetration without that person’s consent.
- Non-consensual sexual contact: engaging in the intentional touching of any person’s genitalia, groin, breast, buttock, or clothing covering them, or forcing a person to touch another’s intimate parts as listed above without that person’s consent.
- Sexual exploitation: taking nonconsensual, unjust, or abusive sexual advantage of another for one’s own advantage or benefit; or to benefit or advantage anyone other than the one being exploited; even if that behavior does not constitute rape, sexual assault or sexual harassment.
- Examples of Sexual Exploitation include but are not limited to prostituting another person; nonconsensual sexually-oriented photographing of another person; video or audio taping of sexual activity without the participant(s)’s consent; going beyond the boundaries of consent, such as allowing others to observe sexual activity without the consent of a partner; engaging in voyeurism; and inducing incapacitation with the result of inflicting sexual misconduct on another person or with the result of creating opportunity for a third party to inflict sexual misconduct on another person.
- Sexual harassment: Sexual harassment is considered prohibited conduct as stated in Rowan-Cabarrus Community College’s Sexual Harassment Policy Depending upon the nature and severity of the harassment, it may also qualify as sexual misconduct.
 - [C300.00.22.01.L Sexual and Other Unlawful Harassment.pdf](#)

The two categories of sexual harassment are:

- Quid Pro Quo
Sexual harassment presented as a “bargain” (quid pro quo). Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature by one in

a superior position constitutes “bargained-for sexual harassment” when submission by another is made either an explicit or implicit term or condition of employment or of academic standing.

- Abuse of Power

The use of employment superior position as in “retaliation” to attempt to control the victim to discourage filing a complaint or moving forward with a previously filed complaint.

Environmental Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute “environmental sexual harassment” when such conduct has the purpose or effect of creating an intimidating, hostile or offensive environment which unreasonably interferes with another’s work, academic performance, or privacy.

Please note: Title IX requires institutions to respond to both sexual violence and sexual harassment. Sexual harassment is also a violation of College Policy. The support services, education, prevention, outreach, and the rights of the victim and accused (if a student or employee) are similar to the information noted in this policy. Should you experience sexual harassment please contact the Director of Student Success or a Title IX Coordinator.

Consent

An action is without that person’s consent when it is inflicted upon a person who has not freely and actively given consent. ‘Consent’ is an understandable exchange of affirmative actions or words which indicate an active, knowing, and voluntary agreement to engage in mutually agreed upon sexual activity. Consent is not freely given when it is in response to force or threat of force or when a person is incapacitated by the (voluntary or involuntary) use of drugs or alcohol or when the person is otherwise physically helpless and the person performing the act knows or should reasonably know that the other person is incapacitated or otherwise physically helpless. A person is not required to physically resist sexual conduct in order to show lack of consent. Past consent for sexual activity does not imply ongoing future consent.

The Rowan-Cabarrus Community College Code of Conduct identifies dating violence, domestic violence and stalking as follows: Domestic/Dating Violence: Physical abuse, domestic/dating violence, threats, intimidation, harassment, coercion, and/or any other conduct which threatens or endangers the health or safety of any person includes but is not limited to:

- Conduct which threatens, coerces, harasses or intimidates another person or identifiable group of persons, in a manner that is unlawful or in violation of a constitutionally valid College policy, while on College premises or at College activities based upon a person’s race, color, religion, national origin, gender, sexual orientation, gender-identity, creed, disability or veteran status.
- Unlawful harassment which leads to a hostile environment. Unlawful harassment includes contact that creates a hostile environment by meeting the following criteria:
 - Directed towards a particular person or persons.

- Based upon the person’s race, color, religion, national origin, gender, sexual orientation, gender-identity, creed, disability or veteran status.
- Unwelcome.
- Severe or pervasive.
- Objectively offensive.
- So reasonably interferes with the target person’s employment, academic pursuits, or participation in college sponsored activities as to effectively deny equal access to the College’s resources and opportunities.

Stalking

Includes but is not limited to Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others and suffer substantial emotional stress.

Violations of the Code of Conduct and Sexual Harassment Policy may also be violations of law, and for that purpose, the College has included in this document in the North Carolina General Statutes which address rape, sexual assault, domestic and dating violence and stalking, which include:

North Carolina General Statute Definitions

§ 14-27.2. First-degree rape.

A person is guilty of rape in the first degree if the person engages in vaginal intercourse:

- With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim; or
- With another person by force and against the will of the other person, and:
 - Employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon; or
 - Inflicts serious personal injury upon the victim or another person; or
 - The person commits the offense aided and abetted by one or more other persons.

§ 14-27.3. Second-degree rape.

A person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person:

- By force and against the will of the other person; or
- Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated, or physically helpless.

§ 14-27.4. First-degree sexual offense.

A person is guilty of a sexual offense in the first degree if the person engages in a sexual act:

- With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim; or
- With another person by force and against the will of the other person, and:
 - Employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon; or

- Inflicts serious personal injury upon the victim or another person; or
- The person commits the offense aided and abetted by one or more other persons.

§ 14-27.5. Second-degree sexual offense.

A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person:

- By force and against the will of the other person; or
- Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

§ 14-27.5A. Sexual battery.

A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person:

- By force and against the will of the other person; or
- Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

§ 50B-1. Domestic Violence.

Domestic violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense:

- Attempting to cause bodily injury, or intentionally causing bodily injury; or
- Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in G.S. 14-277.3A, that rises to such a level as to inflict substantial emotional distress; or
- Committing any act defined in G.S. 14-27.2 through G.S. 14-27.7.

For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:

- Are current or former spouses;
- Are persons of opposite sex who live together or have lived together;
- Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;
- Have a child in common;
- Are current or former household members;
- Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.

The following definitions apply in this Chapter:

- Abuse. – To physically or mentally harm, harass, intimidate, or interfere with the personal liberty of another.
- Civil no-contact order. – An order granted under this Chapter, which includes a remedy authorized by G.S. 50C-
- Nonconsensual. – A lack of freely given consent.
- Sexual conduct. – Any intentional or knowing touching, fondling, or sexual penetration by a person, either directly or through clothing, of the sexual organs, anus, or breast of another, whether an adult or a minor, for the purpose of sexual gratification or arousal. For purposes of this subdivision, the term shall include the transfer or transmission of semen.
- Stalking. – On more than one occasion, following or otherwise harassing, as defined in G.S. 14-277.3A(b)(2), another person without legal purpose with the intent to do any of the following:
 - Place the person in reasonable fear either for the person’s safety or the safety of the person’s immediate family or close personal associates.
 - Cause that person to suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment and that in fact causes that person substantial emotional distress.
- Unlawful conduct. – The commission of one or more of the following acts by a person 16 years of age or older upon a person, but does not include acts of self-defense or defense of others:
 - Nonconsensual sexual conduct, including single incidences of nonconsensual sexual conduct.
 - Stalking.
- Victim. – A person against whom an act of unlawful conduct has been committed by another person not involved in a personal relationship with the person as defined in G.S. 50B-1(b). (2004-194, s. 1; 2004-199, s. 50; 2007-199, s.1; 2009-58, s.6.)

§ 50C-2 Information on the process for obtaining a no contact order can be found at: <http://www.ncleg.net/gascripts/statutes/StatutesTOC.pl?Chapter=0050C>

- Responsible Employee: A Responsible Employee is any person employed by Rowan-Cabarrus Community College who:
 - has the authority to take action to redress sexual harassment/misconduct;
 - who has been given the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students to the Title IX Coordinator or other appropriate designee; or
 - who a student reasonably believes has this authority or duty. Rowan-Cabarrus Community College affirmatively elects to specifically identify authorized Responsible Employees as any full-time or part-time employee of the College.

§ 14-277.3A. Stalking

Legislative Intent. – The General Assembly finds that stalking is a serious problem in this State and nationwide. Stalking involves severe intrusions on the victim’s personal privacy and autonomy. It is a crime that causes a long- lasting impact on the victim’s quality of life and creates risks to the security and safety of the victim and others, even in the absence of express threats of physical harm. Stalking conduct often becomes increasingly violent over time.

The General Assembly recognizes the dangerous nature of stalking as well as the strong connections between stalking and domestic violence and between stalking and sexual assault. Therefore, the General Assembly enacts this law to encourage effective intervention by the criminal justice system before stalking escalates into behavior that has serious or lethal consequences. The General Assembly intends to enact a stalking statute that permits the criminal justice system to hold stalkers accountable for a wide range of acts, communications, and conduct. The General Assembly recognizes that stalking includes, but is not limited to, a pattern of following, observing, or monitoring the victim, or committing violent or intimidating acts against the victim, regardless of the means.

Definitions. The following definitions apply in this section:

- Course of conduct. – Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, is in the presence of, or follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- Harasses or harassment. – Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.
- Reasonable person. – A reasonable person in the victim’s circumstances.
- Substantial emotional distress. – Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

Offense. A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

- Fear for the person’s safety or the safety of the person’s immediate family or close personal associates.
- Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

Education, Training, Prevention, Counseling and Other Outreach

New students and new employees must be offered “primary prevention and awareness programs” that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. In addition, existing employees shall receive training and shall undergo future training on a continuous basis. The College counseling and human resources department shall make reasonable efforts to identify and reach out to students and employees who are victims of violent crime.

Education and Prevention

Rowan-Cabarrus Community College provides educational programming on sexual assault, sexual misconduct, sexual harassment, dating and domestic violence prevention, stalking and personal safety through a variety of avenues. College security officers are available to present programs to student organizations, faculty, staff, and classes.

Bystander Intervention

Often the most effective way to help is through intervention by peers. As a student and a member of the Rowan Cabarrus community, each of you should be invested in the well-being of your peers. If you see something going on with a fellow student that doesn't seem right, say something to someone and consider doing something to help. Do not be afraid to talk to a friend or acquaintance about your concern for them and provide them with assistance. Below are some ways a bystander could intervene.

- Notice the issue: Listen to your gut instincts. If something doesn't look or feel right about a situation, take a few moments to assess the situation.
- Interpret the urgency: Now that the situation has been briefly assessed, determine the urgency of the situation. Is this something that is an emergency? Is this something where someone needs help?
- Take responsibility: Take responsibility for providing help. Whether intervening firsthand – unless intervention places the intervener into a position of physical harm, or by calling for help, once the decision is made to offer assistance, follow through is vital.

Ways to provide help:

- Call police, Campus Safety Coordinator, College staff or a friend to assist.
- Help the person leave the situation; connect them with friends or help them get home safely.
- Confront the behavior, which is occurring, address the issue.
- Diffuse the situation – distract the parties, introduce others (such as friends of either party) who can help deescalate the situation, separate the individuals.

Tips for intervening:

- Always approach everyone from a place of care and concern.
- Do not be antagonistic, accusatory, or condescending.
- Avoid using violence or threats of violence.
- Be honest, direct and as clear as possible as to why you are there.

- Get help if necessary.
- Keep yourself safe.
- If things escalate or you feel unsafe, call the police.

Students can create a campus environment free of interpersonal and sexual violence, free of words and behaviors which make any member of the community feel marginalized. We encourage students to educate themselves about interpersonal and sexual violence, as well as issues surrounding bias and to share this knowledge and information with their friends and peers. We encourage students to confront their friends and peers who make excuses for their (or other people's) abusive or inappropriate behaviors. We encourage students to speak up against racist, homophobic, and sexist remarks. To learn more bystander intervention tips, students can attend a program or by working together, speaking up and taking action, our campus can be a safer and more welcoming place for all.

Counseling and other outreach

Counseling and related support is available on campus at our Student Counseling and Advising Center (704-216-7222). Students can confidentially discuss sexual or interpersonal violence with our counselors, receive assistance and be connected with community resources. Student counseling can also provide off-campus referrals to a counselor or therapist should you choose to see someone outside of the College.

- Mental Health Services: (Rowan Co. 704-637-9301), or (Cabarrus Co. 704-788-1130)
- Family Crisis Council (Rowan Co. 704-636-4718)
- Victims Assistance (Cabarrus Co. 704-788-2826)

Students can also contact Campus Health, Safety & Security at 704-216-7600. Student Services can provide resources and support. Campus Health, Safety & Security can provide information on the criminal process.

We encourage students to seek assistance, whether on or off campus and to utilize available resources to help with their recovery.

Guide for Students Who Have Been Sexually Assaulted

Sexual assault is an act of violence. Crimes of violence affect everyone, regardless of gender and can occur in any relationship, whether you are straight, gay, lesbian, transgender, or questioning - sexual violence affects everyone. Victims of a sexual assault are often in a state of disbelief and shock – feeling angry, fearful, and helpless – and can also be feeling shame and guilt. The variety of emotions which can be experienced by a victim of sexual assault can be overwhelming and he/she may not know who they can ask for help. We provide this guide in an effort to help give students resources to assist in their recovery and to help prevent a future assault. We encourage students to seek help from the resources presented.

When Sexual Assault Occurs

If a student is sexually assaulted, the student should: Get to a safe place as soon as possible. Try to preserve physical evidence. Do not wash, bathe, shower, douche, use the toilet or change clothing. If changing clothes is unavoidable, put all the clothing you were wearing in a paper bag, not a plastic bag. Do not move any physical items which may have been touched by the assailant. Get medical attention as soon as possible. It is

important to address your physical health needs. In addition, it is important in order to preserve and collect evidence should you decide later to pursue legal action. Effective evidence collection must occur no later than seventy-two (72) hours after the assault and must include a physical examination at a local emergency room. DNA and forensic evidence collection is vital and will be collected by medical staff specially trained in working with patients who have been assaulted. Medical attention will also be paid to treating injuries, testing for pregnancy and sexually transmitted diseases. Medications to prevent sexually transmitted diseases and pregnancy and protect against HIV transmission may also be offered. Medical attention is vital and does not mean you must pursue criminal action. If your injuries are critical or life threatening, please call 9-1-1. Also contact Campus Health, Safety & Security by calling 704-216-7600. Calling Campus Health, Safety & Security does not mean you must pursue criminal charges. Coordinators are trained to help assist you in securing medical attention and professional counseling. In addition, they can ensure that evidence related to the incident is collected and properly preserved should you decide later to prosecute. Talk with a counselor. They can provide you with emotional support as well as additional resources in a confidential environment. To contact our Counseling Center, call 704-216-7222 and ask to speak with a counselor – they will page the counselor on call for you. A student can confidentially discuss sexual or interpersonal violence with our Rowan-Cabarrus Community College counselors. When campus counselors are called, a counselor will help secure medical attention and emotional support from campus resources. You can also call local crisis centers (see information on last page). Talk. Turn to those you trust – your friends, family or someone who can help support you through your recovery. You can also find numerous support people in the College community. Being able to talk about and process what has happened is a vital step in your recovery. Consider your options. You can consider criminal action as well as pursuing action through the College Disciplinary process on campus (if your assailant is a student). This document provides you with information on both avenues. If you have questions, you can call Student Services or Campus Security on extension 7222 or for more urgent matters at extension 7600.

Past Abuse or Off-Campus Abuse

It is not uncommon for a sexual assault victim to withdraw and never tell anyone of the incident. Whether the assault occurred years ago or recently, please seek assistance. Our Counseling Center is here to help. You can also contact the local crisis centers of Rowan or Cabarrus Counties. You may also report sexual abuse to our counselors or security, even if it occurred off campus. Regardless of where it happened, our staff will assist with counseling assistance or prosecution, if the victim wishes. Reporting any sexual assault incident does not mean that the victim must prosecute the crime.

Medical Treatment

It is very important to seek medical attention so you can be assessed and treated for any physical injuries. Evaluation of sexual assault includes the testing and treatment for sexually transmitted diseases, medication to prevent pregnancy and the preservation, collection, and documentation of evidence of the assault (which would aid in criminal prosecution, should you decide to pursue legal action). DNA and forensic evidence should be collected immediately, preferably within the first seventy-two hours. Evidence can be collected later but the quality and quantity of the evidence can be greatly impacted. Medical attention is vital and does not

mean you must pursue criminal charges. Should you deem your injuries critical or life-threatening, please call 9-1-1.

Immediate Emergency Services

A special exam should be conducted as soon as possible after a sexual assault. Even if there are no physical injuries, this special exam, which includes a rape kit, is recommended to maintain all legal options. The exam is performed by an emergency department physician and/or a specially trained nurse. A nurse is also present throughout the procedure, and you are welcome to have a support person with you as well. Note: Routinely, hospital staff will contact the police whenever treatment is provided for injuries that could be the result of a crime. Although the police are contacted and may respond, this does not mean you have to proceed with criminal charges.

Transportation

Campus Health, Safety & Security or Student Services can help with transportation to the hospital if necessary. You can reach either at 704-216-7600.

Non-emergency Medical Procedures

Non-emergency medical treatment can be obtained from local providers and urgent care centers listed at the bottom of this policy). The Rowan and Cabarrus County Health Departments are also available for free or reduced fee services.

Counseling, Resources and Emotional Support Student

- Counseling and Advising Center 704-216-7222 <https://www.rccc.edu/counseling/>
- Mental Health Services - Rowan 704.637.9301
- Mental Health Services - Cabarrus 704.788.1130
- Family Crisis Council – Rowan 704.636.4718
- Victim Assistance – Cabarrus 704.788.2826

Receiving Assistance

If you have been the target of sexual misconduct, relationship abuse and violence, or stalking and are seeking immediate assistance, you have several on- and off campus options.

Options for Immediate Assistance

If you are in an emergency, go to a safe location and call 911.

Students are not required to take any action when reporting sexual misconduct and seeking immediate assistance does not automatically launch a formal complaint or investigation. Please note that different employees on campus have different abilities to maintain a student's confidentiality — to access fully confidential resources you should contact the Counseling Center. For more information on confidential reporting, see the Confidential and Protected Resources section.

On Campus Immediate Assistance Options

Campus Health, Safety & Security Main Phone: 704-216-7600. A Campus Safety Coordinator can assist you with personal safety, seeking medical attention, preserving evidence, or filing a police report. The Campus Safety Coordinator can also contact other on- and off campus resources to assist you.

Student Wellness Center Main Phone: 704-216-7222 The Counseling Center is a confidential resource for students seeking medical assistance or psychological counseling. The staff can assist you in seeking immediate emergency medical care at a local hospital and/or receive an exam from a sexual assault nurse examiner (SANE) at a local hospital. Any student can call the counselor on call to address a psychological emergency. Calls are fully confidential, as with all counseling services, with exceptions made only in the case of imminent harm or as required by law.

Title IX Coordinator Office Main Phone: 704-216-3750 The Title IX Coordinator office has trained staff who can help you understand your options and resources and can connect you with additional on- and off-campus resources.

Off-Campus Immediate Assistance Options

Salisbury Police Department (North)

- Main Phone 704-638-5333 Emergency: 911 (24 hours).
The Salisbury Police Department is available 24 hours a day, 365 days a year to meet with any crime victim of a sexual assault, domestic violence, any physical assault, or the crime of stalking. The officers are committed to conducting a full criminal investigation into these allegations.
The Salisbury Police Department also provides a Victim-Witness Advocate who is trained to support and assist victims of domestic violence and sexual assault. This support is provided as the case is investigated and where the evidence exists, fully prosecuted. There are no costs for these services.

Rowan County Sheriff's Office (Rowan County)

- Main Phone: 704-216-8700 Emergency: 911 (24 hours).
The Rowan County Sheriff's Office is available 24 hours a day, 365 days a year to meet with any crime victim of a sexual assault, domestic violence, any physical assault, or the crime of stalking. The deputies are committed to conducting a full criminal investigation into these allegations.

Cabarrus County Sheriff's Office (Cabarrus County)

- Main Phone: 704-920-3000 Emergency: 911 (24 hours).
The Cabarrus County Sheriff's Office is available 24 hours a day, 365 days a year to meet with any crime victim of a sexual assault, domestic violence, any physical assault, or the crime of stalking. The deputies are committed to conducting a full criminal investigation into these allegations.

Kannapolis Police Department (South, NCRC | ATC, College Station)

- Main Phone: 704-920-4000 Emergency: 911 (24 hours).

The Kannapolis Police Department is available 24 hours a day, 365 days a year to meet with any crime victim of a sexual assault, domestic violence, any physical assault, or the crime of stalking. The officers are committed to conducting a full criminal investigation into these allegations.

Concord Police Department (CBTC)

- Main Phone: 704-920-5000 Emergency: 911 (24 hours).

The Concord Police Department is available 24 hours a day, 365 days a year to meet with any crime victim of a sexual assault, domestic violence, any physical assault, or the crime of stalking. The officers are committed to conducting a full criminal investigation into these allegations.

Community Counseling Resources

Organization	Type/Notes	Phone
Caring for Families	Rowan County Aids Task Force	704-637-8704
Community Care Clinic	Healthcare Clinic	704-636-4523
Daymark Recovery Services	Mental Health & Substance Abuse Services	704-633-3616
Families First NC-Inc	Family	704-630-0481
Family Crisis Council	Domestic Violence	704-636-4718
Piedmont Behavioral Healthcare	Mental Health, Substance Abuse	1-800-939-5911
Rowan Care Connections	Nurse on Call	1-800-335-4921
Rowan County Health Department	Healthcare Services	704-216-8777
Rowan Helping Ministries	Crisis Assistance	704-637-6838
Rowan Regional Medical Center	Medical/Healthcare	704-210-5000
Family Crisis Council		704-636-4718
Crisis Pregnancy Center of Cabarrus County		704-782-2221
Rape Crisis Services Cabarrus County	Safe Alliance	704-721-0110
Counseling Center Concord	Cabarrus Baptist Association	704-786-9205

ROWAN-CABARRUS TITLE IX – SEXUAL HARASSMENT INVESTIGATION, RESOLUTION, AND SANCTION PROCEDURE

Rowan-Cabarrus Community College strives to make its campuses inclusive, and a safe and welcoming learning environment for all members of the College community. Pursuant to multiple federal and state laws and administrative regulations and pursuant to college policy, the College prohibits discrimination in its education programs and activities based on sex.

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Under Title IX, discrimination on the basis of sex includes quid pro quo harassment; sexual harassment; and sexual assault, stalking, dating or domestic violence (collectively referred to as “sexual harassment”). The College’s Title IX Coordinator has oversight responsibility for handling Sexual Harassment complaints and for identifying and addressing any patterns and/or systemic problems involving sexual discrimination or harassment.

All allegations involving sexual harassment should be directed to the College’s Title IX Coordinator and addressed under these procedures.

Definitions

The following definitions shall apply to this Procedure. The definitions are not intended to operate as speech codes, promote content and viewpoint discrimination or suppress minority viewpoints in the academic setting. Indeed, just because a student’s speech or expression is deemed offensive by others does not mean it constitutes discrimination or harassment.

In applying these definitions, College administrators shall view the speech or expression in its context and totality and shall apply the following standard: the alleged victim subjectively views the conduct as discrimination or harassment and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that the conduct is discriminatory or harassing.

- Actual Knowledge – notice of sexual harassment or allegations of sexual harassment by the Title IX Coordinator or any College official who has authority to institute corrective measures on behalf of the College. Actual knowledge is not met when the only College official with actual knowledge is a Respondent.
- Complainant – an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- Consent – explicit approval to engage in sexual activity demonstrated by clear actions or words. This decision must be made freely and actively by all participants. Non-verbal communication, silence, passivity, or lack of active resistance does not imply consent. In addition, previous participation in sexual activity does not indicate current consent to participate and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent has not been obtained in situations where the individual: i) is forced, pressured, manipulated or has reasonable fear that they will be injured if they do not submit to the act; ii) is incapable of giving consent or is prevented from resisting due to physical or mental incapacity (including being under

the influence of drugs or alcohol); or iii) has a mental or physical disability which inhibits his/her ability to give consent to sexual activity.

- Dating Violence – crimes of violence against a person with whom the person has or had a social relationship or a romantic or intimate relationship.
- Domestic Violence – crimes of violence against a current or former spouse or intimate partner; a person with whom the student shares a child in common; a person with whom the student cohabitates or has cohabitated as a spouse or intimate partner; a person similarly situated to the student as a spouse under local domestic laws; or any person who is protected under local domestic laws of the jurisdiction.
- Education Program or Activity – for purposes of these Procedures, this means any locations, events, or circumstances over which the College exercised substantial control over both the Respondent(s) and the context in which the alleged sexual harassment occurs. It also means any building owned or controlled by a student organization that is officially recognized by the College.
- Formal Complaint – a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting the College investigate the allegation(s). A Formal Complaint initiates a formal grievance process in which parties are entitled to due process protections.
- Informal Resolution – a resolution reached regarding an allegation of sexual harassment without the filing of a Formal Complaint. Informal Resolution may include mediation, facilitated dialogue, conflict coaching, restorative justice, or other models of alternative dispute resolution. Informal Resolution cannot be used for a student’s allegation of sexual harassment against a College employee.
- Respondent – an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- Retaliation – to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.
- Sexual Assault – an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system.
- Sexual Harassment – quid pro quo harassment; unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s education program or activity, including conduct based on sex stereotyping; or any instance of sexual assault, dating violence, domestic violence, or stalking.
- Quid pro quo harassment is a person having power or authority over another and conditioning an educational or employment benefit or service or access to receiving the educational or employment benefit or service upon a person’s participation in unwelcome sexual conduct.
- Stalking – engaging in a course of conduct directed to a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress.
- Standard of Evidence – the College uses the preponderance of evidence as the standard for proof of whether a violation occurred. In the student due process hearing and employee grievance process, legal terms like “guilt,” “innocence” and “burden of proof” are not applicable. Student and

employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The College will find the Respondent either “responsible” or “not responsible” for violating these Procedures.

- Supportive Measures – individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party that are designed to ensure equal educational access, protect safety, or deter sexual harassment. Examples of support measures are counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, leaves of absences, increased security and monitoring of certain areas of the College, and other similar measures.
- Title IX Coordinator – for the purposes of these Procedures, the Title IX Coordinator refers to the Executive Director for Student Success & College Civility.

Scope and Applicability

These Procedures apply to the conduct of and protect:

- College students and applicants for admission into the College
- College employees and applicants for employment
- College student organizations
- Third parties participating in a College education program or activity

These Procedures also apply to conduct that occurs in a College Education Program or Activity located within the United States and of which the College has actual knowledge.

Title IX Reporting

Reporting to Local Law Enforcement

Individuals may report sexual harassment directly to local law enforcement agencies by dialing 911. Individuals who make a criminal allegation may also choose to pursue College grievance procedure simultaneously. A criminal investigation into the matter does not release the College from its obligation to conduct its own investigation (nor is a criminal investigation determinative of whether sexual harassment has occurred). However, the College’s investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the College must make available supportive measures when necessary to protect the alleged Complainant and/or the College community. Individuals may choose not to report alleged sexual harassment to law enforcement authorities. The College respects and supports individuals’ decisions regarding reporting; nevertheless, the College may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations.

Reporting to College Officials

The College’s Title IX Coordinator oversees compliance with these Procedures and Title IX regulations. Questions about these Procedures should be directed to the Title IX Coordinator.

Anyone wishing to make a report relating to Sexual Harassment may do so by reporting the concern to the College's Title IX Coordinator in person, by mail, by telephone, by email, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report of alleged sexual harassment.

Title IX Grievance Procedures

Scope

- Use of these grievance procedures applies to reports alleging sexual harassment carried out by employees, students, or third parties.
- All reports of sexual harassment are taken seriously. At the same time, those accused of sexual harassment are presumed "not responsible" throughout this grievance procedure.

Initial College Response and Assessment

After receiving a report of sexual harassment, the Title IX Coordinator takes immediate and appropriate steps to:

- Communicate with the individual who reported the alleged conduct;
- Implement supportive measures to eliminate and prevent the recurrence of sex harassment, deter retaliation, remedy the effects of sex harassment, and provide due process rights during a College investigation;
- Provide the individual with a copy of this Policy and Procedure; and
- Determine whether the alleged conduct, as described by the reporting party, falls within the scope of this policy and if so, initiate the investigation and resolution procedures outlined below.
- The Title IX Coordinator may delegate the authority to take some or all of these steps to a Deputy Title IX Coordinator.

The Title IX Coordinator must administratively close a report or complaint of sexual harassment if after an initial assessment:

- The allegations as stated do not constitute a violation of this Policy and Procedure, even if proven; or
- The alleged sexual harassment did not occur in the College's Education Program or Activity or did not occur in the United States.
- The Title IX Coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate College office or department to resolve the report or complaint. All parties may appeal the Title IX Coordinator's dismissal of a Formal Complaint under this section by using the appeal procedures in Section VI, below.

The Title IX Coordinator may administratively close a report or complaint of sexual harassment if:

- The Complainant, at any time, requests withdrawal of the report or complaint;
- The Respondent is no longer enrolled or employed by the College; or
- The College is prevented from gathering evidence sufficient to reach a determination of responsibility.
- The Title IX Coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate College office or department to resolve the report or complaint. All parties may appeal the Title IX

Coordinator's dismissal of a Formal Complaint under this section by using the appeal procedures in Section VI, below.

- Regardless of when alleged sexual harassment is reported, a Complainant must be participating in or attempting to participate in the College's education program or activity for a Formal Complaint to be filed.

Informal Resolution

Either party may request the College facilitate an informal resolution to a sexual harassment complaint at any time after the filing of a Formal Complaint. The Title IX Coordinator may also offer the parties the opportunity for informal resolution.

- Upon a request for informal resolution, the Title IX Coordinator determines whether informal resolution is appropriate based on the facts and circumstances of the case. The Title IX Coordinator ensures that any proposed informal resolution is consistent with the College's obligations to prevent and redress sexual harassment.
- A student's allegations of sexual harassment against a College employee are not eligible for informal resolution.
- The Title IX Coordinator provides the parties with written notice of proceeding with an informal resolution, including the allegations of sexual harassment, the requirements of the informal resolution process, and potential outcomes resulting from participating in the informal resolution process.
- The Title IX Coordinator also designates an independent, neutral person to facilitate the informal resolution.

Informal resolution is voluntary.

- The Complainant and Respondent must provide written consent for informal resolution to take place.
- Any party has a right to end the informal resolution process at any time prior to agreeing to a resolution and begin or continue the formal investigation and grievance process.

Informal resolution concludes the matter only when all parties have signed a written agreement that confirms resolution of the allegations.

- The resolution agreement must include a waiver of the parties' right to have a formal hearing on the allegations that have been informally resolved.
- Parties are prohibited from revoking or appealing a resolution agreement. Should the Respondent violate the terms of an informal resolution agreement, such violation will subject the Respondent to an investigation and the formal grievance process contained in this procedure.
- If a resolution agreement is not reached, the College will continue with a formal investigation. The Complainant and Respondent must provide written consent for informal resolution to take place.

Investigations

The goal of a formal investigation is to reach a determination as to whether a Respondent has violated one or more College policies prohibiting sexual harassment and if so, remedy the effects of a violation. The Title IX Coordinator may include possible violations of other College policies that contributed to, arose from, or are otherwise related to alleged violations of this Policy and Procedure in the scope of an investigation.

The Title IX Coordinator gives written notice to the Complainant and Respondent of the investigation, providing sufficient details to allow the parties to respond and prepare for initial interviews, including the identity of the parties involved (if known), the conduct alleged to be sexual harassment, the date and location of alleged incidents (if known), a statement that the Respondent is presumed not responsible and a determination of responsibility is made at the conclusion of the process, information regarding the parties' right to an advisor and the right to review evidence, and notice that the College prohibits knowingly making false statements or submitting false information during the grievance process.

The Title IX Coordinator designates an investigator to investigate the allegations of sexual harassment. Parties to an investigation can expect a prompt, thorough, and equitable investigation of complaints, including the opportunity for parties to ask questions, present witnesses and provide information regarding the allegations.

Parties and witnesses should cooperate in the investigation process to the extent required by law and this policy.

The standard of proof used in investigations is the preponderance of evidence. It is the College's responsibility to establish the standard of proof and gather evidence during investigations. The College aims to bring all investigations to a resolution within thirty (30) business days from the date the Title IX Coordinator determines an investigation will commence.

Extensions of the timeframe for good cause are allowed, so long as written notice and the reason for the delay is provided to the parties. Good cause includes:

- The complexity and/or number of the allegations;
- The severity and extent of the alleged misconduct;
- The number of parties, witnesses, and other types of evidence involved;
- The availability of the parties, witnesses, and evidence;
- A request by a party to delay an investigation;
- The effect of a concurrent criminal investigation or proceeding;
- Intervening holidays, College breaks, or other closures;
- Good faith efforts to reach a resolution; or
- Other unforeseen circumstances.

Investigations typically include interviews with the Complainant, the Respondent, and any witnesses, and the objective evaluation of any physical, documentary, or other evidence as appropriate and available. The College will give the Complainant and the Respondent written notice of any interview, meeting, or hearing at which a party is invited or expected to participate.

The Title IX Coordinator will inform the Complainant and Respondent at regular intervals of the status of its investigation.

The College may suspend or place on administrative leave a student or employee, pending the completion of an investigation and resolution, when the College performs an individualized safety and risk analysis and

determines the person poses an immediate threat to the physical health or safety of any member(s) of the College community.

The Title IX Coordinator may recommend to the appropriate College official to implement or stay an interim suspension of a student or employee and the conditions and duration of such suspension or leave.

In all cases in which an interim suspension or administrative leave is imposed, the student or employee shall be given notice and an opportunity to challenge the removal decision immediately following the removal.

Violation of an interim suspension under this Procedure is grounds for expulsion or termination.

Interviews conducted as part of an investigation under this Procedure may be recorded by the College. Recordings not authorized by the College are prohibited.

The Complainant and Respondent have the right to be accompanied by an advisor of their choosing during all stages of an investigation.

A party may elect to change advisors during the process

All advisors are subject to the same rules:

During the investigation, the advisor's role is limited to providing advice, guidance, and support to the Complainant or Respondent. An advisor is not permitted to act as a participant or advocate during the investigative process.

Advisors are expected to maintain the privacy of the records shared with them.

Advisors are expected to refrain from interfering with investigations.

Any advisor who oversteps their role or interferes during an investigation process will be warned once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave. The Title IX Coordinator determines whether the advisor may return or should be replaced by a different advisor.

Prior to finalizing a report, the investigator provides all parties an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the College does not intend to rely.

The Complainant and Respondent may submit a written response to the evidence within ten days after receipt of the evidence.

Responses must be submitted to the investigator via email, mail, or hand delivery by 5:00 p.m. eastern standard time on the date responses are due.

Responses may not exceed 10 double-spaced pages on 8.5×11 paper with one-inch margins and 12-point font.

The investigator considers any responses received from the parties and conducts any further investigation necessary or appropriate.

Following an investigation and at least 10 days prior to a grievance hearing, the investigator submits an investigative report to the parties that fairly summarizes relevant evidence. The report includes a summary of

the allegations; a summary of the response; a summary of the investigative steps taken to verify the allegations and response; and a summary of the evidence relevant to a determination of responsibility.

Title IX Grievance Hearings

At least 10 days after the issuance of an investigation report, the College must hold a live hearing in front of a decision-maker to determine the responsibility of a Respondent. The decision-maker may not be the Title IX Coordinator or the investigator(s). A “live hearing” means either in person or virtually.

The following hearing rules apply:

- All parties must be able to see and hear the questioning of parties and witnesses.
- Any party may request a virtual hearing. If requested, the College will provide a virtual hearing.
- All parties have an equal opportunity to present witnesses, including fact and expert witnesses.
- The parties’ advisors are permitted to cross-examine the parties and any witnesses.
 - The parties are prohibited from directly conducting cross-examination. Cross-examination must be conducted by the party’s advisor.
 - The decision-maker determines whether questions asked during cross-examination are relevant to the determination of responsibility. If the decision-maker disallows a question, they will explain the basis for their decision at the hearing. Parties and advisors may not challenge a decision-maker’s relevancy determinations during the hearing.
 - Evidence or questions that inquire about the Complainant’s sexual predisposition or prior sexual history are prohibited (i.e. rape-shield protections) unless such questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.
 - The decision-maker may not consider statements of individuals who do not submit to cross-examination in reaching a determination of responsibility.
 - Records with a legally recognized privilege, such as medical treatment records, may not be used unless the individual or entity who holds the privilege waives the privilege. Any waiver must be written and made in advance of a hearing.
 - If a party does not have an advisor, the College will provide an advisor at no cost to the party. The advisor may, or may not, be an attorney.
 - Other standard Rules of Evidence do not apply in grievance hearings under these Procedures.
- The College will provide either an audio recording, audiovisual recording, or transcript of the hearing to all parties.
- The decision-maker evaluates all relevant evidence and reaches a determination regarding responsibility. The decision-maker issues their final written determination to all parties within ten (10) days of the hearing. The final written determination includes a summary of the allegations; a description of the procedural steps taken by the College to investigate and reach a determination of responsibility; findings of fact supporting the determination; conclusions regarding the application of College policies to the facts; a statement of and rationale for the result as to each allegation, including a determination of responsibility; any disciplinary sanctions the College recommends or imposes;

whether remedies designed to restore or preserve equal access to an education program or activity will be provided to the Complainant; and the College's appeal procedures.

- The following sanctions may be imposed for those who have violated these Procedures:
 - Students
 - Verbal or Written Warning
 - Probation
 - Administrative withdrawal from a course without refund
 - Required Counseling
 - No Contact Directive
 - Suspension
 - Recommendation of Expulsion
 - Other consequences deemed appropriate
 - Employees
 - Verbal or Written Warning
 - Performance Improvement Plan
 - Required Counseling
 - Required Training or Education
 - Recommendation of Demotion
 - Recommendation to Suspend with or without Pay
 - Recommendation of Dismissal
 - Other consequences deemed appropriate to the specific violation

If the decision-maker is required to make a recommendation for student expulsion or employee suspension, demotion or dismissal, such a recommendation will be made to the appropriate College official after the time for appeal has expired. If the decision-maker recommends the Respondent be expelled, suspended, demoted, or dismissed, during the time in which either party has to appeal, the Respondent shall remain on suspension unless otherwise determined by the decision-maker.

Title IX Appeals

After the decision-maker submits their determination of responsibility to the Complainant and Respondent, all parties are given an equal opportunity to appeal the determination. Appeals may be based only on these grounds:

Procedural irregularity that affected the outcome.

- New evidence that was not reasonably available at the time of the hearing that could affect the outcome; and/or
- The Title IX Coordinator, investigator, or decision-maker had a bias or conflict of interest that affected the outcome.
- Parties must submit any appeal to the President of the College by 5:00 p.m. eastern standard time via email or mail, within ten (10) days of receiving the decision-maker's written determination of

responsibility. Appeals may not exceed ten (10) double-spaced pages on 8.5×11 paper with one-inch margins and 12-point font.

The College notifies all parties when an appeal is filed and provides all parties a copy of the appeal and a chance to submit a written statement supporting or challenging the outcome. Parties must submit written statements supporting or challenging the outcome to the President of the College by 5:00 p.m. eastern standard time via email or mail, within two (2) days of receiving a copy of an appeal.

The President shall conduct a review of the record, including the appeal(s) received, any written statements supporting or challenging the outcome, the investigation report, the decision-maker's written determination of responsibility, and any accompanying evidence prior to issuing a written decision to the Complainant and Respondent that describes the result of the appeal and the rationale for the result.

The President's written decision is final.

Protection Against Retaliation

The College will not in any way retaliate against an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.

Retaliation is a violation of College policy regardless of whether the underlying allegations are ultimately found to have merit. Reports of retaliation are treated separately from reports or complaints of sexual harassment.

Providing False Information

Any individual who knowingly files a false report or complaint, who knowingly provides false information to college officials or who intentionally misleads College officials involved in the investigation or resolution of a complaint may be subject to disciplinary action including, but not limited to expulsion or employment termination. The College recognizes a determination regarding responsibility alone is not sufficient to conclude a false report or complaint was made.

Limited Immunity

The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in resolution processes because they fear that they themselves may be accused of various policy violations. It is in the best interest of this College that as many Complainants as possible choose to report to College officials and that witnesses come forward to share what they know. To encourage reporting, the College offers Sexual Harassment Complainants and witnesses amnesty from minor policy violations.

FERPA (Family Educational Rights and Privacy Act)

A student's personally identifiable information found in a student's education records will be shared only with College employees who need to know to assist with the College's response to sexual harassment.

A student's personally identifiable information found in a student's education records will not be disclosed to third parties unaffiliated with the College unless:

- The student gives consent;
- The College must respond to a lawfully issued subpoena or court order; or
- The College is otherwise required by law to disclose.

Suspending Procedures

In cases of emergency or serious misconduct, the College reserves the right to suspend this process and may enact appropriate action for the welfare and safety of the College community.

Title IX Student and Employee Education and Annual Training

The Title IX Coordinator, investigators, decision-makers, and those involved in any informal resolution process shall receive annual trainings on topics including:

- The definition of sexual harassment for Title IX purposes;
- The scope of the College's education programs and activities under Title IX;
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes;
- How to serve impartially, including avoiding prejudgment of facts at issue, conflicts of interest, and bias;
- Technology to be used at live hearings;
- Issues of relevance of questions and evidence, including rape-shield limitations; and
- Issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Training materials are posted on the College's website.

All new students and all employees shall be required to participate in a primary prevention and awareness program that promotes awareness of sexual harassment. This program will be held annually at the beginning of each fall semester.

At this annual training, students and employees must receive training in the following areas:

- Information about safe and positive options for bystander intervention skills;
- What "consent" means with reference to sexual activities;
- Risk reduction programs so students recognize and can avoid abusive behaviors or potential attacks;
- How and to whom to report an incident regarding discrimination, harassment and sex-based violence;
- The importance of preserving physical evidence in a sex-based violent crime; and
- Options about the involvement of law enforcement and campus authorities, including the alleged victim's option to:
 - notify law enforcement.

- be assisted by campus authorities in notifying law enforcement.
- decline to notify law enforcement; and iv) obtain “no-contact” or restraining orders.

Each year, all students and employees will receive an electronic copy of these Procedures sent to their college email address of record. These Procedures will be maintained online in the College’s website and a hard copy will be kept on file (in English and Spanish) in the Title IX Coordinator’s office. Other translations will be made available upon request.

Title IX Recordkeeping

The College maintains all records of Title IX proceedings and all materials used to train Title IX personnel for seven years.

THREAT ASSESSMENT TEAM

The Threat Assessment and Management team works through a universal process that is designed to identify situations of concern, investigate, and gather information, assess, and manage the concern. Threat Assessment Teams utilize a multidisciplinary approach to address all threats/concerns. The goal of the Threat Assessment Team is to increase awareness of concerns, maximize resources to address the concerns and monitor outcomes while enhancing communication and collaboration campus wide. The team utilizes the Workplace Assessment of Violence Risk (WAVR-21) Threat Assessment Rubric to classify threats, collecting a holistic view of the situation. The team collects confidential consultation from faculty and staff. The team's primary focus is preventative rather than punitive, with the main goal of assisting students to succeed on campus.

CRIME PREVENTION PROGRAMS

To educate students, faculty and staff, crime prevention programs are conducted throughout the year to inform the campus community of preventative measures and availability of associated services. The content is offered through various departments and may vary but the overall objective is deterring crime-related incidents. The following departments provide on-going informational programs. For schedules and times, contact them directly.

- Human Resources Department: 704.216.0000, claudine.robinson@rccc.edu,
- Campus Health, Safety & Security: 704.216.7230, jeff.insley@rccc.edu
- Student Success Center/Counseling Services: 704.216.0000, ?@rccc.edu

Program Descriptions

Surviving an Active Shooter Event — This course intends to prepare personnel for "active shooter" situations by providing information on how they occur and how they may be more effectively prevented. The course will review facts and history, prevention strategies, preparedness, and what to do if an "active shooter" incident

happens. This course is offered annually for all employees through the Department of Campus Health, Safety, & Security.

Sexual Harassment: Staff to Staff — This course provides staff members with a basic understanding of staff-to-staff sexual harassment as well as strategies to maintain a harassment free environment in the workplace. Topics covered include defining sexual harassment and sexual harassment in the workplace. The content in this course was designed with care and sensitivity; however, some may find certain topics personally upsetting, especially for survivors of sexual abuse or assault. This course is mandatory and offered annually for all employees through SharePoint.

C.S.A (Campus Security Authorities) Training – Identified Campus Security Authorities are provided training annually through online Professional Development about CSA definitions and responsibilities. The training is updated regularly. Campus Health, Safety & Security maintains a list of CSAs and identifies new CSAs each term.

Emergency Operations Assistant/Building Coordinator Program — The EOA/Building Coordinator program is in place to train faculty and staff members from each academic and administrative buildings in basic emergency response procedures. EOA/Building Coordinators are responsible for providing safety instruction and assistance to faculty, staff, students, and visitors during campus emergencies.

Safety Escorts – Campus Safety Coordinators or off-duty Security officers provide safety escorts to all faculty, staff, and students.

Here are some specific examples of annual programs currently offered by the College. This list is not all-inclusive:

- **Online Education** – There are numerous online courses available for faculty and staff to learn effective ways to prevent and report sexual assault on campus, as well as other topics. Employees receive online education through SharePoint.
- **Orientation Programming** – Incoming faculty, staff, & students participate in a series of information sessions about the Clery Act and Title IX. This is in addition to Campus Health, Safety, & Security's crime prevention presentations, which are offered at the request of Rowan Cabarrus students and employees. Participants are encouraged to be responsible for their own safety and the safety of others. Crime prevention brochures that include requests to immediately report all crimes or suspicious activity to Campus Health, Safety, & Security are regularly distributed during programs. Recommendations for crime prevention steps or actions, access and surveillance systems, and alarm needs are provided.

PROMPT REPORTING OF EMERGENCIES AND SUSPICIOUS ACTIVITY

Employees, students, and visitors of the college are encouraged to immediately report emergencies and suspicious activity by contacting the Campus Safety Coordinators at extension 7600 or 704.216.7600 for a nonemergency call. For non-emergency service request, please call extension 7600 from any campus phone

or 704.216.7600 from a cell phone or outside the college phone system. Campus Safety Coordinators and security officers are here to serve and protect faculty, staff, students, and visitors. You are urged to report any suspicious persons or activity to Campus Safety Coordinators and/or Campus Security Authority (CSA).

CLERY DEFINITIONS

Under the Clery Act, for the purposes of counting and disclosing Criminal Offense, Hate Crime, arrest, and disciplinary referral statistics are done so based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. The definitions for Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program. The definitions of Fondling, Incest and Statutory Rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR. Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all the other UCR Program standards. Reference: Violence Against Women Act of 1994 definitions citation 34 CFR 668.46©(6)(A)(i).

For the categories of Domestic Violence, Dating Violence and Stalking, the Clery Act specifies that you must use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Department's Clery Act regulations.

Criminal Homicide

These offenses are separated into two categories:

Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.

Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another. Count one offense per victim.

Include as Murder and Non-negligent Manslaughter:

Any death caused by injuries received in a fight, argument, quarrel, assault, or the commission of a crime.

Manslaughter by Negligence is defined as the killing of another person through gross negligence. Count one offense per victim. Include as Manslaughter by Negligence: Any death caused by the gross negligence of another. In other words, it's something that a reasonable and prudent person would not do.

Sexual Assault (Sex Offenses)

Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Include attempted Sexual Assaults, but do not include in your Clery Act statistics any Sexual Assaults other than the four types of Sexual Assaults described in this chapter.

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

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

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Count one offense per victim.

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent. Count one offense per victim.

Robbery

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault

Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary

Burglary is the unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft

Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.

Arson

Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

The third category of crime statistics you must disclose is the number of arrests and the number of persons referred for disciplinary action for the following law violations:

- Weapons: Carrying, Possessing, etc.
- Drug Abuse Violations; and
- Liquor Law Violations.

An arrest for Clery Act purposes is defined as persons processed by arrest, citation, or summons.

HATE CRIMES

The second category of statistics disclosed after Criminal Offenses is Hate Crimes. A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Race. Religion. Sexual Orientation. Gender. Gender Identity. Ethnicity. National Origin. Disability.

VIOLENCE AGAINST WOMEN ACT OFFENSES

The third category of crime statistics disclosed are those added to the Clery Act by the Violence Against Women Act. These are Dating Violence, Domestic Violence, Sexual Assault and Stalking. Sexual assault is included by the FBI as a Criminal Offense and is discussed in the Criminal Offense section earlier in this chapter. Domestic Violence, Dating Violence and Stalking are considered crimes for the purposes of Clery Act reporting and are defined and discussed in this section. Please note that these definitions may differ or be in addition to the definitions and criminal law in the State of North Carolina.

Domestic Violence means, a "felony or misdemeanor crime of violence committed by: A current or former spouse or intimate partner of the victim; A person with whom the victim shares a child in common; A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under Violence Against Women Act (VAWA)]; or 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."

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Stalking means "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."

UNFOUNDED CRIMES

The standard for unounding a reported crime is very high. Crimes may only be classified as unfounded only after a full investigation by sworn or commissioned law enforcement personnel. A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

EXCLUDED CRIMES

There are some crimes that are not included in the institution's Clery Act statistics and others that are excluded under particular circumstances. They are:

- Non-Clery Act crimes, those that do not meet the Clery definitions and
- Crimes not committed in geographic locations specified by the Clery Act.

SEX OFFENDER REGISTRY

In compliance with section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), Rowan Cabarrus provides its community with information about sex offenders.

Upon release from prison, individuals convicted of sex crimes may be required by law to register with law enforcement agencies (some of these laws are referred to as "Megan's Laws"). If registered sex offenders are enrolled at or employed at a postsecondary institution, the offenders also must provide this information to the state. The state then provides the information to campus safety & security departments or to other law enforcement authorities in the jurisdiction where the institution is located.

The North Carolina Bureau of Investigation maintains a web site where registered sex offenders are listed. The web address is NC SBI Sex Offender Registry, <https://sexoffender.ncsbi.gov/>

DAILY CRIME LOG

The Executive Assistant for the College Environment maintains the Daily Crime Logs for all Rowan Cabarrus campuses. Campus Health, Safety & Security will provide a daily crime log upon request. The Daily Crime Log is available for public inspection, free of charge, upon request during normal business hours for the previous nine months. Anyone may have access to the log, whether they are associated with the institution. Members of the public may request any portion of the log that is older than nine months and will be provided with this within four business days of the request. The Crime Log is also accessible to the Campus Community via the Department of Campus Health, Safety & Security website. To request a printed copy, please contact the Executive Assistant, Division of College Environment, Trina Miller, by telephone at 704-216-3596 or via email at trina.miller@rccc.edu.

CAMPUS CRIME STATISTICS FOR ROWAN CABARRUS COMMUNITY COLLEGE – NORTH CAMPUS

(Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act)

Criminal Offenses or Primary Crimes	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Murder & Non-Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Fondling	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	0	0	1
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses; and Arrests and Referrals for Disciplinary Action for Weapons, Drug Abuse and Liquor Law Violations	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	0	0	0

Hate Crime Statistics	
2020	
2021	
2022	

CAMPUS CRIME STATISTICS FOR ROWAN CABARRUS COMMUNITY COLLEGE – SOUTH CAMPUS

(Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act)

Criminal Offenses or Primary Crimes	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Murder & Non-Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Fondling	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses; and Arrests and Referrals for Disciplinary Action for Weapons, Drug Abuse and Liquor Law Violations	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Hate Crime Statistics	
2020	
2021	
2022	

CAMPUS CRIME STATISTICS FOR ROWAN CABARRUS COMMUNITY COLLEGE – COLLEGE STATION

(Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act)

Criminal Offenses or Primary Crimes	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Murder & Non-Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Fondling	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses; and Arrests and Referrals for Disciplinary Action for Weapons, Drug Abuse and Liquor Law Violations	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Hate Crime Statistics	
2020	
2021	
2022	

CAMPUS CRIME STATISTICS FOR ROWAN CABARRUS COMMUNITY COLLEGE – CABARRUS BUSINESS & TECHNOLOGY CENTER

(Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act)

Criminal Offenses or Primary Crimes	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Murder & Non-Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Fondling	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses; and Arrests and Referrals for Disciplinary Action for Weapons, Drug Abuse and Liquor Law Violations	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Hate Crime Statistics	
2020	
2021	
2022	An incident of vandalism occurred on-campus, characterized by race

CAMPUS CRIME STATISTICS FOR ROWAN CABARRUS COMMUNITY COLLEGE – NORTH CAROLINA RESEARCH CAMPUS & DR. CAROL SPALDING ADVANCED TECHNOLOGY CENTER

(Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act)

Criminal Offenses or Primary Crimes	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Murder & Non-Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Fondling	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

VAWA Offenses; and Arrests and Referrals for Disciplinary Action for Weapons, Drug Abuse and Liquor Law Violations	Calendar Year	On Campus	Non-Campus	Public Property	TOTAL
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Stalking	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Arrests	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Weapons Law Violation Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

Hate Crime Statistics	
2020	
2021	
2022	