



Belmont Abbey[™]
COLLEGE

*That in all things God
may be glorified*

2021 Annual Security & Fire Safety Report



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Belmont Abbey College Mission Statement

Our mission is to educate students in the liberal arts and sciences so Statement that in all things God may be glorified. In this endeavor, we are guided by the Catholic intellectual tradition, the Apostolic Constitution *Ex Corde Ecclesiae*, and the Benedictine spirit of prayer and learning. Exemplifying Benedictine hospitality, we welcome a diverse body of students and provide them with an education that will enable them to lead lives of integrity, to succeed professionally, to become responsible citizens, and to be a blessing to themselves and to others.

Vision Statement

Vision Belmont Abbey College finds its center in Jesus Christ. By His light, Statement we grasp the true image and likeness of God that every human is called upon to live out. We strive to renew that likeness in all dimensions of College life through curricular and co-curricular programs of excellence and virtue based in the liberal arts, as practiced in the Catholic and Benedictine intellectual traditions.

By excellence and virtue, we mean the skills, attitudes, and stable dispositions of character that make possible the consistent practice of the good throughout the full range of human pursuits (scholarly, professional, and personal). Recognizing that each field has its own standards of excellence, we strive to achieve them, led by St. Benedict's desire "that in all things God may be glorified."

As a Benedictine institution, we find this glory especially revealed in the development of the whole person. Guided by the liberal arts, our goal is to be responsible stewards of the true, the beautiful, and the good. We welcome the talents of everyone, from any background and tradition, who is committed to fostering that development and contributing to the mission of the College. To the members of the Belmont Abbey College community, we offer a community animated by this vision where they may work towards their own full potential.

Policy for Preparing the Annual Report

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, commonly referred to as the Clery Act, requires institutions of higher education receiving federal financial aid to report specified crime statistics on college campuses and to provide other safety and crime information to members of the campus community. Campuses must publish an Annual Security Report detailing statistics regarding reported crimes committed on campus and at affiliated locations for the previous three calendar years, and describing specified policies, procedures and programs regarding safety and security. This report also describes the College's timely warning and emergency notification policies and procedures as well as a fire log and related information for our residential facilities. This requirement of the *Clery Act* is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about the safety of the campus so that they can make informed decisions.

Belmont Abbey College prepares an Annual Security Report to comply with the Clery Act. The Chief of Police and Dean of Student Life are responsible for compiling referrals for criminal offenses and disciplinary actions, respectively. Campus Police works closely with all constituencies of the College to provide security and safety on campus. Strong working relationships will be fostered by invitations from College staff to Campus Police officers to participate in events, programming, training and educational efforts.

The Annual Security and Fire Safety Report is published and disseminated to the campus community by October 1 of each year covering the previous calendar year. Hard copies of this report can be obtained at no cost by contacting Campus Police during normal business hours: campuspolice@bac.edu – 704-400-6200 – Raphael Arthur Hall Lobby (Office location).

Quick Reference Emergency Contacts



911 Emergencies
704-400-6200 BAC Campus Police

Belmont Police (non-emergency) **704-825-3792**
Gaston Police (non-emergency) **704-825-3792**
Belmont Fire (non-emergency) **704-825-0502**

Wellness Center **704-461-6877**
Health and Counseling
Lower Level Haid
9:00a-4:30p Mon-Fri

Urgent Care-Belmont **980-834-8800**
8:00a-8:00p; 7 days

Hotlines

Phoenix Crisis Counseling 855-527-4747
Partners Counseling 888-235-4675
National Suicide Hotline 800-784-2433
Self Harm Hotline 800-366-8288
SAFE Alliance 704-375-9900
(Sexual Assault & Violence)

BAC Offices

Residence Life 704-461-7371
RA On-Duty 24/7 704-913-7799
National Suicide Hotline 800-784-2433
Student Life 704-461-6724
Campus Ministry 704-461-6545
Title IX Coordinator 704-461-6713

Campus Police & General Safety Information

Belmont Abbey College Campus Police Mission Statement

The mission of the Belmont Abbey College Campus Police Department is to assist Belmont Abbey College in providing a safe and inviting environment for students, staff, faculty, and visitors and to support Belmont Abbey College in their mission.

Authority and Jurisdiction of the Belmont Abbey Campus Police Department

Campus Police officers are empowered with full law enforcement/arrest powers under North Carolina General Statute 74E. Their jurisdiction includes all property owned or controlled by Belmont Abbey College and all state-owned or maintained roadways that bisect or run adjacent to campus property and all properties owned by the Monastic Community. Belmont Abbey Campus Police officers are charged with the apprehension of criminal offenders, criminal investigation, traffic enforcement/accident investigation, enforcement of all local, state, and federal laws, parking and traffic management and enforcement, community service, security of people and property, public safety, and serving warrants and summons on campus property.

Belmont Abbey Campus Police officers are responsible for deterring crime, maintaining the peace, and protecting lives and property within the "campus" community which has a high density of population. Methods employed by campus police officers to make the campus safe include high visibility patrol, intervention in criminal acts in progress, investigation of criminal violations and mediation of disputes before they result in crimes.

Customer Service

We recognize that as campus policers, we serve a different clientele than most police agencies and we understand that one of our most important responsibilities as campus police offices is education and that every one of our officers must be an educator.

Enforcement Policy

We recognize that members of our community will from time to time violate rules, policies, and laws. Even under our service oriented philosophy, we also understand that the concept that college students and employees who violate the law should be treated differently than members of the general public who violate rules or laws, sets up some difficult moral and ethical questions. Should a college student who violates a law on campus be treated differently than a non-student between the ages of 18 and 25 who violates a law off campus?

The decision to prosecute criminally must rest with the officer addressing a violation in consultation with the victim of the offense, when a victim exists. Officers are trained thoroughly in applying laws and rules in an impartial manner. The officer makes a decision based on what is fair to the offender, what is fair to the victim, what is fair to the College, and what is fair within the larger society. The officer also bases the decision on the seriousness of the offense, prior offenses committed by the person in question, the amount of harm done to the victim or the victim's property, the potential for property loss or injury for the violator, the victim, or innocent bystanders, the number of innocent people affected, the amount of disruption and disorder caused by the offense, the attitude of the offender, and the potential for additional harm or injury to the offender, the victim, or the victim's property in the future.

Finally, officers factor in their own role as an educator. What level of action is necessary to provide an "educational experience" necessary to prevent future violations?

In most cases, our individual officers make these decisions. In some cases, they consult their supervisors. In other cases, a decision is made jointly among the officer, the supervisor, the Chief of Campus Police, the Dean of Student Life, the District Attorney, Student Affairs representatives, and other key players.

Enforcement Alternatives

Every officer has these alternatives when making an enforcement decision when a violation of criminal law occurs:

- Verbal Warning;
- Referral to College judicial channels for on-campus hearings and disciplinary action;
- Initiation of criminal charges through issuance of a state citation or arrest in the case of traffic violations and minor misdemeanors (which also initiates College judicial action).

Community Policing

Community Policing

Our Community Policing approach involves being engaged in all aspects to campus life, and when needed, conducting building surveys, distributing literature, and solving problems. Each campus police officer at Belmont Abbey College engages in community policing activities throughout the year to foster trust and build community between the police and our students and employees.

Directed Patrol

In normal circumstances, campus police officers do not patrol the living area of residence halls. Directed Patrol gives an officer a valid reason to enter the living area of a residence hall that can be easily explained to members of the public. Those reasons are (1) response to calls for service; (2) investigation of incidents which have occurred including the search for evidence and witnesses; and (3) distribution of information about crimes and violations which have occurred which may help members of the community learn how to protect themselves.

In situations where major crimes have occurred in a residence hall or any other building or area on campus, where a series of events have occurred which disrupt the peaceful atmosphere of a living area (such as repeated fire alarms, vandalisms, or thefts), or where reports are received of frequent underage drinking or drug use, officers will be instructed by the Chief of Police or by their supervisor to initiate directed patrol in that specific area. This may include the living areas of the residence halls. The focus of the patrol will be to prevent repeated offenses, restore order, identify and apprehend violators, collect evidence and identify witnesses, and distribute crime prevention information.

Support for Residential Living Staff

While officers generally do not conduct routine patrol activities within the living areas of the residence halls, they will gladly accompany Residence Life staff members on rounds in the residence halls upon request when their workload allows.

Reporting a Crime on Campus

All students, employees, and guests are encouraged to accurately and promptly report all criminal incidents, accidents, and other emergencies to Campus Police (or to the appropriate police agency if the crime occurs off campus). For criminal activity or emergencies, dial 911. For crimes that have already occurred and there is not danger of immediate further criminal activity and/or no one needs immediately medical assistance, call Campus Police at 704-400-6200. The College does not monitor non-College controlled off-campus residences or activity of its students. Nonetheless, per the student handbook, students can be held accountable for off-campus conduct if it is in violation of handbook policies.

Students and employees should report all criminal offenses to Campus Police as soon as possible for the purpose of assessing the crime for distributing a potential timely warning notice and for disclosure for the Annual Security and Fire Safety Report.

Response to a Reported Crime

Campus Police is available 24/7/365 to take reports of crime on campus. They can be reached at 704-400-6200. Upon receiving information of a crime or other concerning activity, officers will respond to the situation, investigate, and file appropriate reports. The Chief of Police (or his/designee) can coordinate with local authorities for on or off campus crimes. Officers can also coordinate with Student Life, Residence Life, or other campus offices to handle situations through other means. Information obtained through criminal investigations that may have bearing on a student conduct investigation may be shared, if it does not impede other investigations. Student conduct investigations may coincide with criminal investigations and may carry additional consequences depending on the nature of the crime and circumstances surrounding the specific situation. The College reserves the right to delay conduct investigations while criminal investigations and proceedings progress.

Crime Prevention and Access to Buildings

Belmont Abbey College Police Department has officers on duty 24 hours a day 365, days a year. Officers make routine patrol of campus and ensure buildings are secured at set times based on events, classes, and business needs. In addition, these officers routinely look for security related maintenance issues (for example: light bulb) and report these issues to maintenance for repair.

Students are issued keys which allow them access to their building, suite and room. These keys are coded to prevent a lost key from being associated with a particular room.

All students, faculty and staff are asked to stay alert at all times and use best practices for securing rooms, belongings, spaces on campus and being safe:

- Do not prop suite doors, room doors, office doors or leave rooms unlocked
- Do not lend keys, ID cards or access codes to anyone
- Campus Police is available 24/7 for escort across campus
- Register your car (if applicable) with Campus Police and park in designated areas. Lock all valuables in your trunk, if they need to stay in your car at all
- Report any and all harassing phone calls, emails, text messages or social media posts to the appropriate offices
- If you see something or someone suspicious on campus, contact Campus Police (704-400-6200) right away.

Through periodic education and awareness initiatives, Belmont Abbey College strives to inform and empower each member of the campus community to help provide a safe and welcoming environment. A sample of these programs and initiatives are included below. This list is not meant to be exclusive:

- Campus Police and other offices routinely review safety procedures for buildings on campus.
- Campus Police will communicate en masse with the College community if there are non-Clery crimes happening of which students, faculty and staff should be aware (ex. Online scams affecting multiple students, etc).
- Emergency procedures posters are posted around campus in high traffic areas. An example of this poster is included towards the back of this report.
- Resident Assistants receive yearly and ongoing training in critical response procedures, crisis management, conflict resolution and facilities maintenance
- Residence Life staff make multiple nightly rounds of all residential facilities and report and safety, conduct or maintenance issues to appropriate offices
- Alcohol and drug education programming is provided through the student conduct system, and the Wellness Center
- New students receive important safety and security information through the New Student Orientation process. This applies to all new students to Belmont Abbey College including: residential, commuter, transfer and newly matriculated students.

Campus Security Authorities

Belmont Abbey College prefers that all crimes be reported to Campus Police for investigation and follow-up. Nonetheless, the College recognizes that members of our community would prefer to report crimes to others on campus. Campus Security Authorities (CSA) are officials 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. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Those responsible for issuing timely warnings and proper reporting of crime include, but are not limited to:

- | | |
|------------------------------------|---|
| - Chief Financial Officer (CFO) | - Director of Residence Life |
| - Vice Provost of Academic Affairs | - Vice Provost and Chief Communications Officer |
| - Chief of Police | - Dean of Student Life |
| - Title IX Coordinator | |

Timely Warnings

The College will issue a timely warning when it receives a report of a crime that represents a serious or ongoing threat to the safety of members of the campus community. The College may also issue a warning to the campus community when other instances pose a safety concern.

The Gaston County Police Department 911 Communication Center also has the capability of issuing warnings to the College as well. This 911 Center provides dispatch service to Campus Police as well as the Belmont Police Department, Belmont Fire Department and EMS providers. If the 911 Center becomes aware of a threat on campus they will dispatch Campus Police as well as any other needed emergency resources and will also activate the warning siren and Crusader Alert systems.

The College in conjunction with various campus offices, will distribute timely warning announcements when there appears to be an ongoing threat to the safety and security of persons on campus for the following crimes:

- Murder/non-negligent manslaughter
- Manslaughter by Negligence
- Sexual offenses/assaults
- Domestic violence, dating violence, and stalking
- Robbery
- Crime That May Target Certain Campus Populations
- Burglary
- Motor Vehicle Theft
- Arson
- Violation of Weapons Possession Law
- Aggravated Assault

Decisions concerning whether to issue a timely warning will be made on a case-by-case basis using the following criteria:

- Nature of the crime
- Continuing danger to the campus community
- Possible risk of compromising law enforcement efforts

If the threat is sudden and serious, a warning will be issued immediately and will be continually updated until the threat is contained or neutralized. If a threat is less immediate, the warning will be fully developed and distributed after the point in time. The warning contains sufficient information about the nature of the threat to allow members of the campus to take protective action:

- A succinct statement of the incident
- Possible connection to previous incidents if applicable
- Date, time and location of the warning
- Description of the Suspect, if available
- Risk Reduction and Safety Tips

A victim's name or any other information that might identify a victim is always withheld from timely warnings. In some cases, the College may need to keep some facts confidential to avoid compromising an ongoing investigation.

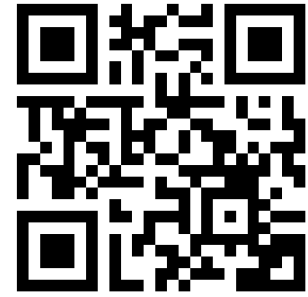
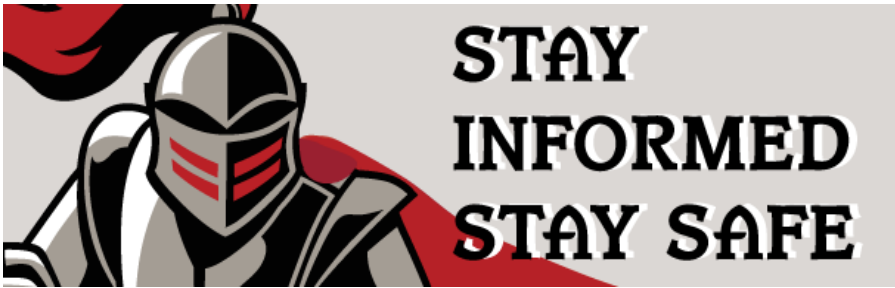
The Chief of Police (or his designee), Dean of Student Life or the Director of Marketing and Communications (or his designee) or the can issue timely warnings to the campus community. Emergency notifications can be communicated to students, faculty, and staff in one or all of the following ways:

- CrusaderAlert Text Message
- CrusaderAlert Phone Call
- BAC email notification
- Personal email notification
- Verbal communication in the moment

CrusaderAlerts

Belmont Abbey College uses Everbridge for our mass emergency notification system. It is the main way that the College will communicate with all members of the Belmont Abbey College community in the event of an emergency or situation necessitating the community's attention and awareness. The system has the capability to text personal cell phone numbers, make phone calls with verbal directions and Students and all Belmont Abbey College employees are strongly encouraged to opt-in to the CrusaderAlert system to receive notifications on their mobile devices in the event of an emergency. Directions communicated to students on how to enroll in the Crusader Alert are as follows:

- Log into [MyAbbey](#) (Self-Service) and click on the "CrusaderAlert" tab on top.
- Enter your personal cell phone number and personal email address.



Campus Emergency Response

When the College determines that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and employees occurring on campus, an emergency notification will be issued. In order to confirm the emergency, the Chief of Police (or his designees), or the Director of Marketing and Communications (or his designees) will consult with appropriate local enforcement authorities, weather reporting stations, government emergency managers and other officials within the College or in the local community to confirm the emergency.

Upon confirmation, the College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The segment or segments of the College community to which it should be sent will be determined by the Chief of Police (or his designee), Dean of Student Life or the Director of Marketing and Communications (or his designee).

The Chief of Police (or his designee), Dean of Student Life or the Director of Marketing and Communications (or his designee) or the Gaston County Police Department 911 Communications Center can make emergency notifications to the College. Emergency notifications can be communicated to students, faculty, and staff in one or all of the following ways:

- CrusaderAlert Text Message
- CrusaderAlert Phone Call
- BAC email notification
- Personal email notification
- Verbal communication in the moment
- Activation of the Emergency Notification Siren and loudspeaker to communicate
- Alertus will take over the screen of any computer connected to the BAC network with emergency information
- Banner and updated information on BAC home website and all social media outlets

Active Shooter

An active shooter is one or more suspect(s) who, as police respond to the scene, are actively killing and/or causing serious, life-threatening bodily injury to multiple victims. The overriding objective of the suspect(s) appears to be that of mass murder, rather than other criminal conduct such as robbery or hostage taking. Often the threat is not contained and there is immediate risk of death and injury. These types of dynamic situations are considered the greatest threat on college campuses. Because these situations happen very quickly, leaves little or no time for proper planning and requires law enforcement to take immediate action. Active shooter events can and often develop into hostage situations upon the arrival of law enforcement.

Belmont Abbey Campus Police Department's officers are trained to deal with active shooter situations. Officer's primary objective will be to confront the suspect(s) and neutralize the threat.

The Campus Police Department can and will supply training and safety tips to the students, faculty and staff of the Belmont Abbey College community. This topics will include but not limited to:

- History of school shootings
- Active shooter in class or office
- Trapped with gunman
- Safety Tips
- Mentality of an active shooter
- Active shooter in the hallways
- Police response

Whether you are coming to class or working on campus, take ownership of making sure your location is safe.

- Be aware of your surroundings (e.g. location of exits, doorways, etc.)
- Report suspicious person to BACPD immediately
- Program BACPD patrol phone (704)-400-6200 in your cell phone
- 911 Calls from cell phones go to the Gaston County Police Department 911 Communications Center

Awareness, preparation and rehearsal are keys to staying safe on campus.

Shelter-in-Place Protocol

The purpose of an emergency shelter-in-place alert on campus is to limit human exposure to an apparent life-threatening, hostile or hazardous situation. A shelter-in-place alert is necessary in situations where there is reason to believe that exiting a sheltered area will expose individuals to greater danger than remaining in place.

The primary authority to initiate a shelter-in-place order will be Campus Police and/or the Gaston County Police Department 911 Communications Center. Should the situation warrant it, all faculty and staff have the authority to initiate an emergency shelter-in-place alert.

Situations where an emergency shelter-in-place order may be warranted include, but are not limited to:

- observing an armed intruder or shooter,
- a serious crime being committed in close proximity to campus, or
- any situation where exposure to outside hazards may endanger staff, faculty, students and/or visitors.

Anyone observing any one of these situations should immediately call 911 at and be prepared to answer detailed questions to describe the location and description of the perpetrator or event.

The Belmont Abbey College community will be notified through the CrusaderAlert system and by means of our Emergency Notification Siren. When the siren is sounded, everyone is to shelter in place in whatever building they are in at the time. And if outdoors they are to immediately move inside a building or structure and secure any outside doors. The CrusaderAlert system and Emergency Notification Siren will be utilized both to communicate a shelter in place/lockdown order and to communicate any specifics of the threat as the information becomes available. The College will test the Crusader Alert system periodically throughout the year.

In addition, individuals may be told by Campus Police personnel and/or Staff to go into lockdown, and encounter security personnel making their "lockdown rounds." However, Campus Police personnel will be performing critical duties, locking buildings and communicating with other law enforcement agencies during the lockdown and may not be able to stop and provide individual directions. Therefore, it is important to know and follow the steps listed below.

Personal Response to Threats of Harm

The activation of the Emergency Notification Siren will signal the immediate need to lockdown and shelter in place. Persons who are outside (ex. on the Athletic fields, Abbey Lane, Quad, etc) should come inside the closest indoor facility if it is safe to do so. The CrusaderAlert will also be utilized to provide specific details as to the type emergency the campus is facing and will provide specific information and instructions as they become available.

Please note that most emergencies such as active shooter situations are fast moving and rapidly changing. This means the situation may have changed even before the previous known information can be transmitted. It is therefore vitally important that all students, faculty, and staff be observant to their surroundings at all times.

For this reason the following options for other responses during a lockdown/active shooter situation are therefore given: Please note the following response types SHOULD NOT REPLACE common sense and/or experience. Students/staff should not typically

deviate from **Lock Down/shelter in place** mode unless instructed through the CrusaderAlert, Campus Police, or emergency responders. But based on their observation of the situation in their particular location, if the situation warrants it, the following response options are provided:

1. RUN

- In extreme cases WITH NO OTHER OPTIONS and you face an imminent threat, the situation may dictate that you RUN
- Run if you are outside on a athletic field or parking lot
- If you are near a wooded area, these provide a very good option for cover and concealment
- Leave your belongings behind
- Keep your hands visible if law enforcement officers are present
- Follow directions of law enforcement officers
- Dial 911 when you are safe

2. BARRICADE

- If evacuating is not possible, find a place to hide where the Active Shooter is less likely to find you
- Hide if you cannot reach a secure classroom or you are unable to secure your door
- Be out of the shooter's view and away from doors and windows
- Provide protection if shots are fired in your direction
- Try to hide in a place that will not trap you or restrict your options for escape if that becomes possible
- Lock the door (if possible) and barricade the door with desks or filing cabinets
- Dial 911 if possible; if you cannot speak, leave the line open to allow the dispatcher to listen

3. FIGHT

- Use this response only as a LAST RESORT and only if your life or the lives around you are in imminent danger
- Use chairs, heavy objects or improvise a weapon to attack the shooter
- Yell or shout at the shooter
- Seek control of the shooter's hands
- Dial 911 as soon as possible
- If you use this response type, stick with your decision and fight to survive.

When an intruder on campus is actively causing deadly harm or the threat of imminent deadly harm to people, you must immediately seek cover and call 911. Give as many details as possible relative to location, number of assailants, means of aggression, and other pertinent information.

General instructions for individuals on campus during an emergency lockdown:

- Remain calm.
- Do not sound the fire alarm to evacuate the building. People may be placed in harm's way when they are attempting to evacuate the building. If a fire alarm does go off during a lockdown, do not evacuate unless you smell smoke.
- Do not gather in open areas or hallways. These ARE NOT areas of shelter. Stay away from windows and doors.
- Do not leave until police or campus safety personnel contact you to confirm it is safe; follow instructions from police

Designated areas used for shelter depends on the situation at hand and what is the most efficient and safest at that time. Outside agencies and departments are also available to assist with locations such as Gaston County Office of Emergency Management during a potential fire or other hazardous situations.

Shelter-in-Place alerts may be used in the following situations:

- Active Shooter or serious crime (occurring or being committed) in close proximity to Campus
- Hazard material incident
- Extreme or dangerous weather condition.

Severe Weather

The region in which Belmont Abbey College is located is prone to snow and ice storms during the winter months. Additionally, the area is prone to tornadoes. When the National Weather Service is predicting such a storm, please use good judgment when

venturing out and regularly check your email if possible. Do not call Residence Life or Campus Police about closings. This ties up the phone lines and prevents these offices from dealing with the emergency as is necessary. The primary means the college will employ to alert students to immediate threats from severe weather or closings will be the Crusader Alert. Please make sure to sign up through Self-Service.

- Threat assessments:
 - **Severe Thunderstorm/Tornado Watch:** Conditions are favorable for the development of severe weather.
 - **Severe Thunderstorm/Tornado Warning:** Imminent danger – storms or a tornado has been spotted
- If you are outside a building:
 - Move to the shelter area of the nearest buildings as quickly as possible.
 - Do not seek shelter under trees, near metal fences, or in exposed locations. Avoid open fields and tall objects.
 - Avoid conductive objects, such as utility lines and metal pipes.
 - If you cannot get into a building, seek shelter in a vehicle, ravine or ditch and lay flat. Stay away from water.
 - Do not park vehicles under electrical lines or trees. If you are in a vehicle, stay inside of it.
- If you are inside a building:
 - Stay indoors and stay away from doors, windows, metal objects, appliances and plumbing
- Avoid using land line telephones or computers. Lightning will travel through data lines.

Public Broadcast Information of Closings and Delays

In the event that Belmont Abbey College makes the decision to close or delay due to weather, the college will alert the following media outlets. Faculty, staff and students can consult these outlets for up to date information, in addition to the CrusaderAlert emails, phone calls and text messages. All social media and home webpages will be updated as well.

Alert Information

Listen: WFAE 90.7 FM, WSOC 103 FM

Watch: WBTV, WSOC, WCNC

Campus-Wide Evacuation Locations

Building Name	Primary Rally Point	Secondary Rally Point
Adoration Chapel	O'Connell Parking Lot	Residence Life Office
Alumni House	Science Quad/Yard	Science Building
Basilica	Basilica Parking Lot	Stowe Hall
Chi Rho House	Softball Field	Alumni House
Cuthbert Allen Apartments	Cuthbert Allen Parking Lot	Wheeler Center
Haid	Haid Parking Lot	Library
Holy Grounds	Haid Parking Lot	Library
Library	Science Quad/Yard	Science Building
St. Benedict/Scholastica Hall	Baseball practice field	Student Commons
New Residence Hall	Baseball practice field	Student Commons
O'Connell Residence Hall	Blessed Mother statue in front of the Dining Hall	Student Commons
Poellath Residence Hall	Blessed Mother statue in front of the Dining Hall	Student Commons
Raphael Arthur Residence Hall	Raphael Arthur parking lot	Wheeler Center
Science Building	Science Quad/Yard	Library
St. Leo's Hall	Haid Parking Lot	Haid
Stowe Hall	Haid Parking Lot	Haid
Student Commons	Student Commons Parking Lot	Haid
Wheeler Athletic Center	Soccer Field	Commons Parking Lot
Dining Hall	Quad/ Residence Life	O'Connell Parking Lot
Old Music Building	Basilica/ Yard	Basilica Parking Lot
Mercedes Hall/ Sacred Heart	Rear Parking Lot	Summerhouse
McAuley Hall/Sacred Heart	Rear Parking Lot	Summerhouse
Sacred Heart Gym	Summerhouse	Rear Parking Lot

Annual Disclosure of Campus Crime Statistics

Statistics from Local Law Enforcement Agencies

Each year the Chief of Police will collect any crime statistics of criminal activity that may have been investigated or controlled by an outside law enforcement that occurred on listed Belmont Abbey College property and territory. This effort is documented and maintained on file within the Belmont Abbey College Campus Police Department.

Mutual Aid Agreement

One of the most valuable tools North Carolina law enforcement agencies have at their disposal is the ability to share resources and expertise among agencies pursuant to mutual aid agreements. From the occasional need to borrow equipment to an extended undercover drug investigation and from the need for additional officers in time of a natural disaster to the ability of an officer from a city being able to assist an officer in the county, mutual aid agreements are exercised daily throughout the state. Departments both large and small occasionally need additional help, and mutual aid agreements enable officers to lend a helping hand in times of need. The Belmont Abbey College Campus Police Department is a participating member of the Centralina Council of Governments Regional Law Enforcement Mutual Aid Agreement. This agreement is renewed each year by June 1st, and a copy of the notarized agreement is kept on file within the Campus Police Department.

The Daily Crime Log

The Belmont Abbey Campus Police Department records all alleged criminal incidents including non-Clery Act crimes that are reported to the Campus Police and Safety Officers regardless of how much time has passed since the alleged incident occurred. Crimes are recorded in the crime log by the date they are reported. This log is available for review by the public. There will be hard copy log backed up by an electronic crime log that includes information on all reported crimes including:

- The nature of the crime
- The date and time the crime occurred
- The general location of the crime
- The disposition of the complaint, if known

At least one officer at all times besides the Chief of Police will be trained to maintain the crime log. Instructions on how to review the log will be explained when contacting the Campus Police Department. Records are available for review in the Campus Police Office Located in Raphael Arthur Hall during normal business hours: Monday-Friday from 9:00am – 5:00 pm

Crime Definitions

***Crime definitions for Title IX and VAWA crimes can be found on pages 23-27.**

- **Murder and Non-Negligent Manslaughter:** The willful killing of one human being by another.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Robbery:** 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:** An 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 a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)
- **Burglary:** Burglary is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.
- **Motor Vehicle Theft:** Motor vehicle theft is the theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)

- **Arson:** 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.
- **Liquor Law Violation:** The violation of laws or ordinances prohibiting: The manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition).
- **Drug Abuse Violation:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).
- **Weapons Violation:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as, the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

2020 Campus Crime Statistics

Due to delays in construction of the New Hall, residential students were housed in the Fairfield Inn and Suites in Belmont, NC near campus at various times throughout the semester. Additionally, Covid-19 positive students were isolated at the Hampton Inn and Suites in Belmont, NC and the Holiday Inn Express in Mount Holly, NC at various times throughout the semester. Crime and disciplinary information for these additional locations included in statistics. Resident Assistants and other residential resources were made available to students at these locations during their time.

	On Campus			On Campus Student Housing Facilities			Non-Campus Buildings and Grounds			On Public Property		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder and Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault												
Rape	2	2	1	2	2	1	0	0	0	0	0	0
Fondling	1	1	1	1	1	1	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	2	0	1	2	0	0	0	0	0	0	0
Burglary	9	2	3	5	0	2	4	2	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Liquor Law Violations	3	0	0	2	0	0	0	0	0	1	0	0
Drug Abuse Violations	2	1	0	1	1	0	1	0	0	0	0	0
Weapons Violations	0	2	0	0	1	0	0	1	0	0	0	0
Disciplinary Actions												
Liquor Law Violations	133	141	70	122	141	70	11	0	0	0	0	0
Drug Abuse Violations	44	24	3	32	23	2	12	9	1	0	0	0
Weapons Violations	12	1	0	10	1	0	2	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	0	0	1	0	0	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0

No hate crimes were reported for calendar year 2018, 2019, or 2020.

Note 1: An incident appearing in *On-Campus Housing Facilities* will also appear in *On-Campus*.

Note 2: 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.

Note 3: 12 Disciplinary Actions for Weapons in 2018 was from one incident involving a BB gun game and 12 students.

Alcohol and Drug Policies, Awareness and Education

In compliance with Section 120(a) through (d) of the *HEA*, Belmont Abbey College implements drug and alcohol abuse education programs, including sessions during annual New Student Orientation, annual Resident Assistant training, and educational sanctions as part of the student conduct process, including referrals to College counseling services, alcohol and drug educational programs, and partnerships with external treatment centers.

The College upholds civil law, whether it pertains to traffic, drugs, disorderly conduct, alcohol, felonies, or other offenses. Each student is liable to sentence and appropriate penalty when he or she is found guilty of an infraction of law by civil authority or court. The College does not grant—indeed it cannot grant—immunity to a student simply because he or she is a student. Violations of civil law may result in additional sanctions imposed by the College, including penalties above and beyond those imposed by civil authorities.

The College's alcohol policy is in accordance with North Carolina State Law. According to North Carolina General Statute 18B-300—18B-302, use or possession of alcohol is restricted to those who are at least 21 years of age. In addition to sanctions issued by the Residence Life Department, legal sanctions for the unlawful possession, use, or distribution of alcohol can be imposed by the Campus Police Department of the College, the City of Belmont, Gaston County, or the federal government.

The College's drug policy is in accordance with Federal and North Carolina State Law. The unlawful use, possession, manufacture, or distribution of drugs, narcotics, drug paraphernalia, or other controlled and/or illegal substances on Belmont Abbey College property will not be tolerated under any circumstances. Legal sanctions for the unlawful use, possession, manufacture, or distribution of drugs, narcotics, drug paraphernalia, or of other controlled and/or illegal substances can be imposed by the Campus Police Department, the City of Belmont, or any other appropriate civil entity. Those found to be responsible for the manufacturing and/or distribution of drugs will be subject to suspension.

Violations of this policy will be treated severely. Sanctions for violations of the Drug Policy range from dismissal from the residence halls, suspension from the college and up to and including expulsion from the College. The College reserves the right to notify parents and/or guardians informing them of the violation.

Belmont Abbey College's full alcohol and drug policies can be found in the [Student Handbook](#).

Firearms, Weapons and Dangerous Materials

Any failure to comply with these rules shall be subject to penalty by local, state, and federal law and also referred to the College's student conduct system. Firearms and other dangerous weapons are absolutely prohibited at all times on all College property. Firearms and weapons as defined in this Handbook cannot be stored in vehicles.

Weapons include but are not limited to firearms, knives with a blade longer than 2 inches, dangerous weapons, slingshots, water guns, explosives, airsoft guns, bb guns, pellet guns, paintball guns, unapproved flammable fluids and materials, kerosene heaters, dangerous chemical mixtures, fireworks, or propelled missiles or any item which is used or could be used in a threatening manner.

Belmont Abbey College's full firearms, weapons and dangerous materials policies can be found in the [Student Handbook](#).

Missing Persons Policy

This policy establishes the protocol followed at Belmont Abbey College in the event of that a residential student is reported missing in compliance with the Higher Education Act of 2008. Anyone concerned that a residential student may be missing should report this concern immediately to a college official: Dean of Student Life, Chief of Campus Police, Director of Residence Life or other appropriate college personnel.

Upon receiving the report, the college will make a good faith effort to contact the student by all means necessary if the student has been missing from campus for more than 24 hours for no known reason. During this outreach, the Dean of Student Life will also

gather pertinent information (attendance records, dining hall use, printing, etc) to help gauge the student's interactions with various campus services and offices.

- The Office of Residence Life and Campus Police will work together to cover the campus in search of the student while tracking down further information of the student's last whereabouts.
- During this time, Campus Police will also be notified that a report of a missing student has been reported and is being investigated internally.

When a student is officially reported missing and all other avenues to locate the student internally have been exhausted, the College will locate and verify emergency contact information from various sources (housing forms, wellness records, student information system, etc). The Dean of Student Life or his designee will attempt contact with the student's emergency contacts.

- Emergency contact information is only accessible to authorized campus officials. This information can be shared with Belmont Abbey Campus Police to aid in the investigation.
- If the student is under the age of 18 and is not emancipated, the College will make a good faith effort to contact the student's custodial parent, legal guardian or designated emergency contact of the student.

Regardless of age, the college will officially notify Campus Police and other constituencies (if needed) within 24 hours of a determination that the student is confirmed missing. The above directive holds in cases where Campus Police was not the first entity informed of a missing person. At the time of registering for classes and/or signing up for housing for each semester, students will be asked to update their emergency contact information.

Sex Offender Registry

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers' services or is a student. In North Carolina, this information is accessible at <http://nc.gov/sex-offender-registry>

SEXUAL MISCONDUCT POLICY AND PROCEDURES

IMPORTANT INFORMATION FOR INDIVIDUALS WHO MAY BE VICTIMS OF SEXUAL ASSAULT,
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**(a) IMPORTANT INFORMATION FOR INDIVIDUALS WHO MAY BE VICTIMS
OF SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, OR
STALKING:**

If you or someone you know may have been a victim of the behaviors listed above or any other type of violence, you are strongly encouraged to seek immediate assistance.

**ASSISTANCE CAN BE OBTAINED 24 HOURS A DAY, 7 DAYS A WEEK,
FROM**

THE BELMONT ABBEY COLLEGE POLICE DEPARTMENT

(LOCATED AT 300 DREXEL CT

AND AVAILABLE BY PHONE AT 704-400-6200).

During business hours (8:30 a.m. to 5:00 p.m., Monday through Friday), you are also strongly encouraged to contact one of the following individuals:

Rod Golding, Title IX Coordinator

704-461-6713; roderickgolding@bac.edu

Halie Reed, Deputy Title IX Coordinator

704-461-6892; haliereed@bac.edu

For additional information about seeking medical assistance and emotional support, as well as important contact information for local law enforcement agencies, hospitals, and other resources, see [Exhibit A](#) attached to this document.

SECTION I. SEX DISCRIMINATION AND HARASSMENT POLICY

1.01 Notice of Nondiscrimination

Belmont Abbey College (“BAC”), in compliance with and as required by Title IX of the Education Amendments Act of 1972 and its implementing regulations (“Title IX”) and other civil rights laws, as well as in furtherance of its own values as a higher education institution, does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender, gender identity, gender expression, pregnancy, disability, age, religion, veteran status, or any other characteristic or status protected by applicable local, state, or federal law in admission, treatment, access to, or employment in, its programs and activities.

Discrimination and harassment are antithetical to the values and standards of the BAC community; are incompatible with the safe, healthy environment that the BAC community expects and deserves and will not be tolerated. BAC is committed to providing programs, activities, and an education and work environment free from discrimination and harassment. BAC is also committed to fostering a community that promotes prompt reporting and fair and timely resolution of those behaviors.

Inquiries concerning discrimination or harassment on the basis of sex may be referred to BAC’s Title IX Coordinator, Mr. Rod Golding. Exhibit A to this document provides Mr. Golding’s contact information.

Inquiries concerning discrimination or harassment based on a protected characteristic or status other than sex may contact Ms. Cheryl Trotter, Associate Vice President of Human Resources and Operations (for employees). Exhibit A also provides their contact information.

Individuals may also make inquiries regarding discrimination or harassment to the U.S. Department of Education’s Office for Civil Rights by contacting the District of Columbia Office, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475; Phone 800-421-3481; email: OCR@ed.gov.

1.02 Prohibition on Sex Discrimination and Harassment, Retaliation, and Providing False Information or Interfering with a Grievance Process

This Policy prohibits discrimination and harassment on the basis of sex. BAC strongly encourages the prompt reporting of, and is committed to timely and fair resolution of, complaints of sex discrimination and harassment.

Sexual Harassment, as defined by Title IX and herein,¹ is a specific type of sex discrimination/harassment that includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking and that BAC addresses using its Title IX Sexual Harassment Grievance Procedures, as required by Title IX.

This Policy also prohibits Retaliation, as defined by Title IX and herein. Complaints alleging Retaliation may be filed with the Title IX Coordinator and, at the discretion of the Title IX Coordinator, may be addressed under BAC’s Title IX Sexual Harassment Grievance Procedures or other grievance procedures adopted by BAC.

Additionally, any individual who knowingly files a false Formal Complaint or who interferes with a BAC grievance process may be subject to disciplinary action. Interference with a grievance process may include, but

¹ Capitalized terms used herein are defined in Section 1.06.

is not limited to, attempting to coerce, compel, or prevent an individual from providing testimony or relevant information; removing, destroying, or altering documentation relevant to an investigation; or providing false or misleading information to BAC officials who are involved in the investigation and/or resolution of a Formal Complaint, or encouraging others to do so.

1.03 Reporting and Period of Limitations

Any person (whether or not alleged to be the victim) may report sex discrimination or harassment, including Sexual Harassment, in person, by mail, by telephone, or by electronic mail, using the contact information for the Title IX Coordinator listed in Exhibit A, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

BAC *strongly encourages* all employees and other members of the BAC community to promptly report concerns regarding suspected or known discrimination/harassment on the basis of sex to the Title IX Coordinator.

In addition to the Title IX Coordinator, BAC has designated the following employees as individuals with the authority to institute corrective measures on behalf of BAC: President; Executive Vice President for Administration and Finance; Provost; Vice President for Advancement; Athletics Director; Associate Vice President of Human Resources and Operations; and Vice Provost and Dean of Students. Accordingly, these employees are *required* to report discrimination and harassment on the basis of sex to the Title IX Coordinator.

Additionally, BAC has designated the following employees as confidential resources for students.

Ms. Cathy Savisky, Counselor – 704-461-5065

Ms. Jenn Cooney, Counselor – 704-461-5077

Information about sex discrimination or harassment shared with these confidential resources typically will not be reported to other BAC personnel (including the Title IX Coordinator), to the Respondent, or to others, unless the disclosing individual gives their consent to the disclosure or the law requires it (as may be the case with abuse involving a minor or under conditions involving imminent physical harm, for example). (Confidential resources may report *non-identifying* statistical information to the Title IX Coordinator for recordkeeping and compliance purposes.)

BAC will address allegations of sex discrimination and harassment appropriately no matter the length of time that has passed since the alleged conduct. However, BAC strongly encourages prompt reporting to preserve evidence for a potential legal or disciplinary proceeding. Delay may compromise the ability to investigate, particularly if the individuals involved in the alleged conduct are no longer BAC students or employees.

1.04 Applicability of Policy and Grievance Procedures

This Policy applies to any allegation of sex discrimination or harassment made by or against a student or an employee of BAC or a third party, regardless of sex.

The Title IX Sexual Harassment Grievance Procedures apply only to allegations of Sexual Harassment in BAC's Education Program or Activity (as defined herein).²

BAC will address allegations of other types of sexual harassment (i.e., that do not meet the definition of Title IX Sexual Harassment) by: (1) using other student and employee conduct disciplinary procedures deemed

² And, at the discretion of the Title Coordinator, to related allegations of Retaliation.

appropriate by the Title IX Coordinator in consultation with other BAC administrators; and/or (2) with Supportive Measures, which are defined and discussed in more detail herein.

1.05 Rights of Parents

When a student Complainant or Respondent is a minor or has a guardian appointed and their parent or guardian has the legal right to act on the student's behalf, then the parent or guardian may file a Formal Complaint on behalf of the student, although the student would be the "Complainant." In such a situation, the parent or guardian may exercise the rights granted to the student under this Policy, including requesting Supportive Measures and participating in a grievance process. Similarly, the parent or guardian may accompany the student to meetings, interviews, and hearings during a grievance process to exercise rights on behalf of the student, while the student's Advisor of choice may be a different person from the parent or guardian. Whether or not a parent or guardian has the legal right to act on behalf of an individual would be determined by state law, court orders, child custody arrangements, or other sources granting legal rights to parents or guardians.

Additionally, FERPA and its implementing regulations address the circumstances under which a parent or guardian is permitted to inspect and review a student's education records. However, in circumstances in which FERPA would not grant a party the opportunity to inspect and review evidence in connection with a grievance process, pursuant to Title IX and its implementing regulations, the student has an opportunity to do so, and a parent or guardian who has a legal right to act on behalf of the student has the same opportunity.

1.06 Definitions Applicable to Policy and Grievance Procedures

Capitalized terms used herein are defined as follows.

"Actual Knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to BAC's Title IX Coordinator; President; Executive Vice President for Administration and Finance; Provost; Vice President for Advancement; Athletics Director; Associate Vice President of Human Resources and Operations; and Vice Provost and Dean of Students. **"Notice"** as used in this paragraph includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator.³

"Clery Act" refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. § 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

"Complainant" means an individual who is alleged to be the alleged victim of conduct that could constitute Sexual Harassment, irrespective of whether a Formal Complaint has been filed.

"Consent" is informed, freely and actively given, mutually understandable words or actions that indicate a willingness and readiness to participate in mutually agreed upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have

³ This standard is not met through imputation of knowledge based solely on vicarious liability or constructive notice. This standard also is not met when the only individual with Actual Knowledge is the Respondent. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one to whom notice of Sexual Harassment or allegations of Sexual Harassment constitutes Actual Knowledge.

manifested a clear and unambiguous agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another.

Consent cannot be inferred from: silence, passivity, or lack of resistance alone; a current or previous dating or sexual relationship alone (or the existence of such a relationship with anyone else); attire; the buying of dinner or the spending of money on a date; or Consent previously given (i.e., Consenting to one sexual act does not imply Consent to another sexual act).

Consent is not effective if it is obtained through the use of physical force, violence, duress, deception, intimidation, coercion, or the threat, expressed or implied, of bodily injury. Whether a party used any of these means to obtain Consent will be determined by reference to the perception of a reasonable person found in the same or similar circumstances.

Consent may never be given by the following individuals: minors, even if the other participant did not know the minor's age; mentally disabled persons, if their disability was reasonably knowable to a person who is not mentally disabled; or persons who are Incapacitated. The use of alcohol or drugs does not diminish one's responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Harassment.

If at any time during a sexual act any confusion or ambiguity is or should reasonably be apparent on the issue of Consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness and readiness to continue and capacity to Consent. Neither party should make assumptions about the other's willingness and readiness to continue.

"Day" means a business day, unless otherwise specified.

"Education Program or Activity" means all of BAC's operations and includes (1) locations, events, or circumstances over which BAC exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred; and (2) any building owned or controlled by a student organization that is officially recognized by BAC.

"Education Record" has the meaning assigned to it under FERPA.

"FERPA" is the Family Educational Rights and Privacy Act, a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 C.F.R. § 99. FERPA protects the privacy of student Education Records. FERPA grants to eligible students the right to access, inspect, and review Education Records, the right to challenge the content of Education Records, and the right to consent to the disclosure of Education Records.

"Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that BAC investigate the allegation of Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in BAC's Education Program or Activity. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail by using the contact information listed for the Title IX Coordinator in Exhibit A. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

"Incapacitated" means lacking the physical and/or mental ability to make informed, rational judgments. A person may be Incapacitated for a variety of reasons, including but not limited to being asleep or unconscious, having consumed alcohol or taken drugs, or experiencing blackouts or flashbacks.

"Respondent" means an individual who has been reported to be the perpetrator of conduct alleged to constitute Sexual Harassment.

“Retaliation” means (1) any adverse action (including direct and indirect intimidation, threats, coercion, discrimination, or harassment (including charges for conduct violations that do not involve sex discrimination or harassment or Sexual Harassment but that arise out of the same facts or circumstances as a report or complaint of sex discrimination or harassment or a report or Formal Complaint of Sexual Harassment) that is (2) threatened or taken against a person (a) for the purpose of interfering with any right or privilege secured by Title IX; or (b) because the person has made a report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing related to Title IX.⁴

“Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

(1) an employee of the BAC conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct. (commonly referred to *quid pro quo* harassment);

(2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to BAC’s Education Program or Activity; or

(3) **“Sexual Assault,”** as defined in 20 U.S.C. § 1092(f)(6)(A)(v): an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation: As of the effective date of this Policy, those offenses are defined as follows:

(i) Forcible sex offense: any sexual act directed against another person, without the consent of the alleged victim including instances where the alleged victim is incapable of giving consent.

(1) Forcible rape (except statutory rape— the carnal knowledge of a person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the alleged victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

(2) Forcible sodomy — oral or anal sexual intercourse with another person, forcibly and/or against that person’s will or not forcibly or against the person’s will in instances where the alleged victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

⁴ Retaliation does not include (1) the exercise of rights protected under the First Amendment; (2) charging an individual with making a materially false statement in bad faith in the course of a grievance proceeding (provided, however, that a determination regarding responsibility alone is not sufficient to conclude that an individual made a materially false statement in bad faith); or (3) good faith actions lawfully pursued in response to a report of prohibited conduct.

(3) Sexual assault with an object — to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the alleged victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

(4) Forcible fondling — the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the alleged victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

(ii) Nonforcible sex offense: unlawful, nonforcible sexual intercourse.

(1) Incest — nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

(2) Statutory rape — nonforcible sexual intercourse with a person who is under the statutory age of consent.

(4) "Dating Violence," as defined in 34 U.S.C. § 12291(a)(10): violence committed by a person— (A) who is or has been in a social relationship of a romantic or intimate nature with the alleged victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship;

(5) "Domestic Violence," as defined in 34 U.S.C. § 12291(a)(8): felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the alleged victim, by a person with whom the alleged victim shares a child in common, by a person who is cohabitating with or has cohabitated with the alleged victim as a spouse or intimate partner, by a person similarly situated to a spouse of the alleged victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth alleged victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or

(6) "Stalking," as defined in 34 U.S.C. § 12291(a)(30): engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

“Supportive Measures” are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant and/or a Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to BAC’s Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or BAC’s educational environment or deter Sexual Harassment.

Supportive Measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus. BAC will maintain as confidential any Supportive Measures provided to a Complainant or a Respondent, to the extent that maintaining such confidentiality would not impair BAC’s ability to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

SECTION II. TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES

A. APPLICABILITY, COMPLAINT INTAKE, AND OVERARCHING PROVISIONS

2A.01 Applicability of Grievance Procedures

As noted above, these Grievance Procedures apply to allegations of Sexual Harassment in BAC’s Education Program or Activity (and to related Retaliation, at the discretion of the Title IX Coordinator). BAC treats Complainants and Respondents equitably by providing remedies to a Complainant where BAC makes a determination of responsibility for Sexual Harassment against a Respondent under these Grievance Procedures and also by following these Grievance Procedures before imposing any disciplinary sanctions against a Respondent for Sexual Harassment.

2A.02 Obligation to Respond and Initial Outreach to Complainant

When BAC has Actual Knowledge of Sexual Harassment (or allegations thereof) against a person in the United States in its Education Program or Activity, BAC is obligated to respond and to follow Title IX’s specific requirements, which are addressed and incorporated in these Grievance Procedures.

Promptly upon receiving allegations of Sexual Harassment against a person in the United States in BAC’s Education Program or Activity, the Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint and to explain to the Complainant the process for filing a Formal Complaint.

2A.03 Filing of a Formal Complaint

As noted in the Definitions section above, a Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that BAC investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in BAC’s Education Program or Activity. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed in Exhibit A and the Formal Complaint Form listed in Exhibit B. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission that contains the Complainant’s physical or digital signature or otherwise indicates that the Complainant is the person filing the Formal Complaint.

When the Title IX Coordinator believes that, with or without the Complainant's desire to participate in a grievance process, a non-deliberately indifferent response to the allegations requires an investigation, the Title IX Coordinator has the discretion to initiate the grievance process by signing a Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under these Grievance Procedures. Furthermore, initiation of a Formal Complaint by the Title IX Coordinator is not sufficient alone to imply bias or that the Title IX Coordinator is taking a position adverse to the Respondent.

Once a Formal Complaint is initiated, an alleged victim will be referred to as a "Complainant," and an alleged perpetrator will be referred to as a "Respondent."

2A.04 Notice of Allegations

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide the Complainant and any known Respondent written notice of these Grievance Procedures and of the allegations of conduct potentially constituting Sexual Harassment, including sufficient details known at the time and with at least five days to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known.

The written notice will include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice also will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney and that at appropriate junctures the parties and their advisors may review and inspect evidence collected during the investigation. Additionally, the written notice will inform the parties of BAC's prohibition on knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, BAC decides to investigate allegations of Sexual Harassment involving the Complainant or Respondent that are not included in the original written notice of allegations, BAC will provide notice of the additional allegations to the parties whose identities are known.

2A.05 Dismissal

BAC will investigate the allegations in a Formal Complaint; however, BAC *will* dismiss a Formal Complaint or a portion of the allegations therein if (1) the conduct alleged in the Formal Complaint, even if substantiated, would not constitute Sexual Harassment; (2) (unless the Complaint is signed by the Title IX Coordinator) at the time of filing the Formal Complaint the Complainant was not participating in or attempting to participate in BAC's Education Program or Activity; (3) the conduct alleged in the Formal Complaint did not occur in BAC's Education Program or Activity; or (4) the conduct alleged in the Formal Complaint did not occur against an individual in the United States. Such a dismissal may take place at the conclusion of the investigation or at any time prior to the conclusion of the investigation.

Additionally, BAC *may* dismiss a Formal Complaint or a portion of the allegations therein if (1) the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed at BAC; or (3) despite efforts to do so, BAC is unable to gather evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

In the event the Title IX Coordinator determines that dismissal of a Formal Complaint or a portion of the allegations is appropriate, the Title IX Coordinator will promptly notify the parties in writing of the dismissal and the reasons for it. Dismissal does not impair BAC's ability to proceed with any appropriate investigatory or

disciplinary actions under the Sex Discrimination and Harassment Policy or another BAC policy or procedure and/or to provide Supportive Measures to the parties.

Either party may appeal a decision to dismiss a Formal Complaint or a portion of the allegations on the following grounds by submitting a written appeal to the Title IX Coordinator within five days of the issuance of the written notice of the dismissal: (1) procedural irregularity that affected the decision to dismiss; (2) new evidence that was not reasonably available at the time of dismissal and that could affect the outcome of the matter; or (3) the Title IX Coordinator or other participant in the dismissal having a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the decision to dismiss.

The Title IX Coordinator will promptly notify the other party of the appeal, and the non-appealing party may submit a response to the appeal within three days of notification of the appeal.

The Title IX Coordinator will appoint an appeal officer and will contemporaneously share the appeal officer's name and contact information with the Complainant and the Respondent.

Within two days of such appointment, the Complainant, or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias on the part of the appeal officer. The Title IX Coordinator will consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

The Title IX Coordinator will forward the Formal Complaint and any documents upon which the dismissal decision was based, as well as the appeal and any response to the appeal to the appeal officer.

Within seven days of receipt of those materials, the appeal officer will determine whether any of the grounds for appeal warrant overturning or modifying the dismissal. The decision by the appeal officer is final.

2A.06 Advisors

The Complainant and the Respondent may be accompanied to any meeting or proceeding under these Grievance Procedures by the advisor of their choice, who may be, but is not required to be, an attorney. BAC will not limit the choice or presence of the advisor for either the Complainant or the Respondent in any meeting or grievance proceeding.

Advisors, however, are not allowed to disrupt any such meeting or proceeding or to speak on behalf of the Complainant or the Respondent, with the exception of cross-examination during any hearing conducted under these Grievance Procedures, which must be conducted by an advisor and never personally by the Complainant or the Respondent.

Parties must provide the name and contact of their advisor to the Title IX Coordinator in writing as soon as reasonably possible and must provide updated information if their advisor changes.

If a party does not have an advisor present at the hearing, BAC will provide, without any charge to that party, an advisor of BAC's choice who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

Absent accommodation for a disability, the Complainant and the Respondent typically may not be accompanied by more than one advisor or by other individuals during meetings or proceedings under these Grievance Procedures.

2A.07 Amnesty

BAC considers the reporting and adjudication of Sexual Harassment to be of paramount importance. BAC does not condone underage drinking or the use of illegal drugs; however, BAC may extend amnesty to Complainants, Respondents, witnesses, and others involved in a grievance process from punitive sanctioning for illegal use of drugs and/or alcohol when evidence of such use is discovered or submitted in the course of a grievance process. Similarly, BAC may, in its discretion, provide amnesty for other conduct code violations that are discovered in the course of a grievance process.

2A.08 Timing

BAC will make every reasonable effort to ensure that the investigation and resolution of a Formal Complaint occurs in as timely and efficient a manner as possible. The timelines set forth in these Grievance Procedures are guidelines and may be altered for good cause with written notice to the Complainant and the Respondent of any delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; natural disasters, pandemic restrictions, and similar occurrences; or the need for language assistance or accommodation of disabilities.

BAC will strive to complete its investigation and resolution of a Formal Complaint (not including an appeal, if applicable) within 90 days of the receipt of the Formal Complaint, absent extenuating circumstances. Hearings generally will take place within 20 days of the conclusion of the investigation. Within seven days of the conclusion of the hearing, both the Complainant and the Respondent will receive a final outcome letter.

Either party may request an extension of any deadline by providing the Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Title IX Coordinator will review the request and will make a determination with regard to the request within three days.

2A.09 Written Notice of Meetings

BAC will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for the party to prepare to participate.

2A.10 Effect of Corollary Criminal Investigation

BAC's investigation may be delayed temporarily while criminal investigators are gathering evidence. In the event of such a delay, BAC will implement any appropriate Supportive Measures and will evaluate the need for other actions necessary to assist or protect the Complainant, the Respondent, and/or the BAC community.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate a matter is determinative of whether Sexual Harassment has occurred in the eyes of BAC.

2A.11 Emergency Removal and Administrative Leave

BAC may remove a Respondent from BAC's Education Program or Activity on an emergency basis, provided that BAC first undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal, and does so in accordance with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, as applicable.

Additionally, BAC may place a non-student employee Respondent on administrative leave during the pendency of BAC's response to allegations of Sexual Harassment provided that it does so in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

2A.12 Effect of Respondent Withdrawal, Graduation, or Resignation During Grievance Process

At the discretion of BAC, if a Complaint is dismissed because of or in connection with a Respondent's withdrawal, graduation, or resignation from BAC, BAC may reinstate and further investigate and resolve the Complaint if the Respondent later seeks to re-enroll or work again at BAC.

2A.13 Privacy and Disclosure

Except as may be permitted by FERPA or as required by law or to carry out any investigation or resolution of sex discrimination or harassment allegations, BAC will keep private the identity of any individual who has made a report or complaint of sex discrimination or harassment (including any individual who has made a report or filed a Formal Complaint of Sexual Harassment,), any Complainant, any Respondent, and any witness.

BAC may report alleged Sexual Harassment to local law enforcement if warranted by the nature of the allegations at issue, and BAC administrators will share information regarding alleged Sexual Harassment, as appropriate and necessary, in order to address and resolve the allegation(s) at issue, prevent the recurrence of similar Sexual Harassment, and address the effects of the Sexual Harassment. Additionally, information regarding alleged Sexual Harassment may be used as a statistical, anonymous report for data collection purposes under the Clery Act.

To comply with FERPA, Title IX, and other applicable laws and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, grievance processes carried out under these Grievance Procedures are not open to the general public. Accordingly, documents prepared in connection with such processes; documents, statements, or other information introduced in interviews, meetings, and proceedings; and the final outcome letter may not be disclosed outside of those processes except as may be required or authorized by law.

As permitted by and subject to the limitations of FERPA, BAC reserves the right to notify parent(s) or guardian(s) of a student Respondent of the outcome of any investigation involving that Respondent, redacting names of any other students who do not consent to the disclosure of their information. At the written request of a party, BAC may include a party's advisor on communications and share access to documents, including the investigation report. This access is subject to the advisor's acknowledgment and agreement to maintain the confidentiality of the documents. While BAC strongly encourages parties to maintain privacy in connection with a grievance process, BAC does not prohibit parties from discussing the allegations under investigation or in any way inhibit the parties from gathering or presenting relevant evidence. In addition, BAC's policy does not prohibit disclosure of the final outcome letter by either the Complainant or the Respondent.

2A.14 Conflicts of Interest, Bias, and Training

BAC will ensure that any individual designated by BAC as a Title IX Coordinator, investigator, decision-maker, or informal resolution facilitator under these Grievance Procedures does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If any employee designated to participate in the investigation or resolution of a Formal Complaint is the Respondent or a relevant witness, then the Title IX Coordinator will appoint another employee to perform their duties. (If the Title IX Coordinator is the Respondent, then the President will appoint another employee to perform their duties.)

BAC also ensures that Title IX Coordinators, investigators, decision-makers, advisors, and informal resolution facilitators receive training, as applicable, on the definition of Sexual Harassment; the scope of BAC's Education Program or Activity; how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

BAC further ensures that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, and that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Additionally, BAC ensures that decision-makers receive training on any technology to be used at live hearings.

Materials used to train Title IX Coordinators, investigators, decision-makers, advisors, and informal resolution facilitators will not rely on sex stereotypes and promote impartial investigations and adjudications of Formal Complaints of Sexual Harassment.

2A.15 Burden of Proof

At all times, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on BAC, not on either of the parties.

2A.16 Presumption of No Responsibility until Determination

Respondents are presumed to be not responsible for alleged Sexual Harassment until BAC makes a determination regarding responsibility pursuant to these Grievance Procedures.

2A.17 Objective Evaluation of All Relevant Evidence; Credibility Determinations

The investigators and decision-makers under these Grievance Procedures will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and will not make any credibility determinations based on a person's status as a Complainant, Respondent, or witness.

2A.18 Academic Freedom

BAC affirms its commitment to academic freedom but notes that academic freedom does not allow any form of Sexual Harassment. BAC recognizes that an essential function of education is a probing of opinions and an exploration of ideas, some of which, because they are controversial, may cause students and others discomfort. This discomfort, as a product of free academic inquiry within a faculty member's area(s) of expertise, shall in no way be considered or construed to constitute Sexual Harassment. Academic inquiry may involve teaching, research and extramural speech. Furthermore, nothing in this document shall be interpreted to prohibit bona fide academic requirements for a specific BAC program or activity. When investigating complaints that a party or the Title IX Coordinator believes may involve issues of academic freedom, the Title IX Coordinator will consult with the Vice President for Academic Affairs with respect to contemporary academic practices and standards.

2A.19 Documentation

BAC will retain documentation (including but not limited to any Formal Complaint, notifications, recording or transcripts of interviews, investigative report, written findings of fact, petitions for appeal, notifications of decisions (including the final outcome letter), audio recordings of hearings, and written communication with the Complainant and Respondent), for no less than seven years.

2A.20 Consolidation of Formal Complaints

BAC may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, by more than one Complainant against one or more Respondents, or by one party against the other party where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in these Grievance Procedures to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

2A.21 Individuals with Disabilities

BAC will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in BAC’s grievance processes. Student requests for accommodation must be made to Ms. Kimberly Stallings, Coordinator of Accessibility Services at 704-460-6228 or kimberlystallings@bac.edu. All other requests for accommodation must be made to Mr. Rod Golding at roderickgolding@bac.edu.

B. THE INVESTIGATION

2B.01 Appointment of Investigators and Challenging of the Same

Unless a Formal Complaint is dismissed or the parties elect to participate in informal resolution, the Title IX Coordinator will promptly appoint one or more investigators. These investigators may be BAC employees, non-employees, or a combination of the two. The Title IX Coordinator will contemporaneously share their names and contact information with the Complainant and Respondent and also will forward a copy of the Formal Complaint to the investigators.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the assigned investigators. The Title IX Coordinator will consider such statements and will promptly assign different investigators if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2B.02 The Investigators’ Activities

Upon receipt of the Formal Complaint, the investigators will promptly begin their investigation, taking such steps as interviewing the Complainant, the Respondent, and witnesses (including expert witnesses, where applicable); summarizing such interviews in writing; collecting and reviewing relevant documents; visiting, inspecting, and taking or reviewing photographs of relevant sites; and collecting and reviewing other relevant evidence.

2B.03 The Investigative Report and Evidence Review

The investigators will prepare a written investigative report that fairly summarizes relevant evidence and includes items such as the Formal Complaint, written statements of position, summaries or transcripts of all interviews conducted, photographs, descriptions of relevant evidence, and summaries or copies of relevant electronic records.

Prior to the completion of the investigative report, the investigators will send to each party and the party’s advisor, if any, an electronic or hard copy of any evidence obtained during the investigation that is directly related to the allegations raised in the Formal Complaint, including (1) any evidence upon which BAC does not intend to rely in reaching a determination regarding responsibility; and (2) both inculpatory and exculpatory evidence.

The parties have ten days from the time that the evidence is provided to submit to the investigators a written response to the evidence. In the response, the parties may address the relevancy of any evidence that the parties believe should be included in or excluded from the investigative report and may also address any further investigation activities or questions that they believe are necessary. If a party wishes to submit additional evidence at this stage, they should explain how the evidence is relevant and why it was not previously provided.

The investigators will review and consider the parties' written submissions and may conduct additional investigative activities as appropriate prior to finalizing the investigative report. The need for additional investigative activities may result in a delay or extension to the timelines set forth in these Grievance Procedures.

At least ten days prior to the hearing, the investigators will send an electronic or hard copy of the investigative report to each party and the party's advisor, if any. Any response a party wishes to make to the investigative report may be included in that party's pre-hearing statement, which is discussed more below in Section 2C.05.

Due to the sensitive nature of the investigative report, neither the parties nor their advisors may copy, publish, photograph, print, image, record or in any other manner duplicate the report. Parties who violate these restrictions may be disciplined, and advisors who violate these restrictions may be disciplined and/or be barred from further participation in the grievance process.

Nothing in this document restricts the ability of either party to discuss the allegations under investigation or to gather, preserve, and/or present relevant evidence.

2B.04 Submission of Evidence; Expert Witnesses

Any evidence that the parties wish for the hearing officer/panel to consider should be presented to the investigators as early as possible during the investigation process. Evidence that is not submitted in a timely manner and prior to finalization of the investigative report may be excluded from the hearing at the discretion of the hearing officer/panel.

Similarly, all relevant witnesses should be identified to the investigators as early as possible during the investigation. The hearing officer/panel generally will not call or consider written statements from witnesses who were not identified to investigators and interviewed during the investigation. However, in their discretion and for good cause, the hearing officer/panel may choose to consider information from witnesses who were not interviewed during the investigation.

Any party who wishes to present testimony from an expert witness should identify that witness by providing the witness's name, contact information and a summary of (1) the witness's qualifications to offer expert testimony; and (2) any opinions the witness expects to offer related to the allegations or evidence. Any evidence upon which the witness relies must be provided to the investigators and will be made available to the other party and their advisor, as well as to any expert witness the other party has identified. This information must be provided as early as possible in the investigation and in no event later than finalization of the investigative report. The parties must make any expert witnesses available to be interviewed by investigators and to testify at the hearing. If an expert witness is not available to provide live testimony at the hearing, the hearing officer/panel must disregard any information submitted by that expert.

2B.05 Treatment Records

BAC will not access, consider, disclose, or otherwise use in a grievance process any party's treatment records that are maintained by a physician, psychiatrist, psychologist or other recognized professional or

paraprofessional acting in their professional/paraprofessional capacity unless the party provides voluntary, written consent.

C. HEARING AND APPEALS

2C.01 The Formal Resolution Process

Unless a Formal Complaint is dismissed or the parties elect to participate in informal resolution pursuant to section 2.D.01 below, following the investigation the appointed hearing officer/panel will conduct a hearing in which they may question the Complainant, the Respondent, and any witnesses whose testimony the hearing officer/panel deems relevant. During the hearing, the hearing officer/panel and the parties may also question the investigators as necessary to clarify information provided in the investigative report.

2C.02 Appointment of the Hearing Officer/Panel and Challenging of the Same

The Title IX Coordinator will appoint a hearing officer/panel, who will administer the hearing, serve as the decision-maker regarding responsibility, and (as applicable) recommend sanctions. The hearing officer/panel may be a BAC employee or non-employee. The Title IX Coordinator will contemporaneously share the hearing officer's/panel name(s) and contact information with the Complainant and the Respondent. The Title IX Coordinator will provide to the hearing officer/panel the Formal Complaint, all evidence directly related to the allegations, the parties' written responses to the evidence, and the investigative report.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the hearing officer/panel. The Title IX Coordinator will carefully consider such statements and will promptly assign a different hearing officer/panel if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2C.03 Notice of the Hearing

Promptly after the appointment of the hearing officer/panel and no less than seven days prior to the hearing, the hearing officer/panel will provide concurrent written notice to the Complainant and the Respondent setting forth the date, time, and location of the hearing. Any modifications to the hearing date, time, or location will be provided in writing to both parties prior to the date of the hearing.

2C.04 Pre-Hearing Submissions

Each party may submit a written statement to the hearing officer/panel that includes any response the party wishes to make to the investigative report. Each party's pre-hearing statement must be submitted at least five days prior to the hearing. The hearing officer/panel will share the statement with the other party, who may submit a response within two days.

2C.05 Failure to Appear

If any party, advisor, or witness fails to appear at the hearing after having been provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the hearing officer/panel will proceed with the hearing and issuance of their responsibility determination and, as applicable, sanction recommendation. BAC will provide an advisor to any party who attends the hearing unaccompanied.

2C.06 Evidentiary Matters

A Title IX hearing does not take place within a court of law and is not bound by formal rules of evidence.

Evidence of and questions about the Complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted at the hearing, with the following exceptions: (1) if the questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or (2) 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.

Evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally investigated or found responsible for such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged Sexual Harassment at issue before the hearing officer/panel, provided that the Respondent has not been found "not responsible" by BAC in a proceeding related to such conduct.

BAC will not access, consider, disclose, or otherwise use in a grievance process any party's treatment records that are maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in their professional/paraprofessional capacity unless the party provides voluntary, written consent. Questions and/or evidence that constitute or seek disclosure of information protected under a legally recognized privilege are not permitted, unless the person holding the privilege has waived the privilege in writing.

BAC will make the evidence that the investigators provided to the parties for their review and inspection prior to finalization of the investigative report available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

2C.07 Conduct of the Hearing and Questioning of Witnesses and Parties

The hearing will be conducted with parties in separate rooms, using technology to ensure that each party can see and hear any party or witness answering questions. At the discretion of the hearing officer/panel, the hearing may be conducted partially or entirely remotely, with any or all participants participating virtually.

The Complainant and the Respondent will have equal opportunity to address the hearing officer/panel, if desired, and both the hearing officer/panel and the parties' advisors will have the opportunity to question the other party and any witnesses, including investigators and expert witnesses. The hearing officer/panel will first ask any questions of each party and each witness through direct examination. After the hearing officer/panel has completed direct examination, the advisor for each party will have an opportunity to conduct a cross-examination of the other party and/or the witnesses. Any questions that a party has for a witness or the other party must be posed by the party's advisor. A party's advisor will not have the opportunity to question the party for whom they serve as advisor.

Before a party or witness answers a cross-examination question, the hearing officer/panel will determine whether the question is relevant and allowed under these Grievance Procedures. For example, the hearing officer/panel may exclude as not relevant duplicative questions or questions posed solely to harass a witness or the other party. The hearing officer/panel will explain any decision to exclude a question.

If a party does not have an advisor present at the hearing, BAC will provide an advisor, at no cost to the party, to conduct cross-examination on behalf of that party.

Members of the BAC community are expected to provide truthful testimony, and any member of the BAC community who knowingly provides false information during this process is subject to discipline.

2C.08 Unavailability or Refusal to Testify or Submit to Cross-Examination

The Respondent and/or the Complainant may choose not to testify at the hearing; however, the exercise of that option will not preclude the hearing officer/panel from making their responsibility determination and, as applicable, sanction recommendation regarding the Formal Complaint. Also, if a party or witness does not submit to cross-examination at the hearing, the hearing officer/panel will not rely on any statement of that party or witness in reaching a determination regarding responsibility or, as applicable, recommendation regarding sanctions. The hearing officer/panel will not draw an inference regarding responsibility or sanctions based solely on a party's or witness' absence from the hearing or refusal to testify or submit to cross-examination.

2C.09 Recording

BAC will record the hearing. This recording will be the only recording permitted of the proceedings and will be the property of BAC. The parties and the appeal officer may use the recording as part of the appeal process. Reasonable care will be taken to ensure a quality recording; however, technological problems that result in no recording or in an inaudible one will not affect the validity of the outcome of a hearing.

2C.10 The Determination of the Hearing Officer/Panel Regarding Responsibility

Following the hearing, the hearing officer/panel will determine whether the evidence establishes that it is more likely than not⁵ that the Respondent committed Sexual Harassment. The hearing officer/panel will render a finding of "Responsible" or "Not Responsible" and will provide the rationale for the decision. If the Respondent is found "Responsible," the hearing officer/panel will specify the specific type(s) of Sexual Harassment for which the Respondent is found "Responsible" (for example, Sexual Assault, Stalking, etc.). When feasible, the hearing officer/panel will orally communicate the finding of "Responsible" or "Not Responsible" to the parties on the day of or day following the hearing. Additional information regarding the decision, including the rationale and sanctions (if applicable) will be communicated in the final outcome letter (as described below).

2C.11 The Recommendation of the Hearing Officer/Panel Regarding Sanctions

If the hearing officer/panel determines that the Respondent is "Responsible," they will recommend appropriate sanctions to be imposed on the Respondent.

Sanctions following a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline, or both. Sanctions for employees may include, but are not limited to, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, and compensation adjustments.

Sanctions for students may include, but are not limited to, expulsion or suspension from BAC, disciplinary probation, social restrictions, expulsion or suspension from campus housing, suspension or revocation of admission, suspension or revocation of degree

Other potential sanctions for Respondents may include, but are not limited to, written warning, mandated counseling, completion of an intervention program, completion of violence risk assessment, parental

⁵ In other words, the standard of proof will be the preponderance of the evidence standard.

notification, and/or education sanctions (such as community service, reflection paper(s), and/or fines) as deemed appropriate by the hearing officer/panel.

In recommending sanctions, the hearing officer/panel will consider whether a sanction will bring an end to, prevent a recurrence of, and remedy the effects of the Sexual Harassment. The hearing officer/panel also will consider the impact of separating a student from their education. The appropriate sanctions for Sexual Assault generally will include at a minimum a period of separation from BAC.

2C.12 Review of Sanctions

The hearing officer will forward their sanction recommendation to the Title IX Coordinator, who will consider the recommendation in the context of the sanctioning guidelines, the Respondent's disciplinary history, the institution's handling of similar cases, and other relevant factors.

2C.13 Implementation of Sanctions

Sanctions generally are effective immediately upon issuance of the final outcome letter described below. However, if necessary, to protect the welfare of the Complainant, Respondent, or BAC community, the hearing officer/panel may recommend and/or the Title IX Coordinator may determine that any sanctions are effective at any time after the conclusion of the hearing and continue in effect until the issuance of the final outcome letter.

2C.14 Final Outcome Letter

Within seven days after the hearing, the hearing officer/panel will issue a final outcome letter through the Title IX Coordinator to the Respondent and Complainant simultaneously.

The final outcome letter will (1) name the Respondent; (2) identify the allegations potentially constituting Sexual Harassment; (3) describe procedural steps taken from the filing of the Formal Complainant through the determination; (4) provide findings of fact in support of the hearing officer's/panel's determination; and (5) provide a statement of rationale for the result as to each allegation, including the responsibility determination and any sanctions.

2C.15 Appeals

The Complainant or the Respondent may appeal the decision of the hearing officer/panel regarding responsibility and/or the sanction(s) imposed on the Respondent.

The following are the only permissible grounds for an appeal of the hearing officer's/panel's responsibility determination: (1) procedural irregularity that affected the outcome; (2) new evidence that was not reasonably available at the time of the determination and that could affect the outcome; and (3) the Title IX Coordinator, an investigator, or the hearing officer/panel had a conflict of interest or bias that affected the outcome.

Sanctions may only be appealed on the ground that the severity is incommensurate to the gravity of the Sexual Harassment for which the Respondent was found responsible.

Appeals must be submitted in writing to the Title IX Coordinator within five days from the date of the final outcome letter. The Title IX Coordinator will promptly inform the other party of the filing of the appeal. The other party will have three days from such notification to submit a written response to the appeal.

2C.16 Appointment of the Appeal Officer and Challenging of the Same

Upon receipt of an appeal, the Title IX Coordinator will appoint an appeal officer.

Within two days of such appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that appeal officer. The Title IX Coordinator will carefully consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2C.17 Appellate Review

The Title IX Coordinator will share the Formal Complaint, the investigative report, the hearing recording, all statements introduced at the hearing, any other evidence considered by the hearing officer/panel, the hearing officer's/panel's written findings, and the written appeal submissions with the appeal officer. In addition, if an appeal raises procedural issues, the Title IX Coordinator may provide the appeal officer additional information relevant to those issues.

Within ten days of the receipt of the appeal the appeal officer will determine (a) that the decision of the hearing officer/panel should stand; or (b) that the decision of the hearing officer/panel should be overturned and will issue a written explanation of that result and the rationale behind it.

In the event that the appeal officer determines that the decision of the hearing officer/panel should be overturned, the appeal officer will specify, after consultation with the Title IX Coordinator and other BAC administrators as necessary, the appropriate steps to be taken to come to a final resolution of the Formal Complaint (which may include another hearing before the same hearing officer/panel or a different one).

D. INFORMAL RESOLUTION

2D.01 Determination of Formal Versus Informal Resolution

At any time before the issuance of the hearing officer's/panel's responsibility determination, the parties may elect to resolve the Formal Complaint through the informal resolution process, provided that (1) the parties both voluntarily consent in writing to such resolution; (2) both parties are students or employees of BAC; and (3) the Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving that specific Formal Complaint. Otherwise, a Formal Complaint that is not dismissed will proceed to a hearing. Informal resolution is not an appropriate mechanism for resolving a Formal Complaint by a student against an employee.

Informal resolution may not be selected for less than all of the misconduct alleged in the Formal Complaint. If the parties agree to informal resolution (and informal resolution is appropriate for all of the allegations at issue), then all of the allegations must be resolved according to the informal resolution process.

Either party has the right to terminate the informal resolution process at any time and proceed with formal resolution (i.e., a full investigation and hearing). Furthermore, the Title IX Coordinator may, where appropriate, terminate informal resolution and proceed with the formal resolution process instead.

2D.02 Notice of Allegations and Notice of Informal Resolution and Facilitator

The Title IX Coordinator will provide the parties a written notice disclosing the Formal Complaint's allegations and the requirements of the informal resolution process, including any circumstances under which BAC would preclude the parties from resuming a Formal Complaint arising from the same allegations.

When the Formal Complaint is to be resolved according to the informal resolution process, the Title IX Coordinator will designate a trained individual to serve as the informal resolution facilitator. The Title IX

Coordinator will contemporaneously share the name of the informal resolution facilitator with the Complainant and the Respondent.

Within two days of such notification, the Complainant or Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that facilitator. The Title IX Coordinator will carefully consider such statements and will promptly assign a different facilitator if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

2D.03 Facilitated Resolution

The informal resolution facilitator will meet separately with each party to review the informal resolution process and the allegations in the Formal Complaint and to identify the outcome that each party seeks from the informal resolution process. If the facilitator determines that it would be productive for both parties to attend a resolution meeting, the facilitator will provide written notice to the Complainant and the Respondent setting forth the date, time, and location of that meeting. At the request of either party or at the discretion of the informal resolution facilitator, the meeting may occur with the parties in different locations or meetings with parties may take place on different dates.

Both the Complainant and the Respondent are expected to participate in the informal resolution process. If either party fails to participate, the Title IX Coordinator may direct that the Formal Complaint be resolved using a full investigation and hearing or may reschedule the meeting.

During informal resolution, the parties may: (1) engage one another in the presence of, and/or facilitated by, the informal resolution facilitator; (2) communicate their feelings and perceptions regarding the incident and the impact of the incident (either by communicating directly with one another or by communicating indirectly through the informal resolution facilitator); (3) relay their wishes and expectations regarding the future; and/or (4) come to an agreed-upon resolution of the allegations in the Formal Complaint.

Participation in the informal resolution process is completely voluntary, and either party, the informal resolution facilitator, or the Title IX Coordinator may terminate the process at any time.

2D.04 Resolution

The informal resolution facilitator will attempt to facilitate the parties' resolution of the Formal Complaint. If this process results in a resolution between the parties and the Title IX Coordinator finds the resolution to be appropriate under the circumstances (giving consideration to factors including the extent to which the resolution will protect the safety of the Complainant and the entire BAC community), the resolution will be reduced to writing, which will conclude the process and close the Formal Complaint.

2D.05 Written Resolution Agreement

To be effective, any agreement reached during the informal resolution process must be memorialized in writing and signed by the parties, the informal resolution facilitator, and the Title IX Coordinator. If a Respondent completes all measures agreed to in the written resolution agreement, no further process is available with regard to the allegations in the Formal Complaint.

Measures that parties agree to in the informal resolution process may include (but are not limited to):

- 1) Alcohol education classes for the Respondent;
- 2) Completion of online sexual harassment training;
- 3) Completion of an intervention program;
- 4) Regular meetings with an appropriate individual, unit or resource;

- 5) Permanent or temporary no contact order;
- 6) Restrictions for participation in certain activities, organizations, programs or classes;
- 7) Change in residential assignment or restrictions on access to certain residence halls or apartments;
- 8) Restriction of participation in certain events;
- 9) Reflection paper or written apology;
- 10) Counseling sessions; and/or
- 11) The Respondent's completion of an educational or behavioral plan.

2D.06 Termination of Informal Resolution Process

At any time prior to completing a written resolution agreement, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint. If either party terminates the informal resolution process or BAC determines that the informal resolution process is no longer appropriate, the formal resolution process outlined above will promptly resume.

2D.07 Confidentiality of Information Shared

Any information that the parties share during the informal resolution process may not be used in any other investigation or proceeding at BAC.

2D.08 Timeframe

The informal resolution process generally will be completed within 20 days of the parties' agreement to the informal resolution process.

2D.09 Appeal

A resolution reached pursuant to the informal resolution process is final and not subject to appeal.

2D.10 Records

A resolution reached through the informal resolution process will not be included in a student Respondent's student conduct record or in an employee Respondent's personnel record, unless the inclusion of such information is agreed to as part of the informal resolution of the matter. The Title IX Coordinator will retain a record of the written resolution agreement for no less than seven years.

(b) EXHIBIT A

Suggested Actions for People Who Have Experienced Sexual Harassment

If you have experienced Sexual Harassment, BAC's first priority is to help you take steps to address your safety, medical needs and emotional well-being. You are encouraged to take the following actions, as applicable, regardless of whether you have made a decision about whether to pursue a criminal or BAC complaint.

1. Ensure Your Physical Safety.

You may seek help from **local law enforcement agencies** or by contacting the **BAC Police Department**. The BAC Police Department can assist you with contacting local law enforcement and can help you obtain transportation to the local law enforcement office. Officers are on duty at the BAC Police Department 24 hours a day, seven days a week.

2. Seek Medical Assistance and Treatment.

Local options for medical care include **BAC Wellness and Counseling Center** and **Gaston Memorial Hospital**. It is crucial that you obtain medical attention as soon as possible after a sexual assault, for example, to determine the extent of physical injury and to prevent or treat sexually transmitted diseases (such as HIV). Medical facilities can also screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs).

Employees at the BAC Campus Police can help you obtain transportation to a local hospital and can help you contact a support person, such as a family member, a friend, or a roommate.

If you choose to have an evidence collection kit (or "rape kit") completed, it is important to do so within 120 hours.

Even if you have not decided whether to file charges, it is advisable to have the evidence collection kit completed so that you can better preserve the options of obtaining a protective order and/or filing criminal charges at a later date.

Important Contact Information

Resources for Parties

Title IX & Coordinator

Mr. Rod Golding
704-461-6713
roderickgolding@bac.edu

Campus Police Department

704-400-6200
University Police Officers are available 24/7.

Student Health Center

704-461-6877
M-F 9AM – 4PM

Division of Residence Life

704-461-7371
M-F 9AM – 5PM

Office of Human Resources

Ms. Cheryl Trotter
704-461-6714
cheryltrotter@bac.edu

Counseling Center

704-461-5065
M-F 9AM – 4PM

Important Contact Information

Community Resources

Local Law Enforcement Agencies can be reached by calling 911.

Gaston Memorial Hospital is located at 2525 Court Drive, Gastonia, NC 28054. The Emergency Department can be reached at 704-834-2000.

AVID Sexual Assault Crisis Program is located at 214 E. Franklin Boulevard, Gastonia, NC 28052. The Crisis Program can be reached at 704-864-7704.

It is advisable to avoid showering, bathing, going to the bathroom, or brushing your teeth before an evidence collection kit is completed. You should also wear (or take with you in a paper – not plastic – bag) to the hospital the same clothing that you were wearing during the assault. An evidence collection kit can still be completed even if you have showered or bathed.

3. Obtain Emotional Support

The Counseling Center can help students sort through their feelings and begin the recovery process. The professionals at the Counseling Center are trained to provide crisis intervention on short-term and emergency issues. The Counseling Center can also provide referral services for outside providers and law enforcement. Counseling is free of charge to all students. In some instances, the law may require the disclosure of information shared by students with counselors. However, absent a legal mandate to the contrary, counseling services are strictly confidential, are not part of students' records, and will not be reported to other BAC personnel.

Employees may contact the Employee Assistance Program to obtain emotional support (available at: 888-628-4824).

4. Obtain Information/Report Misconduct

You are encouraged to report incidents of sexual assault to BAC's Title IX Coordinator (even if you have filed a report directly with law enforcement). The Title IX Coordinator can help you access resources and can provide you with support and information, including information on BAC's procedures for investigating and addressing instances of sexual assault.

Exhibit B**Title IX Formal Complaint Form**

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on the sex of students in educational institutions that receive federal financial assistance. When the form has been completed and signed by a Complainant or the Title IX Coordinator, the alleged sexual harassment will be investigated by the college. A copy of this completed form as well as information about BAC's Title IX grievance process will be provided to the Complainant and Respondent.

Complainant Personal Information (Please print):

Name: _____

Email: _____

Home Address: _____

City: _____ State: _____ Zip: _____

Cell Phone #: _____ Alt #: _____

Type of Complaint:

Discrimination based on (select all that apply):

☐ Sexual Harassment ☐ Sexual Assault ☐ Gender Based Harassment☐ Dating Violence ☐ Stalking ☐ Retaliation ☐ Cyber Bullying ☐ Other**Date Incident Occurred:**

Earliest: _____

Latest: _____

☐ Ongoing

Respondent Information (Please list the individual(s) alleged to have engaged in sexual harassment/prohibited conduct):

Name: _____

Informal Resolution: Are you interested in the BAC Title IX informal resolution process?

YES or NO (Circle One)

Nature of Complaint: Please provide a typed document to specify your complaint against the named person(s) in the previous section, including how the person(s) sexually harassed you, assaulted you, or retaliated against you. Please describe the behavior, comments, or incidents that prompted you to file your complaint. (Identify Who, What, When, Where)

Were there any witnesses? YES or NO (Circle One)

If yes, please provide a typed list of each witness and include name, phone number, email address, and relationship (if applicable).

Did you discuss this matter with any of the witnesses identified? YES or NO (Circle One)

If yes, please provide a typed list of each applicable witness and include name, date and method of communication.

Please identify any employees or law enforcement to whom you reported your concerns (if applicable). In a typed document please include name, date, reporting method, and outcome.

_____ *I certify the aforementioned is true and correct*

_____ *I certify I was provided with a copy of the BAC Title IX Policy*

_____ *I certify I was offered supportive measures*

_____ *I certify I wish to proceed with a formal Title IX complaint*

Complainant Signature

Date

Title IX Coordinator/Designee Signature

Date

ANNUAL FIRE SAFETY REPORT

Student Housing Facilities

There are eight (8) student housing facilities as follows:

- Cuthbert Allen Apartments – 4 buildings – 3 buildings with 2 floors, 1 with 3 floors - 8 suites per building - 4 rooms per suite
- St. Benedict Residence Hall – 1 building - 4 floors - 29 suites - 1 or 2 rooms per suite
- St. Scholastica Residence Hall – 1 building - 4 floors - 29 suites - 1 or 2 rooms per suite
- Poellath Residence Hall – 1 building - 2 floors - 27 suites - 4 rooms per suite
- O’Connell Residence Hall – 1 building - 2 floors - 25 suites - 4 rooms per suite
- Raphael Arthur Residence Hall – 1 building - 3 floors - 27 suites - 4 rooms per suite
- Temporary Housing Units – 3 buildings, 1 floor - 32 single rooms per row of temporary units
 - (only open September-December 2020)

Additionally, students were housed at three local hotels at various points throughout the fall 2020 semester. Delays in construction and Covid-19 isolation response measures were factors in the temporary living facilities. The number of students at these hotels fluctuated throughout the semester due to availability of on-campus beds and Covid-19 isolation needs.

- Fairfield Inn and Suites – 1 Caldwell Dr. Belmont, NC 28012
 - Temporary housing due to delays in construction to the New Residence Hall
- Hampton Inn – 820 Cecilia Alexander Dr. Belmont, NC 28012
 - Isolation spaces for positive Covid-19 cases
- Holiday Inn Express – 250 Beatty Dr. Belmont, NC 28012
 - Isolation spaces for positive Covid-19 cases

Fire Detection and Suppression Systems

Each building has a different fire protection system as described below: (Each building has a fire control panel with audible/visual alarms which is connected to manual fire pull station alarms and hard wired smoke/heat detectors). Each building is monitored 24/7 by a central off site monitoring facility operated by Security Central.

- **St. Scholastica and St. Benedict Residence Halls** are fully wet sprinklered on all levels. Sprinkler flow is monitored by the 24/7 monitoring agency.
- **St. Scholastica and St. Benedict Residence Halls** have heat/smoke detectors in each suite bedroom and living room area. There are also heat/smoke detectors in the hallways, laundry room, kitchen areas, etc. All of the smoke/heat detectors are hard wired to a central control panel.
- **Cuthbert Allen Apartments** have hard wired smoke detectors installed in the air conditioning closets. Additionally, there are battery operated smoke detectors mounted in each suite room and the kitchen area.
- **O’Connell and Poellath Residence Halls** have hard wired smoke detectors installed in the hallways and each suite room.
- **Raphael Arthur Residence Hall** has hard wired smoke detectors installed in the hallways. Additionally, there are battery operated smoke detectors mounted in each suite room.
- **Temporary Housing Units (Fall 2020 Only)** Each room had a smoke detector that was not monitored. Additionally, there were smoke detectors in the hallways and air handler closets. These were monitored with a fire panel connected by cellular dialer to a 24/7 monitoring service. Each room was fully wet sprinklered, as well as the hallways, and the sprinkler system was monitored 24/7 as well.

All fire systems are tested twice a semester for proper operation and alarm function, and all battery operated devices receive new batteries on an annual basis.

All buildings have manually operated fire extinguishers located in strategic locations, and they are inspected monthly.

Fire Safety Policies for Student Housing Facilities

Due to fire regulations, the following are mandated by the Belmont Fire Marshal and set forth by local, state, and federal law:

- a. Extension cords are prohibited.
- b. Multi-plug outlets require surge protection and must be hung 18 inches from the floor.
- c. The use in individual rooms of open-coil or open-plate devices such as hot plates, George Foreman grills, lava lamps, halogen lamps, coffee pots, space heaters, sun lamps, and toasters is prohibited (See Appliances);
- d. Placing cords which utilize electricity, including those for telephones, computers, and stereo speakers, under an item such as a rug is prohibited.
- e. Prohibits the use of open flame or ember devices such as candles, incense or oil lamps.
- f. Fire doors cannot be propped open.
- g. The use of electric Christmas lights is prohibited. LED lights are allowed.
- h. No live Christmas trees are allowed.
- i. All approved combustible materials (paint, paint thinner) must be stored in a metal box in a well-ventilated area.
- j. Sprinkler pipes and heads cannot have anything hanging from them and must have a 24 inch clearance.
- k. All pathways/stairwells leading to exits must be clear of all obstructions.
- l. Mechanical rooms cannot have any storage items in them.
- m. Fire sprinkler lines, smoke detectors, fire alarms, and fire extinguishers cannot be altered or tampered with in any way.
- n. Students cannot alter or repair electrical equipment or fixtures which belong to the College. Defects in electrical equipment must be reported to the Residence Life Staff immediately.
- o. Any wall hangings must be hung at least 18" away from the ceiling.

The sounding of false fire alarms and tampering with firefighting or safety equipment to include extinguishers, smoke detectors, hoses, exit signs, door and fire alarm systems is prohibited. Failure on the part of any student to follow fire safety policy stated above will result in a fine levied and possible referral to the student conduct process. The Residence Life staff will conduct periodic fire drills throughout the semester; every student is required to follow the procedure for evacuating the building and follow the staff's instructions. Failure to do so will result in a referral to the student conduct system.

No person is to start a fire outside except in approved cooking areas. If any person wishes to have a controlled fire in any area other than stated above, a written request must be submitted to the Chief of Police 24 hours prior to the event. Because of fire and public health concerns, cooking is restricted in the residence halls. Use of a personal grill/hibachi in or around living areas/buildings is prohibited. Students are permitted to grill on permanent units provided by the College. The student(s) using the grill unit is responsible for all clean up.

Campus Police and Safety and The Office of Residence Life have ongoing training and evaluation with Resident Assistants and professional staff on fire emergency response, recovery and follow-up. Resident Assistants and professional staff receive training during their 2-week intensive crisis management training in conjunction with Campus Police and the local fire department.

Residence Hall Fire Evacuation Procedures

When the emergency alarm system activates, a fire alarm sounds, or College personnel request evacuation, react immediately:

- Leave room, closing your door. Take keys but don't worry about personal belongings.
- Walk quickly to the nearest exit encouraging others to do the same.
- Report to your designated evacuation check point.
- Follow direction of college personnel.

All suites in residence halls have emergency flip charts for directions on what to do in the event of a fire including evacuation locations.

In case of an emergency, each building has a check point where all persons in the building are to meet safely when evacuated from the building. Please report immediately to the following areas in case of evacuation. Be prepared to move further from building as directed by emergency personnel. This meeting place is also used during fire drills:

- O'Connell /Poellath – Blessed Mother statue in front of the Student Commons
- Raphael Arthur- the RA parking lot
- Cuthbert Allen Apartments- the CA parking lot
- Saints Benedict and Scholastica, and New Hall – Baseball practice field/bridge over creek
- Temporary Housing Units (fall 2020) – Baseball/practice fields

Fire Safety Tips and Reporting a Fire

For the person discovering the fire:

- Extinguish only if you can do so safely and quickly. Use only the fire suppression equipment available. DO NOT use water on electrical fires. DO NOT attempt to fight fires involving possible explosives, toxic chemicals, or hazardous materials.
- Direct the charge of a fire extinguisher toward the base of the flame.
 - o **PASS** – **P**ull, **A**im, **S**queeze, **S**weep
- If the fire cannot be extinguished:
 - o Confine the fire by closing the doors
 - o Alert Campus Police at 704-400-6200
 - o Dial 911
 - o Pull the fire alarm

For person evacuating from the immediate fire area:

- Feel the door from top to bottom with the back of your hand. If it is hot, DO NOT proceed; go back.
- If the door is cool, crouch low and open the door slowly. Close the door quickly if smoke is present so you do not inhale it.
- If no smoke is present, exit the building via the nearest stairwell or exit.
- Stay near the floor where the air will be more breathable.

2020 Fire Log

Campus Police holds an updated fire log that is available to the public and members of the Belmont Abbey College community. The log is updated within two days of the reported fire. Additionally, Belmont Abbey College publishes a fire log as part of the Annual Security and Fire Safety report by October 1st of every year. The yearly fire log includes all fires, injuries, deaths due to fire, and fire drills for residential facilities for the previous three calendar years.

	2018				2019				2020			
Name of Facility	Fires	Injuries	Deaths	Drills	Fires	Injuries	Deaths	Drills	Fires	Injuries	Deaths	Drills
Cuthbert Allen Apartment-#1	0	0	0	2	0	0	0	2	0	0	0	2
Cuthbert Allen Apartment-#2	0	0	0	2	0	0	0	2	0	0	0	2
Cuthbert Allen Apartment-#3	0	0	0	2	0	0	0	2	0	0	0	2
Cuthbert Allen Apartment-#4	0	0	0	2	0	0	0	2	0	0	0	2
Raphael Arthur Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
Poellath Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
O'Connell Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
St. Benedict Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
St. Scholastica Residence Hall	0	0	0	2	0	0	0	2	0	0	0	2
Temporary Units (fall 2020 only)	-	-	-	-	-	-	-	-	1	0	0	1*
Fairfield Inn Hotel- Belmont	-	-	-	-	-	-	-	-	0	0	0	**
Holiday Inn Hotel – Belmont	-	-	-	-	-	-	-	-	0	0	0	**
Hampton Inn Hotel - Belmont	-	-	-	-	-	-	-	-	0	0	0	**
TOTALS	0	0	0	18	0	0	0	18	0	0	0	20

* One small reported fire (November 8, 2020) in one room in the Temporary Units. There was minimal damage (\$500-\$999) to a circulation fan and carpet, no injuries and no deaths. The fire was extinguished with the fire suppression sprinklers and inspected by the Belmont Fire Department was alerted through the fire detection system.

** Students at hotels were subject to fire evacuation policies and procedures of that particular hotel. During the period while students were housed at the listed hotels, there were no fires reported.

EMERGENCY PROCEDURES

Emergency Phone: 911
Non-Emergency Phone: 704-400-6200



ACTIONS: EVACUATE



SHELTER
IN PLACE



MEDICAL EMERGENCY:

- Call Campus Police 704-400-6200 or 911.
- Provide location, nature of injury/illness, and your name.
- If safe, stay with the person until help arrives.



FIRE:



- Leave area, pull fire alarm and close doors as you leave.
- Evacuate area and go to rally point.
- Call 911.



SEVERE WEATHER:



- Seek shelter immediately.
- Move to lowest level of the building and to the interior.
- Move away from windows and doors.



SUSPICIOUS ITEMS:



- Do not touch and move away.
- Do not use cell phone near item.
- Report to Campus Police (land line phone).



SUSPICIOUS BEHAVIOR:



- Report to Campus Police.
- If safe, observe behavior until police arrive.



HAZARDOUS MATERIAL:



- Do not attempt to clean spill.
- Evacuate area.
- Call Campus Police.



ACTIVE VIOLENCE:

If you know someone who is a threat to themselves or others, or if you know someone who has a firearm on campus, call Campus Police.



AVOID (RUN)

- Don't hesitate, leave immediately.
- Know your exit plan.
- Don't pull the fire alarm.
- Prevent others from entering an area where the shooter may be.
- Call 911 when you are safe.
- Notify others of your location.

BARRICADE (HIDE)

- Lock doors.
- Fortify the door.
- Inward vs. outward.
- Door closer hinge.
- Plug the doorway.
- Turn off lights.
- Look for secondary exits.
- Positioning - hide.
- Wait for law enforcement.

COUNTER (FIGHT)

- Fight as a last resort and only when the shooter has entered your room.
- Find "Weapons of Opportunity" or items to throw at the shooter.
- Grab the gun.
- TAKE ACTION... YOUR LIFE DEPENDS ON IT!!!



Belmont AbbeyTM
COLLEGE

*That in all things God
may be glorified*