

CAMPUS SAFETY

2021 Clery Report



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Campus Safety Annual Report

STAFFING

The University Campus Safety Department provides law enforcement services, communication services, transportation services, crime prevention/education services, traffic/parking services and support services for campus events and activities.

There are 14 full-time staff members in the Campus Safety Department: One Director, eight officers, two Communication Officers, and two dispatchers. In addition there are two part-time Campus Safety Officers, and an Emergency Preparedness/ Clery Act Compliance Officer. All of Anderson University's officers are certified with the South Carolina Law Enforcement Division and have the power to arrest. Provides law enforcement services, communication services, transportation services, crime prevention/education services, traffic/parking services and support services for campus events and activities. There are 14 full-time staff members in the Campus Safety Department:

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The information in this publication is in compliance with requirements set forth under the Student Right-to-Know and Campus Security Act of 1990 (Title II – Public Law 101-542 Nov.1990). This report is updated on an annual basis and is on the University website <https://www.andersonuniversity.edu/campus-safety/annual-report> for all students, faculty and staff to view, the institution will also provide a paper copy of the report upon request.

IMPORTANT TELEPHONE NUMBERS

Campus Safety: (864) 231.2060

Health Center: (864) 622.6063

Campus Ministries: (864) 231.2077

Counseling: (864) 622.6058

University Campus Safety Department Overview

STAFFING

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PATROLS ON CAMPUS

It is the responsibility of the Anderson University Campus Safety Office to provide law enforcement deterrence and provide response to violations of state and federal laws and to support physical security programs. The officers provide continuous 24 hour patrols of university property and facilities to deter acts of crime, and to detect and intervene when criminal activity occurs. Officers will respond to, and follow up on, all reports of criminal activity. In addition to their patrol services, officers assist in medical emergencies, provide assistance to motorists, enforce campus traffic and parking regulations, provide security escorts, and provide support services for many campus activities and events.

WORKING WITH AREA LAW ENFORCEMENT AGENCIES

The University Campus Safety Office has an excellent working association with, and the support of, area law enforcement agencies as persons committing similar crimes in adjacent communities may cause some of the criminal violations on campus. Our officers also work with area law enforcement agencies when members of the Anderson University community are involved in crimes and investigations which originate off campus. The Anderson City Police Department and the Anderson County Sheriff's Department supplement our safety staff for various campus events and activities. As a matter of policy, these agencies furnish the Campus Safety Department Law Enforcement incident reports of criminal acts occurring on campus or university sanctioned off- campus events for use in our required reporting under the Jeanne Clery Act. If any member of the university community has difficulty in filing a report with local law enforcement, Campus Safety staff will assist in any way and will file the report independently if the victim is unable to do so.

Campus Crime Report and Drug and Alcohol Policy

Federal Law requires Campus Security to inform the campus community about the risks of crime and drug use. The Drug-Free Schools and Campuses Regulations of the federal Drug-Free Schools and Communities Act of 1989, requires Anderson University to publish in one document the following which demonstrates the implementation of a program to prevent the illicit use of drugs and the abuse of alcohol by its student and employees. Please read the information and use it in order to foster a healthy and safe environment for yourself and others.

ALCOHOL AND DRUG STANDARDS OF CONDUCT POLICY

Anderson University is committed to maintaining a safe, healthy, lawful, and productive study and work environment for all employees and students.

Students enrolled in the undergraduate traditional programs of the University are required to refrain from the possession and/or use of alcohol during the academic year. The possession, use, or distribution of alcohol and illicit drugs by students and employees, on University property or as part of any of the University's activities, is prohibited. The University further prohibits employees and students from being under the influence of alcohol, drugs, or other substances or chemicals, such as mind or perception altering drugs, glues, or solvents, on University property or as part of any of the University's activities. Any student who hosts events off-campus

where alcohol and/or illegal drugs are present, any student who permits such a party to be hosted at their residence, and any student who violates South Carolina law by providing alcohol to one under the age of 21, shall be subject to discipline.

The University will impose disciplinary sanctions on students and employees who violate this policy up to and including expulsion or termination and referral for prosecution by law enforcement authorities. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

All applicable federal, state, and local laws concerning drug and alcohol use are fully enforced on University premises. The University prohibits the unlawful manufacture, sale, distribution, dispensation, possession, or use of controlled substances and/or alcohol in the workplace. The University further prohibits the consumption of alcoholic beverages or being under the influence of alcohol or any controlled substances within the workplace or in university-owned vehicles. An individual need not be legally intoxicated to be considered "under the influence of alcohol or a controlled substance."

EMPLOYEE NOTIFICATION OF DRUG-RELATED CONVICTIONS

In accordance with the federal Drug-Free Workplace Act of 1988, and as a condition of employment with Anderson University, all employees, including student workers, will:

- I. Abide by the terms of this policy; and

II. Notify, as appropriate, their supervisor, administrator, dean, vice president, or a responsible University official of any criminal drug statute conviction for a violation occurring in the workplace, **NO LATER THAN FIVE DAYS** after such a conviction. If a federal grant is involved, the Office of Financial Aid must be notified immediately. **Failure to make such notification within the five day time limit may result in disciplinary action, up to and including termination.**

Within thirty calendar days of receipt of notice of such conviction, the responsible University official, in coordination with the University President, must take appropriate personnel action regarding the employee, up to and including immediate termination; or, require the employee at his/her own expense to participate successfully, and provide evidence of such participation, in a drug abuse assistance or rehabilitation program, provided for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

A student who receives a federal Pell grant, and who is convicted of a criminal drug offense that occurred during the period of enrollment covered by the grant, must report the conviction in writing to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Room 3124, GSA Regional Service Building No. 3, Washington, D.C. 20202-4571. This report must be made within ten calendar days of the conviction. Failure to report such a conviction may subject the student to suspension or termination of the Pell grant, and ineligibility for other types of federal financial assistance. All relevant employee and student publications will contain a statement of the University's Drug and Alcohol Policy.

Note: a "legal drug" is a prescribed drug

or over-the-counter drug which has been legally obtained and is being legally used for the purpose of which it was prescribed or manufactured. An "illegal drug" is any drug or controlled substance, including alcohol, not legally obtainable or possessed, or is legally obtainable but not legally obtained, possessed, or used.

The University recognizes that alcoholism and drug dependency are "illnesses" and "disorders," and the University will provide information to any employee or student seeking assistance. Employees and students will not be discriminated against because they responsibly seek help with their illnesses or disorders, but the institution will have "zero tolerance" for users and abusers who do not responsibly seek and utilize counseling and treatment services. The University will maintain reasonable confidentiality regarding information concerning an employee or student's diagnosis and treatment, except in cases wherein notification to state and federal authorities is required by law.

The University has established a drug and alcohol abuse prevention program for students and employees. The Vice President for Student Development has been designated as the University official primarily responsible for the University's program and for compliance with all drug and alcohol laws applicable to the University, including but not limited to The Drug-Free Schools and Community Act. Students and employees shall receive materials annually that contain standards of conduct regarding alcohol and drugs, a description of the various laws that apply in Anderson and at Anderson University, a description of the various health risks of drug and alcohol abuse, a description of counseling and treatment programs that are available, and a statement on the sanctions

the University can impose for a violation of the standards of conduct. The University will conduct a biennial review of the program. A copy of that review and other compliance documents will be maintained for three years after the fiscal year in which the record was created.

GOOD SAMARITAN POLICY

In crisis situations where a student becomes incapacitated by the overuse of alcohol and/or drugs and where medical attention is necessary for the individual's safety, Anderson University strongly encourages fellow students and/or bystanders to take responsible action by calling emergency personnel at 911 and Campus Safety (231-2060).

When authorities are called in such circumstances, no formal University disciplinary actions or sanctions will be assigned to the reporting student(s) or the effected individual. If the incident occurs on-campus, Residence Life personnel will be included in the response and the Student Development deans will be notified. The incident will still be documented, and education and/or health intervention may be required as a condition of deferring disciplinary sanctions.

This policy is not intended to protect repeated, flagrant, or serious violations of Anderson University policies, nor does this policy preclude or prevent action by police or legal authorities.

COMMUNITY STANDARD VIOLATION LEVELS

In order to remain fair and consistent in how the University responds to conduct violations, the Student Development staff will normally follow the guidelines below. A student's specific

behavior and any previous violations will be considered in determining the standing. The following list is not meant to be exhaustive but to provide examples of violations and likely outcomes. The full range of sanctions is always available to the University, for any violation, if warranted by serious and extenuating circumstances. Failure to complete any component of a disciplinary sanction may result in additional disciplinary action.

LEVEL ONE

Level 1 violations are generally first time policy infractions that may require a meeting with a Student Development staff member. Some common infractions in this category include, but are not limited to the following:

- Property damage
- Tobacco Policy violation
- Appropriate dress violation
- Residence hall health and safety violation
- Residence hall policy violations (See Residential Housing Policies)

Possible outcomes include but are not limited to warning, loss of privileges, written assignments, restitution, fines, and probation.

LEVEL TWO

Level 2 violations include but are not limited to repeat Level 1 violations and the following:

- Failure to comply with University Official
- First-time RSVP violations
- Alcohol policy violation
- Gambling
- Tampering with Fire Safety equipment
- Theft

Possible outcomes include but are not limited to loss of privileges, fines, behavioral agreement, probation, parental notification, and residence hall suspension.

LEVEL THREE

Level 3 violations are behaviors that the University considers extremely serious and may lead to suspension or expulsion. Level 3 infractions include but are not limited to repeat Level 2 violations and the following:

- Repeated Alcohol policy violations
- Repeated RSVP violations
- Possession of Firearms
- Cohabitation
- Sexual activity outside of marriage
- Harassment, intimidation, or other forms of bullying
- Providing alcohol to a minor
- Violation of local, state, or federal law
- Threats towards individuals or community
- Hazing
- Possession of drug paraphernalia

LEVEL FOUR

Level 4 violations are behaviors that cannot be tolerated in the University community and are likely to lead to suspension or expulsion. Level 4 infractions include but are not limited to:

- Sexual assault
- Illegal drug use
- Hosting gatherings where alcohol or illegal drugs are provided by the host or permitting your home to be used for such gatherings.
- Violent acts towards individuals or community

REPEATED VIOLATIONS OR NON-COMPLIANCE

Repeated violations of the Anderson University community values and expectations or non-compliance with sanctions given to the student in response to earlier violations may result in additional and increasingly severe sanctions.

VIOLATION THROUGH IMPLIED CONSENT

Any student's continued presence in a room or other area where an observable violation of the University's standards of conduct is ongoing may be considered to be participating in that conduct violation and may be subject to disciplinary action. The student's implied participation in the misconduct does not depend on whether the student is actively participating in the behavior, is in possession of the prohibited items, or how long the student has been in the room. Examples include, but are not limited to, alcohol/drugs in room or a visitation violation. In order to avoid participation in a conduct violation through implied consent, a student should, if practical, immediately leave the area where a violation of policy is occurring.

INFORMATION ON USE/ABUSE OF ALCOHOL, TOBACCO AND CONTROLLED SUBSTANCES

Any student's continued presence in a Surveys of university students indicate that the drug of choice is alcohol. Student problems associated with alcohol use are many and have an adverse effect on the educational process.

These problems include physical injuries, loss of personal relationships, unwanted/ regretted sex, vandalism, poor grades, alcoholism and disciplinary problems. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. (Taken from: Federal Register. Vol. 55, No. 159. Thursday, August 16, 1990: Rules and Regulations.)

INFORMATION ABOUT THE SOUTH CAROLINA LAW REGARDING ALCOHOL

It is illegal:

- To purchase or possess beer or wine if you are under the age of 21.

Penalty: A fine of not less than \$25 nor more than \$100, or imprisonment for not more than 30 days

- To purchase or possess liquor if you are under the age of 21.

Penalty: A fine of not less than \$100 nor more than \$200 or imprisonment for not more than 30 days.

- To lie or give false information concerning age in order to purchase beer or wine.

Penalty: A fine of not less than \$50 nor more than \$100 or imprisonment for not more than 30 days.

- To lie or give false information concerning age in order to obtain liquor.

Penalty: A fine of not less than \$100 nor more than \$200 or imprisonment for not more than 30 days.

- To possess an altered or invalid driver's license or personal identification card.

Penalty: 1st offense: A fine of not more than \$200 or imprisonment for not more than 30 days;
2nd or subsequent offenses: A fine of not more than \$500 or imprisonment for not more than six months.

- To lend a driver's license or personal identification card to any other person.

Penalty: 1st offense: A fine of not more than \$200 or imprisonment for not more than 30 days.
2nd or subsequent offenses: A fine of not more than \$500 or imprisonment for not more than six months.

- To alter a driver's license.

Penalty: A fine of not more than \$2500 or imprisonment for not more than six months or both.

- To sell or issue a false driver's license.

Penalty: A fine of up to \$2500 or imprisonment for not more than six months, or both.

- To use someone else's driver's license or identification card.

Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.

- To use an altered driver's license or identification card containing false information.

Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.

- To give beer, wine, or liquor to anyone who is under the age of 21. (This law includes serving anyone in your home except your child or spouse.)

Penalty: A fine of not more than \$200 or imprisonment for not more than 30 days.

- To sell beer, wine or liquor to anyone under the age of 21.

Penalty: A fine of not less than \$5000, imprisonment for not exceeding 5 years, or both.

- To have an open container of beer or wine in a moving vehicle of any kind, except the trunk or luggage compartment.

Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.

- To have an open container of liquor anywhere except in a private residence, hotel or motel room, licensed mini-bottle establishment, the luggage compartment of a vehicle or legally constituted private gathering.

Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.

- Display conduct to be grossly intoxicated on any highway or at any public place or public gathering.

Penalty: A fine of not more than \$100 or imprisonment for not more than 30 days.

- To be driving under the influence (DUI) of alcohol or other drugs. With a Blood Alcohol Content (BAC) level of 0.08% or more (If under the age of 21, BAC level of 0.02% or more), it may be that the person was under the influence of alcohol. With a BAC less than 0.08% (0.02% if under the age of 21) the BAC may be considered with other evidence and the person may be charged with DUI.

Penalty: 1st offense: A fine of \$400 or imprisonment for not less than 48 hours nor more than 30 days; driver's license is suspended for 6 months; 2nd offense: A fine of not less than \$2100 nor more than \$5100 and imprisonment for not less than 120 hours nor more than 1 year; driver's license is suspended for 1 year; 3rd offense: A fine of not less than \$3800 nor more than \$6300 and imprisonment for not less than 60 days nor more than 3 years; driver's license is suspended for 2 years. An ignition interlock device, which attaches to your vehicle's ignition system to test your BAC before you start the car, may be required if you are convicted of too many DUI's or your offense requires it. If under the age of 21, driver's license is suspended for 3 months (1st offense), 6 months (if 2nd offense occurs within two years of first offense), as well as, 6 months if refusal to take BAC/Breathalyzer test.

- Felony driving under the influence (Driving under the influence which results in great bodily harm or death).

Penalty: For causing great bodily harm- A fine of not less than \$5000 nor more than \$10,000 and imprisonment for not less than 30 days nor more than 10 years; driver's license is suspended for period of imprisonment plus 3 years. For causing death - A fine of not less than \$10,000 nor more than \$25,000 and imprisonment for not less than 1 year nor more than 25 years; driver's license is suspended for period of imprisonment plus 3 years.

INFORMATION ON USE/ABUSE OF CONTROLLED SUBSTANCES

A. Marijuana, Hashish, Methaqualone, Amphetamines

1. Possession of 1 ounce or less of marijuana or 10 grams or less of hashish.

Penalty: 1st offense: not more than 30 days or not less than \$100 nor more than \$200. 2nd or subsequent offenses: not more than 1 year and/or \$200 to \$1,000.

2. Possession of Methaqualone, Amphetamines, or more than 1 ounce of marijuana, or more than 10 grams of Hashish.

Penalty: 1st offense: not more than 6 months and/or not more than \$1,000. 2nd or subsequent offenses: not more than 1 year and/or not more than \$2,000.

3. Manufacture, distribution, or possession with intent to distribute.

Penalty: 1st offense: not less than 15 years and/or not more than \$25,000. 2nd offense: not less than 5 years and not more than 30 years imprisonment/or not more than \$50,000. 3rd or subsequent offenses: not more than 10 years nor more 30 years and/or not more than \$50,000 or both.

B. LSD, Heroin, Cocaine

1. Possession

Penalty: 1st offense: not more than 2 years and/or not more than \$5,000. 2nd offense: not more than 5 years and/or not more than \$5,000. 3rd or subsequent offenses: not more than 5 years and/or not more than \$10,000.

2. Manufacture, distribution or possession with intent to distribute.

Penalty: 1st offense: not more than 15 years and/or not more than \$25,000. 2nd offense: not less than 5 years or more than 30 years and/or not more than \$50,000. 3rd or subsequent offenses: not less than 10 years or more than 30 years and/or not more than \$50,000.

B. Ice, Crack, Crack Cocaine

1. Possession of less than 1 gram

Penalty: 1st offense: not more than 3 years and not less than \$5,000. 2nd offense: not less than 5 years or more than 7 years and not less than \$7,500. 3rd or subsequent offenses: not more than 10 years and not less than \$1,250.

RESOURCES AND STUDENT/ EMPLOYEE ASSISTANCE

Anderson University is a community and all members of the community are responsible for maintaining order, and discipline on the University campus. The Student Development Division serves the primary role of coordination and implementation of Anderson University's substance abuse policy for students. The division's position emphasizes the early identification and the intervention into substance use problems experienced by persons. Anderson University offers support to students and staff members thru the following services:

Information

The University Health Center (THRIVE) provides current information on the use and abuse of alcohol, tobacco, and drugs. Programs are provided on topics of health care throughout the year. The director of Health Services is available for consultation with any person. Information is made available through brochures, journals, books, posters and newsletters to faculty/staff and students. High traffic areas of the campus will be provided with handout materials related to substance use and its consequences.

Education/Programming

Educational experiences are offered by key areas within the University. These experiences include:

- Alcohol Awareness Week - one to two-week emphasis each semester with the focus on substance abuse. Offerings to general campus population and special groups.
- Presentation of videos, films, and invited speakers on issues of substance use and abuse. These will be provided each semester for students and periodically at faculty and staff meetings.

Counseling/Referral

Counselors to University mental health professionals may be able to provide counseling or make referrals when appropriate. The University also has a close affiliation with the Anderson/Oconee Alcohol and Drug Abuse Commission, where persons may be referred for assessment and/or treatment. We also have an agreement with the Vocational Rehabilitation of South Carolina Office to refer individuals for counseling and assistance. Students referred to counseling due to drug/alcohol violations must pay for the costs of counseling materials.

PHONE NUMBERS

Counseling Center: 622-6074

Anderson University Health Center: 622-6058

Anderson University Campus Safety: 231-2060

Anderson-Oconee Alcohol and Drug Abuse
Commission: 260-4168

S.C. Vocational Rehabilitation Office: 224-6391

Security Awareness and Crime Prevention Program

Anderson University provides the following services and programs to improve safety on campus and to educate the community about security issues.

- From any campus telephone, dial 2060. Off-campus, dial (864) 231.2060.
 - There are emergency telephones located at the access points to residence halls, at the Infirmary entrance and on-campus elevators. These telephones require you to only activate the telephones and it will automatically ring the Campus Safety Office.
 - Come to the Campus Safety Office in person. The office is open 24 hours a day and is located at 431 Williamston Rd., Building A.
 - Anonymous Reporting: email your report to CrimeWatch@andersonuniversity.edu
- Anderson University Campus Safety Department's procedures require an immediate response of emergency calls. Your call is important to us. The Campus Safety officer must respond to the most critical call first.
1. Priority response is given to crimes against persons and personal injuries.
 2. Priority is provided to crimes not in progress where the victim is not in danger, property crimes, and escort requests.
 3. Priority is provided to other services.
- Campus Security officers respond to all reports of crimes and emergencies and complete an Incident Report for any crime occurring on or adjacent to University property. As a service to the university community, some reports are made available, free of charge, to complainant to assist in the filing of an insurance claim. Crime/Incident reports may be made at any time.

Crime Statistics Mandated by the Jeanne Clery Act

The following statistics reflect crime statistics mandated by the federal "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act". These statistics represent incidents that have been reported to Anderson University Campus Safety as well as Campus Security Authorities, who are, University Officials who have significant responsibility for student and campus activity as defined by the Clery Act.

Information is not solicited from the Counseling Office or Campus Ministries since their activities are protected and confidential. Incidents reported in the below tables do not always result in criminal investigation or prosecution when the victim chooses not to pursue the matter criminally and opts for alternative resolution such as the student judicial process.

Additionally, Anderson University adheres to the Campus Sexual Violence Elimination Act (SaVE) and the Violence Against Women Reauthorization Act of 2013 (VAWA). Programming required of these laws is furnished through the Office of Student Development.

A complaint of Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking will immediately be investigated, if apparent danger exists, by the Campus Safety Department and, if the victim wishes, by local law enforcement. Standards of evidence and proof shall follow the accepted standards of reasonable suspicion or probable cause to initiate an investigation. Substantiated complaints will follow the administrative adjudication process set forth in the current Anderson University Harassment and

Sexual Misconduct Policy: <http://www.andersonuniversity.edu/sites/default/files/title-ix/title-ix-policy.pdf>. If it is determined that no immediate danger exists, the Office of Student Development shall take charge of any such investigations and shall take necessary steps to insure the well-being of the student. This will include, but may exceed, living arrangements, academic situations, working environments and transportation services and needs. For the purposes of this report the following terms are defined:

Sexual assault is any form of sexual contact directed against another person that occurs without the explicit consent of the recipient, including sexual acts committed against a person who is incapable of giving consent (e.g., due to the individual being under the influence of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give clear, unambiguous consent). Sexual assault may occur through the use of verbal, emotional, or physical force, intimidation, or coercion. Sexual assault includes sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, statutory rape, attempted rape, and non-consensual sexual contact. It also includes any intentional sexual touching, however slight, with any object or body part, by a man or a woman upon a man or a woman, without explicit consent of that individual. Sexual assault can be committed by students, university employees, or third parties visiting or working on the Anderson University campus. Under South Carolina criminal law, sexual

assaults may be prosecuted as Assault and Battery or under the prohibitions of the Criminal Sexual Conduct laws. Criminal Sexual Conduct in the First Degree occurs when the assailant sexually batters a victim with one or more of the following aggravating circumstances: 1) the assailant used aggravated force to accomplish the sexual battery; 2) the victim submits to sexual battery after being a victim of forcible confinement, kidnapping, trafficking in persons, robbery, extortion, burglary, housebreaking, or other similar act; or 3) the assailant causes the victim to become mentally incapacitated or physically helpless by administering, distributing, dispensing, delivering, or causing to be such a controlled substance or intoxicating substance. Criminal Sexual Conduct in the Second Degree occurs where the assailant uses aggravated coercion as defined as threats to use force or violence of a high and aggravated nature, where the victim reasonably believes the assailant has the ability to carry out the threat, or where the assailant threatens to retaliate in the future by infliction of physical harm, kidnapping or extortion. Criminal Sexual Conduct in the Third Degree occurs when the assailant the assailant uses force or coercion to accomplish the sexual battery or the assailant has reason to know the victim is mentally defective, mentally incapacitated, or physically helpless.

Domestic violence is defined under state criminal law as “physical harm, bodily injury, assault or the threat of physical harm” directed toward “persons who have a child in common, and persons cohabiting or formerly cohabiting.” Domestic violence may also include a pattern of abusive or violent used by one partner in a domestic relationship to gain or maintain power and control over another partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence

another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Dating violence occurs when one person intentionally hurts or scares someone they are dating and includes physical, emotional, and sexual violence.

- Physical abuse may include hitting, shoving, kicking, biting, or throwing objects.
- Emotional abuse may include yelling, name-calling, bullying, embarrassing, preventing interaction with friends, telling someone that they deserve the abuse, or providing gifts to "make up" for the abuse.
- Sexual abuse and violence is forcing someone to engage in a sexual activity or engaging in sexual activity when one of the persons is unable to consent due to use of alcohol or drugs.

Stalking is defined as a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, non-consensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear. Stalking behaviors may include persistent patterns of leaving or sending the victim unwanted items or presents that may range from seemingly romantic to bizarre, following or lying in wait for the victim, damaging or threatening to damage the victim's property, defaming the victim's character, or harassing the victim via the Internet by posting personal information or spreading rumors about the victim. South Carolina criminal law defines stalking as a “pattern of intentional, substantial and unreasonable intrusion into the private life of a targeted person that causes the person and would cause a reasonable person in their position to suffer mental distress.”

SEX OFFENDER REGISTRY

In accordance with South Carolina law, South Carolina law Enforcement Division (SLED), maintains the state-wide sex offender registry. This registry allows for a search of sex offenders by name, city, county, zip code, and under College Report, provides information on any known sex offender registered as a student attending a college within South Carolina. To access the sex offender registry or to find out more information pertaining to the registry, go to www.sled.sc.gov or visit the Campus Safety Office. <http://scor.sled.sc.gov/ConditionsOfUse.aspx> offers online reports for colleges within the state of South Carolina. Under South Carolina law, students who are on the sex offender registry cannot reside in our residence halls.

Anderson University

Annual Crime Report, 2020

OFFENSE	YEAR	ON CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/Non-Negligent Manslaughter	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Manslaughter By Negligence	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Sexual Assault	2020	1	1	0	0
	2019	0	0	0	0
	2018	3	1	0	0
Fondling	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Incest	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Robbery	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Burglary	2020	1	0	1	0
	2019	2	0	0	0
	2018	3	2	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2019	1	0	0	2
	2018	3	2	0	0
Arson	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Simple Assault	2020	N/A	N/A	N/A	N/A
	2019	N/A	N/A	N/A	N/A
	2018	N/A	N/A	N/A	N/A

Anderson University Arrest and Disciplinary Referrals, 2018-2020

OFFENSE	YEAR	ON CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Arrests: Weapons: Carrying, Possession, etc.	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possession, etc.	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Arrests: Drug Abuse Violations	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2020	1	0	0	0
	2019	5	3	0	0
	2018	1	1	0	0
Arrests: Liquor Law Violations	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2020	9	9	2	0
	2019	17	15	0	0
	2018	15	15	0	0

There were no reported Hate Crimes for the Calendar Years of 2018-2020.

Anderson University

VAWA Offenses Report, 2020

OFFENSE	YEAR	ON CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2020	1	0	0	0
	2019	0	0	0	0
	2018	1	0	0	0
Dating Violence	2020	0	0	0	0
	2019	1	0	0	0
	2018	4	0	0	0
Stalking	2020	1	0	0	0
	2019	0	0	0	1
	2018	0	1	0	0

University Center, Annual Crime Report, 2017-2020

CRIMINAL OFFENSES: ON CAMPUS		2018	2019	2020
Murder/Non-Negligent Manslaughter		0	0	0
Manslaughter By Negligence		0	0	0
Rape		0	0	0
Fondling		0	0	0
Incest		0	0	0
Statutory Rape		0	0	0
Robbery		0	0	0
Aggravated Assault		0	0	1
Burglary		0	1	0
Motor Vehicle Theft		1	0	1
Arson		0	0	0

CRIMINAL OFFENSES: PUBLIC PROPERTY		2018	2019	2020
Murder/Non-Negligent Manslaughter		0	0	0
Manslaughter By Negligence		0	0	0
Rape		0	0	0
Fondling		0	0	0
Incest		0	0	0
Statutory Rape		0	0	0
Robbery		0	0	0
Aggravated Assault		0	0	0
Burglary		0	0	0
Motor Vehicle Theft		0	0	0
Arson		0	0	0

VAWA OFFENSES: ON CAMPUS		2018	2019	2020
Domestic Violence		0	0	0
Dating Violence		0	0	0
Stalking		0	0	0
VAWA OFFENSES: PUBLIC PROPERTY		2018	2019	2020
Domestic Violence		0	0	0
Dating Violence		0	0	0
Stalking		0	0	0
ARRESTS: ON CAMPUS		2018	2019	2020
Weapons: Carrying, Possessing, etc.		0	0	0
Drug Abuse Violations		0	0	0
Liquor Law Violations		0	0	0

ARRESTS: PUBLIC PROPERTY		2018	2019	2020
Weapons: Carrying, Possessing, etc.		0	0	0
Drug Abuse Violations		0	0	0
Liquor Law Violations		0	0	0
DISCIPLINARY ACTIONS: PUBLIC PROPERTY		2018	2019	2020
Weapons: Carrying, Possessing, etc.		0	0	0
Drug Abuse Violations		0	0	0
Liquor Law Violations		0	0	0
DISCIPLINARY ACTIONS: ON CAMPUS		2018	2019	2020
Weapons: Carrying, Possessing, etc.		0	0	0
Drug Abuse Violations		0	0	0
Liquor Law Violations		0	0	0

There were no reported Hate Crimes for the Calendar Year of 2020.

Daily Crime and Fire Log

Log entries should be made for each event occurring during a shift. Entries will be entered by the Campus Safety Dispatcher. Log entries account for all crimes on campus property and all fires that occur in campus/student housing. The information in the report is used to create the public statistical reports required by the Clery Act. The Crime/Fire Log is available upon request at the Campus Safety office.

2020-2021

MONTH	NATURE/ CLASSIFICATION	CASE NUMBER	DATE/TIME REPORTED	DATE/TIME OCCURRED	GENERAL LOCATION	NATURE OF FIRE	DISPOSITION
April 2020	Burglary	Campus Safety	04/24 00:02	04/23 11:02	Thrift Library	N/A	Pending
July	Tresspassing	Campus Safety	07/25 06:48	07/25 06:48	Athletic Campus	N/A	Tresspass Notice
August	Tresspassing	20-39373 APD	08/04 16:30	08/04 16:30	Throwing Field	N/A	Tresspass Notice
August	Larceny	Campus Safety	08/17 15:50	08/17 15:50	Village Hall	N/A	Pending
August	Larceny	Campus Safety	08/17 00:18	08/17 00:18	Boulevard Dormitory	N/A	Pending
August	Unlawful Vehicle Entry	Campus Safety	08/25	08/24	Community Overflow Parking	N/A	Pending
August	Larceny/ Vehicle	Campus Safety	08/26 16:45	08/23 12:30 08/26 15:20	Front Street Vandiver	N/A	Pending

MONTH	NATURE/ CLASSIFICATION	CASE NUMBER	DATE/TIME REPORTED	DATE/TIME OCCURRED	GENERAL LOCATION	NATURE OF FIRE	DISPOSITION
August	Malicious Damage Vehicle	Campus Safety	08/26 14:30	08/23 21:15 08/26 14:30	Stringer C Parking	N/A	APD Investigating
August	Larceny Bicycle	20-43515 APD	08/27 12:45	08/27 01:05	Stringer E Parking	N/A	Pending
August	Unlawful Vehicle Entry	Campus Safety	08/31 04:00	08/31 04:00	112 A Heritage	N/A	Pending
September	Larceny Bicycle	Campus Safety	09/05 13:35	09/05 02:10	113 Heritage	N/A	Pending
September	Larceny Bicycle	Campus Safety	09/29 04:45	09/29 04:40	Boulevard Residence Hall	N/A	Pending
October	Larceny Bicycle	Campus Safety	10/08 09:24	10/6 09:24 10/8 09:20	Village Basement	N/A	Pending
November	Trespass Notice	Campus Safety	11/04 08:20	11/04 08:20	51 Williamston Rd	N/A	Pending
December	Assault/Battery Domestic Violence	20-64173 APD	12/08 09:17	12/08 09:10	319 Kingsley Road/ Kingsley Hall	N/A	TPN

Maintenance of Campus Facilities Security or Safety Hazard

Campus Safety personnel, as part of their general patrol procedure, generate a work order to the Anderson University Physical Plant when any defective lighting or unsafe conditions on campus are noted. Students, faculty and staff are encouraged to report any safety concerns directly to Campus Safety so their safety concerns may also be addressed. If you observe a streetlight not working properly or burned out, an inoperable lock, damage to University property or other security hazards, call Campus Safety at (864) 231 2060 to report it. The department will follow up with an appropriate work order and/or notification.

ACCESS TO CAMPUS FACILITIES

Most campus buildings and facilities are accessible during normal business hours, excluding holidays and scheduled breaks in classes. Athletic facilities, computer labs, library, and other select university service areas have varying hours of operation. Since the University cannot ensure that unauthorized persons will not enter into residence halls, students are strongly encouraged to lock their rooms doors at all times. The university has a visitation policy which limits the hours friends of opposite sexes may visit in a residence hall room. The violation of this policy may result in disciplinary proceedings. Resident hall policies may be found in the student handbook.

MISSING STUDENT POLICY AND PROCEDURE

Anderson University takes student safety very seriously. To this end, the following policy and procedure has been developed in order to assist in locating Anderson University

student(s) living in University-owned, on-campus housing, who based on the facts and circumstances known to the University, are determined to be missing. This policy is in compliance with Section 488 of the Higher Education Act of 2008. Most missing person reports in the university environment result from a student changing their routine without informing their roommates and/or friends of the change. However, anyone who believes a student to be missing should immediately report their concern to the Campus Safety Office or the Residence Life staff. Every report made to the university will be followed up with an immediate investigation once a student has been missing for 24 hours.

Depending on the circumstances presented to University officials, parents of a missing student will be notified. In all cases involving missing students less than 18 years of age and not emancipated, parents or guardians will be notified. In the event that parental notification is necessary, the Vice President for Student Development will place the call. At the beginning of each academic year, residential students will be asked to provide emergency contact information in the event they are reported missing while enrolled at Anderson University. This confidential emergency information will be kept in the Office of Residence Life and will be updated each semester. It will be utilized only by authorized campus officials and law enforcement officers in the furtherance of a missing person investigation. Local law enforcement will be notified that a student is missing even if the student has not registered an emergency contact person.

GENERAL PROCEDURE/MISSING STUDENT

1. The Anderson University official receiving the report will collect and document the following information at the time of the report:

- A. The name and relationship of the person making the report.
- B. The date, time, and location the missing student was last seen.
- C. The general routine or habits of the suspected missing student (e.g. visiting friends who live off-campus, working a job away from campus) including any recent changes in behavior or demeanor.
- D. The missing student's mobile phone number (if known by the person making the report).

2. The Anderson University official receiving the report will contact the Residence Life staff person on-call and the Vice President for Student Development in order to update them on the situation and to receive additional consultation. The Vice President for Student Development will ascertain if/when other members of Senior Leadership and the Director of Marketing need to be contacted. Upon notification from any entity that a student may be missing, Anderson University may use any or all of the following resources to assist in locating the student:

- A. Call and text the student's mobile phone and call any other numbers on record.
- B. Talk to the student's R.A., roommate, and floor mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
- C. Secure a current student I.D. (from Campus Safety) or other photo of the student from a friend.
- D. Send the student an email.
- E. Check all possible locations mentioned by the parties above including, but not limited to, library, residence hall lobbies, student common areas, fitness center, etc. The Campus Safety Office and Office of Residence Life may be asked to assist in order to expedite the search process.
- F. Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking a student's social networking sites such as Facebook, Twitter, Instagram, Snapchat, and others.
- G. Ascertain the student's car make, model and license plate number. A member of Campus Safety will also check all University parking lots for the presence of the student's vehicle.

3. The Anderson University Information Technology staff may be asked to obtain email logs in order to determine the last log in and/or access of the AU network.

4. Once all information is collected and documented and the Vice President for Student Development (or his designee) is consulted, Campus Safety may contact the local police to report the information. (Note: If in the course of gathering information as described above, foul play is evident or strongly indicated, the police will be contacted immediately.) If it is necessary to contact the local or state authorities, standard protocol will be followed by the University.

Fire Safety

There have been several dormitory and residential fires on college campuses in the last few years that have claimed the lives of several students. As a result of these recent fires, concern has been raised among fire protection professionals, university officials and the public concerning fire safety on campus housing. That concern was felt strongly at Anderson University. Although Anderson has not experienced a fatal fire since it was founded in 1911, university officials recognized that almost any fire has potentially fatal consequences.

Anderson University has a major residential system on campus consisting of 16 dormitory structures and 8 apartment buildings that house approximately 1280 students. The structures vary considerably in construction and fire protection capabilities as a result of prevailing fire codes in effect at the time of construction.

Although the University fire prevention resources are directed at the entire campus, a major aim of the program is specifically directed at the residence halls. The campus fire prevention program requires a balanced effort consisting of education, emergency planning, and inspection of buildings and testing of fire protection systems. Fire drills are conducted at the beginning of each semester to familiarize the students and staff on proper procedures to follow during fire alarms. Area Coordinators and Residence Life personnel conduct fire safety training with the Anderson City Fire Department before the fall semester starts.

In case of an actual fire the following are notified:

Anderson City Fire Department

Director of Campus Safety

Director of Residence Life/Area Coordinators

Director of Physical Plant/On-call personnel

Vice President of Student Development

Vice President for Finance and

Administration

Statistics Regarding Fires in Residential Facilities, 2018-2020

STUDENT HOUSING	TOTAL FIRES	FIRE NUMBER	CAUSE OF FIRE	INJURIES	DEATHS	VALUE
Denmark, 316 Boulevard	0	0	N/A	0	0	0
Pratt, 316 Boulevard	0	0	N/A	0	0	0
Kingsley, 319 Boulevard	0	0	N/A	0	0	0
Village, 325 Boulevard	0	0	N/A	0	0	0
Lawton, 333 Boulevard	0	0	N/A	0	0	0
Rouse, 339 Boulevard	0	0	N/A	0	0	0
Whitaker, 316 Boulevard	0	0	N/A	0	0	0
Royce, 316 Boulevard	0	0	N/A	0	0	0
Gaston, 316 Boulevard	0	0	N/A	0	0	0
Clamp, 316 Boulevard	0	0	N/A	0	0	0
Stringer A, 209 Williamston Rd.	0	0	N/A	0	0	0
Stringer B, 211 Williamston Rd.	0	0	N/A	0	0	0
Stringer C, 213 Williamston Rd.	1	1	Unintentional Trash can	0	0	0

STUDENT HOUSING	TOTAL FIRES	FIRE NUMBER	CAUSE OF FIRE	INJURIES	DEATHS	VALUE
Stringer D, 215 Williamston Rd.	0	0	N/A	0	0	0
Stringer E, 217 Williamston Rod.	0	0	N/A	0	0	0
109 Heritage Dr.	0	0	N/A	0	0	0
110 Heritage Dr.	0	0	N/A	0	0	0
111 Heritage Dr.	0	0	N/A	0	0	0
112 Heritage Dr.	0	0	N/A	0	0	0
113 Heritage Dr.	0	0	N/A	0	0	0
114 Heritage Dr.	0	0	N/A	0	0	0
115 Heritage Dr.	0	0	N/A	0	0	0
116 Heritage Dr.	0	0	N/A	0	0	0
117 Heritage Dr.	0	0	N/A	0	0	0
118 Heritage Dr.	0	0	N/A	0	0	0
501 Heritage Dr.	0	0	N/A	0	0	0

STUDENT HOUSING	TOTAL FIRES	FIRE NUMBER	CAUSE OF FIRE	INJURIES	DEATHS	VALUE
503 Heritage Dr.	0	0	N/A	0	0	0
505 Heritage Dr.	0	0	N/A	0	0	0
507 Heritage Dr.	0	0	N/A	0	0	0

Since we feel that early detection is the key to fire safety on campus, we are continuing to upgrade our automatic detection and alarm systems in our residential buildings to ensure the quickest detection and response available.

ELECTRICAL APPLIANCES/ COOKING

Due to an increasing demand on the university's electrical system and because of a potential fire hazard, it is important that students comply with the following regulations. Electrical appliances allowed in residence hall rooms are limited to UL approved hot pots, small compact refrigerators (1.5 amps), small microwave ovens (700 watts maximum), hair dryers and curling irons. Irons with automatic shut-off switches are suggested.

Microwave ovens and refrigerators are limited to one per room.

Electrical appliances that are **not allowed** in rooms include electric blankets, freezers, open-coil appliances, toaster ovens or toasters, hot plates, fondue pots, crock pots, deep fryers, George Foreman Grills, or similar grilling devices, and space heaters (unless issued by the Physical Plant Office). Students should have not more than one study lamp each in their rooms. No appliance used in the residence hall room (except hair dryers and irons) should exceed 700 watts of electricity. **Extension cords are prohibited.** A power strip with a "re-set" button in addition to the surge protector is allowed. Due to the size of the rooms and electrical capacity of the residence halls, students should consult with their roommates before deciding which appliances each person will bring to campus. **Candles are not allowed in the residence halls or apartments** due to potential fire hazards that result from an open flame. The burning of incense is also prohibited.

FIRE ALARMS AND EQUIPMENT

Fire drills are held at the beginning of each semester to ensure that students know proper emergency procedures. When a fire alarm sounds, students should:

1. Close all windows, if time and safety permit.
2. Leave the room and proceed in an orderly manner through an assigned exit to a safe distance from the building. **Fire evacuation zones are listed on pages 126-127 of the student handbook.**
3. Remain outside the building until Campus Safety, Residence Life, or Fire Department personnel declare it safe to re-enter the building.

Fire exit routes are posted on every hall. Residence hall staff members will check all rooms during a fire drill to make certain the building is vacant. Failure to leave the building in a timely manner when a fire alarm sounds may result in a fine and additional disciplinary action may be taken. Fire equipment is provided for the safety of all residents. **Misuse of fire alarms or fire safety equipment is a serious infraction as it potentially endangers the lives of students and staff personnel.**

At no time is any item to be hung from a fire sprinkler system or any items stored in front of a fire pull station. Fire egress areas and stairways cannot be used for storage and access to a fire extinguisher must not be blocked. **A student found to be involved in setting off a false fire alarm, discharging a fire extinguisher when there is no fire, or tampering with any part of a fire alarm or fire safety equipment may be evicted from the residence halls as a minimum penalty.** Physical Plant Preventative Maintenance program changes all smoke detector batteries twice per year regardless and any other time a work request is submitted by a student of a noise problem. These are changed during the summer repair program and before the spring semester starts. All portable batteries are recycled in the university hazards waste program due to radiation element of smoke

detectors. Setting a fire on campus is reason for automatic suspension from the University. University activities that involve bonfires or other open flames outside of the residence halls require the prior approval of the Director of Campus Safety.

SMOKE DETECTORS

Battery operated smoke detectors have been installed in each room in North Rouse, South Rouse, and Lawton Hall to provide an additional safety measure for the occupants. If a battery becomes weak, the smoke detector will begin to beep. When this occurs, residents in these buildings should remove the old battery and carry it to the Residence Life Office. Once the old battery is received, a new one will be installed by the Physical Plant personnel. Failure to follow the above procedure may result in disciplinary sanctions. Smoke detectors in all other residence halls/apartments are electronically controlled by a fire safety system in each building.

ON-CAMPUS RESIDENTIAL FACILITIES	FIRE ALARM MONITORING BY ACFD VIA PHONE LINES	AUTOMATIC FIRE SPRINKLER SYSTEM	FIRE PUMP	FIRE ALARM INITIATING SMOKE DETECTION	BATTERY OPERATED, SINGLE STATION SMOKE DETECTION	HAAC DUCT DETECTION
Pratt, 316 Boulevard	X	X		X		X
Denmark, 316 Boulevard	X	X		X		X
S. Rouse, 339 Boulevard					X	
N. Rouse, 339 Boulevard					X	
Lawton, 333 Boulevard					X	
Kingsley, 319 Boulevard	X			X		
Village, 325 Boulevard	X	X	X	X		X
College Ave. 503					X	
Whitaker, 316 Boulevard	X	X		X	X	X
Royce, 316 Boulevard	X	X		X	X	X
Clamp, 316 Boulevard	X	X		X	X	X
Gaston, 316 Boulevard	X	X		X	X	X
New Suite, 316 Boulevard					X	
Boulevard 307					X	
Boulevard 305					X	
Boulevard 319	X	X		X		
Stringer A, 209 Williamston Rd.	X			X		
Stringer B, 211 Williamston Rd.	X			X		
Stringer C, 213 Williamston Rd.	X			X		
Stringer D, 215 Williamston Rd.	X			X		
Stringer E, 217 Williamston Rd.						
Virginia Circle					X	
Williamston Road					X	
Springdale 1226					X	
Heritage Dr. 108 (A-D)					X	
Heritage Dr. 109 (A-D)					X	
Heritage Dr. 110 (A-D)					X	
Heritage Dr. 111 (A-D)					X	
Heritage Dr. 112 (A-D)					X	
Heritage Dr. 113 (A-D)					X	
Heritage Dr. 114 (A-D)					X	
Heritage Dr. 115 (A-D)					X	
Heritage Dr. 116 (A-D)					X	
Heritage Dr. 117 (A-D)					X	
Heritage Dr. 118 (A-D)					X	
Heritage Dr. 501 (A-D)					X	
Heritage Dr. 503 (A-D)					X	
Heritage Dr. 505 (A-D)					X	
Heritage Dr. 507 (A-D)					X	

[illegible]

Anderson University

Emergency Procedures Plan

The Emergency Procedures Plan is a guide to provide students, faculty and staff with an emergency and crisis management system when responding to major disaster or disturbances to the university. University personnel designated to carry out specific responsibilities are trained to know and understand the University's policies and procedures. The University will operate a Crisis Management Team (CMT) in the event of an emergency. The Emergency Procedure Plan is designed to effectively coordinate the use of university and community resources to protect life and property both during and immediately following a major crisis or disturbance on or near the university. All faculty and staff are informed of the Emergency Procedures Plan in the new hire introduction orientation.

CAMPUS EMERGENCY NOTIFICATION SYSTEM

Anderson University has an emergency notification system which will provide emergency information to students, faculty and staff through their mobile telephones and email. (AU SAFETY ALERT) To update your contact information go to the Campus Safety area of the AU web site. We strongly urge everyone to sign up for The Rave alert system. See page 44 of the student handbook for a brief description and details on how to sign up. The University will, without delay, immediately notify the campus community upon the confirmation of a significant emergency involving an immediate threat to the health or safety of all personnel occurring on the campus. After the initial notification, follow-up information may be disseminated to

the campus community via AU SAFETY ALERTS and/or email.

POLICY FOR MASS NOTIFICATION

The AU SAFETY ALERT system will be used for distribution of emergency alerts to students, faculty and staff that would be affected directly by a critical incident which poses an imminent threat to their health or safety given their presence on university property.

EMERGENCY ALERTS

Notifications are made regarding critical incidents that pose an imminent threat to health or safety of the University community. Examples of such emergency include, but not limited to severe weather, fire in a building, criminal violence that broadly threatens the safety of the University community.

Notification may be made by any of the following methods:

- Rave Alerts: Are delivered via text and e-mail alerts to all registered students and staff.
- Phone alerts
- Verbal alerts
- Audible alarm system

If any student, faculty member, or staff member has reason to believe that there is a dangerous situation or significant emergency on campus, he or she should immediately report it to Campus Safety by calling **864.231.2060**. If the situation exists that poses an immediate risk to life, safety and requires persons to change their behavior, for people to take action, (seek shelter or evacuate),

information may be given using various forms of media, (sirens, Rave alert, phone, post on website.) These directions will be included in the alert as well as directions to a safe place.

Shelter locations are located on Pages 42-45 of the student handbook. The siren alert test is scheduled for the 2nd Saturday of every month. In the event of inclement weather, the siren test will be postponed. When the siren is tested, the siren will sound for two minutes and the appropriate and customary signage will be posted around campus. Designees from the following Anderson University offices have authority to approve dissemination of **AU**

ALERTS:

Office of the President

Office of the Provost

Office of the Executive Vice President

Vice President for Student Development

Director of Campus Safety

Office of Campus Safety

Policy Prohibiting Harassment and Sexual Misconduct

STATEMENT OF COMPLIANCE WITH TITLE IX

Mission of Anderson University: Anderson University is an academic community, affiliated with the South Carolina Baptist Convention, providing a challenging education grounded in the liberal arts, enhanced by professional and graduate program and a co-curricular focus on the development of character, servant leadership, and cultural engagement. This is a diverse community that is Christ-centered, people-focused, student-oriented, quality-driven, and future-directed.

Purpose of this Policy: To eliminate barriers for members of the Anderson University community caused by harassment or discrimination based on sex or gender.

Mission of the Anderson University Title IX Office: To ensure equity based on sex and gender for all members of the Anderson University community through education, policy and procedures that fully comply with Title IX of the Higher Education Act of 1972 and related laws and University policies.

Questions Regarding this Policy: Please forward questions regarding compliance with this policy to:

Dr. L. Dianne King
Title IX/504 Grievance Coordinator
Associate Vice President for Student Development
Thrift Library, Office 203
Office: 864.231.2026
ldking@andersonuniversity.edu

ANDERSON UNIVERSITY TITLE IX POLICY

Note: Due to changes that may come through legislation and court decisions, this policy is subject to updates and may be changed during the academic year. Students and employees are encouraged to review this policy periodically to remain current.

Anderson University maintains the following policy on sex discrimination and sexual harassment in compliance with Title IX of the Education Amendments of 1972 and the Title IX regulations in 34 CFR Part 106. The University provides notice of this policy to applicants for admission and employment, to students, and to employees, to the extent required by law.

Discrimination on the Basis of Sex:

Anderson University does not unlawfully discriminate in its programs and activities on the basis of sex and complies with state and federal laws prohibiting sex discrimination. As a Christ-centered institution of higher learning, the University exercises its rights under state and federal law to use religion as a factor in making employment decisions.

Some regulations issued under Title IX relating to discrimination on the basis of sex are not consistent with the University's religious tenets and do not apply to the University (34 CFR § 106.12(a)). In addition, under Title IX, certain exceptions may apply for undergraduate admissions.

Questions or inquiries about the application of Title IX and the Title IX regulations to the University's programs and activities may be addressed to the University's Title IX Coordinator, to the Assistant Secretary of the Department of Education, or both.

Reporting Sexual Harassment, Sexual Assault, or other Sex Discrimination

Title IX Coordinators

Anderson University has designated and authorized the following employees to coordinate its efforts to comply with its policies to prevent sexual harassment and discrimination:

Dr. L. Dianne King
Associate Vice President for Student Development
Dean of Student Success
Office: Thrift Library, Office 203
Mail: 316 Boulevard, Anderson, SC 29621
ldking@andersonuniversity.edu
864.231.2026

In addition to the Title IX Coordinator, the University has also appointed the following Deputy Coordinators to assist in compliance with these policies:

Deputy Coordinators

Ms. Amy Porpilia
Director of Human Resources and Title VII Grievance Coordinator

Mr. Matt Finley
Associate Athletic Director for Compliance

Dr. Bob Hanley
Vice Provost and Professor of English

Ms. Ann Themistocleous
Director of the Center for Global Engagement

Ms. Robyn Sanderson
Associate Vice President for Student Development (on call)

A complainant may also contact the Department of Education, Office for Civil Rights, as indicated below:
U. S. Department of Education
Office for Civil Rights
District of Columbia Office
400 Maryland Ave., SW
Washington, DC 20202-1328
Telephone: (202) 453-6020
Email: OCR.DC@ed.gov

Emergency Report

If you witness or experience any emergency involving sexual assault or any other crime of violence, or if you have immediate safety concerns, first call 911, then call Campus Safety at 864.231.2060. How to Report. Any person may report a grievance relating to sex discrimination, including Sexual Harassment, whether or not the person reporting is the person who may be the victim of conduct being reported. A report may be made:

- in person during normal business hours;
- at any time during or outside of normal business hours by mail, telephone, or email; or
- at any time using any other means that results in the Title IX Coordinator receiving the verbal or written report.

Definitions

The following words in this policy, when capitalized, mean the following:

Complainant: an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Consent: South Carolina does not specifically define “consent.” A person is guilty of criminal sexual conduct in the first degree if the actor engages in sexual battery with the victim and if any one or more of the following circumstances are proven: (a) The actor uses aggravated force to accomplish sexual battery; (b) The victim submits to sexual battery by the actor under circumstances where the victim is also the victim of forcible confinement, kidnapping, trafficking in persons, robbery, extortion, burglary, housebreaking, or any other similar offense or act; or (c) The actor causes the victim, without the victim's consent, to become mentally incapacitated or physically helpless by administering, distributing, dispensing, delivering, or causing to be administered, distributed, dispensed, or delivered a controlled substance, a controlled substance analogue, or any intoxicating substance. S.C. Code Ann. § 16-3-652.

“Aggravated force” means that the actor uses physical force or physical violence of a high and aggravated nature to overcome the victim or includes the threat of the use of a deadly weapon. S.C. Code Ann. §16-3-651(c). A person is guilty of criminal sexual conduct in the second degree if the actor uses aggravated coercion to accomplish sexual battery. S.C. Code Ann. § 16-3-653(1).

• “Aggravated coercion” means that the actor threatens to use force or violence of a high and aggravated nature to overcome the victim or another person, if the victim reasonably believes that the actor has the present ability to carry out the threat, or threatens to retaliate in the future by the infliction of physical harm, kidnapping or extortion, under circumstances of aggravation, against the victim or any other person. S.C. Code Ann. § 16-3-651(b). A person is guilty of criminal sexual conduct in the third degree if the actor engages in sexual battery with the victim and if any one or more of the following circumstances are proven: (a) The actor uses force or coercion to accomplish the sexual battery in the absence of aggravating circumstances; or (b) The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless and aggravated force or aggravated coercion was not used to accomplish sexual battery. S.C. Code Ann. § 16-3-654. “Mentally defective” means that a person suffers from a mental disease or defect which renders the person temporarily or permanently incapable of appraising the nature of his or her conduct. S.C. Code Ann. §16-3-651(e). “Mentally incapacitated” means that a person is rendered temporarily incapable of appraising or controlling his or her conduct whether this condition is produced by illness, defect, the influence of a substance or from some other cause. S.C. Code Ann. § 16-3-651(f). “Physically helpless” means that a person is unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act. S.C. Code Ann. § 16-3-651(g).

From these state crime definitions, we may extrapolate the following about consent:

- A person has not consented if that person is forced into sexual behavior
- A person has not consented if that person believes that the other person(s) is/are able to carry out a threat or retaliate against them or someone else
- A person has not consented if that person has been coerced
- A person who is either temporarily or permanently incapable of understanding the nature of their conduct cannot consent
- A person who is mentally incapacitated, whether due to illness, the influence of alcohol or some other substance, or some other cause, cannot consent
- A person who is unconscious, asleep, or otherwise physically helpless and unable to communicate their unwillingness to act cannot give consent.

In short, consent must be clearly given, free of anything that might cause that person to do something they may not otherwise do.

Dating Violence: Violence committed by a person

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and,
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. the length of the relationship
 - b. the type of relationship
 - c. the frequency of interaction between the persons involved in the relationship

Decision-maker: the person or persons designated by the University to conduct the Hearing and make a determination on the allegations in a Formal Complaint. No Decision-maker will be a Title IX Coordinator or the Investigator of the case being heard.

Document: a document or electronic submission (such as by email) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

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

Education Program or Activity: a location, event, or circumstance over which the University exercises (or, during the relevant time, exercised) substantial control over both the Respondent and the context in which the Sexual Harassment occurs, including any building owned or controlled by a student organization that is officially recognized by the University.

Facilitator: A person who serves to facilitate an informal resolution of a Formal Complaint through mediation, restorative justice, or a similar process.

Formal Complaint: A document which:

1. Is filed by a Complainant or signed by the Title IX Coordinator; and
2. If filed by the Complainant, he or she is participating in or attempting to participate in the University's Education Program; and
3. Alleges Sexual Harassment against a Respondent; and
4. Requests that the University investigate.

Hearing: The live hearing before a Decision-maker for the purpose of presenting evidence regarding the allegations in a Formal Complaint and allowing for questioning and cross-examination of Parties and witnesses by the Parties' advisors, all in order that the Decision-maker can determine responsibility.

Investigative Report: The written report created by the Investigator that fairly summarizes all relevant evidence obtained during the investigation of a Formal Complaint.

Investigator: The person designated by the University to investigate a Formal Complaint. If more than one person is designated, this term refers to all the investigators.

Party: Either the Complainant or the Respondent.

Parties: All Complainants and all Respondents with respect to a complaint of Sexual Harassment or with respect to multiple Formal Complaints which have been consolidated.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Sexual Assault: An offense classified as a forcible or non-forcible sex offense under the Uniform Crime Reporting System of the Federal Bureau of Investigation, including: forcible or statutory rape; forcible sodomy; sexual assault with an object; forcible fondling; and incest.

Sexual Harassment: Conduct on the basis of sex that satisfies one or more of the following:

1. A University employee conditioning the provision of a University aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
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 the University's Education Program or Activity; or
3. Sexual Assault, Dating Violence, Domestic Violence, or Stalking.

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

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.

Supportive Measures: non-disciplinary, non-punitive individualized services offered to the Complainant or the Respondent (or one who may become a Respondent) before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

Response to Sexual Harassment (With or Without a Formal Complaint)

Whenever the University has actual knowledge of Sexual Harassment in an Education Program or Activity, the Title IX Coordinator is responsible for coordinating a University response that is prompt and reasonable in light of the known circumstances and includes the following:

1. Treating Complainants and Respondents equitably
2. Promptly contacting the Complainant to discuss the availability of Supportive Measures
3. Offering Supportive Measures to the Complainant whether or not the Complainant files a Formal Complaint
4. Considering the Complainant's wishes with respect to Supportive Measures
5. Explaining to the Complainant the process for filing a Formal Complaint, and
6. Following the University's grievance procedure before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Respondent

The University will provide students or employees who report being victims of Dating Violence, Domestic Violence, Sexual Assault or Stalking with a written explanation of their rights and options, regardless of whether the offense occurred on campus. The explanation will include written notification of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims (within the University and in the community), and the availability of changes to academic, living, transportation, and working situations, or Supportive Measures regardless of whether the student or employee files a Formal Complaint or makes a report to law enforcement.

Supportive Measures

The University will offer Supportive Measures as appropriate, as reasonably available, and without fee or charge to the Complainant, the Respondent, or a person who may become a Respondent before or after the filing of a Formal Complaint, including where no Formal Complaint has been filed. Supportive Measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the University's educational environment, or deter sexual harassment.

The following are examples of Supportive Measures the University may make available, but other similar measures may also be provided:

1. Additional excused absences from classes or leaves of absence
2. Extensions of deadlines or other course-related adjustments
3. Academic support services, such as free tutoring
4. Providing an escort to move safely between classes and activities
5. Providing parking closer to residence or classes
6. Modifications of work or class schedules
7. Mutual no-contact orders (prohibiting contact with another Party in person or by phone, email, text message, social network, or other means, including a third person)
8. Adjustments to campus housing assignments
9. Adjustments to campus work assignments
10. Counseling services
11. Increased security and monitoring of certain areas of the campus.

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

Confidentiality

The University will maintain as confidential any Supportive Measures provided to the Complainant or Respondent to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures.

Emergency Removal from the University

The University may place a non-student employee Respondent on administrative leave during the pendency of the grievance procedure. The University may remove any Respondent from the University's Education Program or Activity on an emergency basis providing:

1. The University conducts an individualized safety and risk analysis.
2. As a result of the analysis, the University 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 of the Respondent; and
3. The University provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision for administrative leave or emergency removal does not modify any of the Respondent's rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

Process for Formal Complaints of Sexual Harassment

General Provisions

The University will:

1. Treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent.

1. Presume that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance procedure.
2. Follow this grievance procedure before the imposition against the Respondent of any disciplinary sanctions or other actions that are not Supportive Measures.
3. Provide any 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.
4. Design remedies to restore or preserve equal access to the University's Education Program or Activity. Remedies may include the same individualized services described as Supportive Measures. However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.
5. Require all persons who serve as the Title IX Coordinator, Investigator, Decision-maker, Appeal Decision-maker, or Facilitator not to have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
6. Ensure that Title IX Coordinators, investigators, decision-makers, and Facilitators receive appropriate training. Part of the training will include how to serve impartially and avoid prejudgment of the facts, conflicts of interest, and bias.

8. Apply the preponderance of the evidence standard in making determinations with respect to all Formal Complaints, whether against students, faculty, or non-faculty employees.

Notice of Allegations

Upon receiving a Formal Complaint, the University will provide all known parties written notice that includes at least the following:

- The University's grievance procedure, including any informal resolution process.
- All allegations which may constitute Sexual Harassment, including sufficient details known at the time and with sufficient time 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.
- 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 procedure.
- A statement that the Parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- A statement that the Parties may inspect and review evidence.
- A statement that the University's code of conduct prohibits any student or employee knowingly making false statements or knowingly submitting false information during the grievance procedure.

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice, the University will provide notice of the additional allegations to Parties whose identities are known.

Dismissing a Formal Complaint

If the conduct alleged in the Formal Complaint 1) would not constitute Sexual Harassment even if proven, 2) did not occur in an Education Program or Activity, or 3) did not occur against a person in the United States, then the University must dismiss the Formal Complaint as a complaint of Sexual Harassment under Title IX or this grievance procedure. However, the University may separately adjudicate allegations of conduct which would violate other provisions of the University's code of conduct. Specifically, if a student or employee experiences sexual harassment from another student or employee during the course of an AU Study Abroad trip, mission trip, or similar experience outside the United States, that may be dealt with through a non-Title IX process. Please contact the Title IX Coordinator for information on reporting such occurrences.

The University may dismiss all or part of a Formal Complaint if at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations in it;
- The Respondent is no longer enrolled or employed by the University; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations in it.

If all or part of a Formal Complaint is dismissed, the University must promptly and simultaneously send written notice of the dismissal and reason(s) for it to the Parties.

Consolidating Formal Complaints

The University may consolidate Formal Complaints:

- As to allegations of Sexual Harassment against more than one Respondent; or
- By more than one Complainant against one or more Respondents; or
- By one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance procedure involves more than one Complainant or more than one Respondent, singular references to "Party," "Complainant," or "Respondent" include the plural, as applicable.

Advisors

Designated Advisors and University-Appointed Advisors

A Party may designate an advisor of his or her choice, and the advisor may be an attorney. The University will not limit the choice or presence of an advisor for either a Complainant or a Respondent in any meeting or grievance proceeding. The University will appoint an advisor for any Party who does not have one present in the Hearing. University-appointed advisors serve at no cost to a Party. However, advisors appointed by the University serve for the limited purpose of conducting cross-examination at the Hearing. University-appointed advisors are not required to be attorneys or have a level of competency comparable to that of another Party's designated advisor. An advisor is not required to perform any function beyond relaying a Party's desired questions to the other Party and witnesses.

A Party may find that having an advisor is helpful throughout the grievance procedure and not just at the Hearing. Both Parties are encouraged to designate an advisor.

Because the University is required to provide certain information to a Party's advisor, each Party must notify the Title IX Coordinator in writing if he or she has designated an advisor. A Party may obtain an advisor or change the identity of the Party's advisor at any time.

Rules for Advisors

Except during a Hearing, the role of the advisor is limited to providing support, guidance, or advice to the Complainant or Respondent throughout the grievance procedure. The following rules apply to all advisors, including advisors appointed by the University:

1. Advisors are not to answer questions posed directly to any Party or witness, nor otherwise interfere with questioning by the Investigator. An advisor may request reasonable opportunities to confer with the Party being advised.
2. During meetings, a Party and the advisor may talk quietly with each other.
3. Advisors do not have the right to question witnesses except in a Hearing.
4. Advisors may not present opening statements, closing statements, or arguments.
5. Advisors may not disclose to other persons any confidential student information which is disclosed to the advisor in the course of the grievance procedure.
6. Advisors must act in a respectful manner at all times; bullying, yelling, and abusive conduct are never permitted.
7. Parties and advisors must not disturb the Hearing or any other proceeding by loudly conferring with one another.
8. Advisors must comply with the decisions and directions of the Decision-maker.

If a Party's advisor (whether designated by the Party or appointed by the University) refuses to comply with these rules, including rules relating to decorum, the University may require the Party to designate a different advisor or, if no other advisor is designated, to accept an advisor appointed by the University to conduct cross-examination on behalf of the Party. The University may remove from any proceeding advisors who become disruptive or who do not abide by the restrictions on their participation.

Informal Resolution

At any time after a Formal Complaint has been filed but before reaching a determination regarding responsibility, the University may facilitate an informal resolution process (such as mediation or restorative justice) that does not involve a full investigation and adjudication. Before the University and the Parties can proceed with an informal resolution the University must notify the Parties in writing disclosing:

1. The allegations;
2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations;
3. That at any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance procedure with respect to the Formal Complaint; and
4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The University must obtain the Parties' voluntary, written consent to proceed with an informal resolution process. The formal procedures for resolving a Formal Complaint will normally be suspended during the informal resolution process. If the informal process produces a resolution that is agreed upon by the Parties in writing, the grievance procedure shall end, and no investigation or Hearing shall occur.

The University:

- May not require any person to waive the right to an investigation and adjudication of a Formal Complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right;
- May not require the Parties to participate in an informal resolution process;
- May not offer an informal resolution process unless a Formal Complaint has been filed; and
- May not offer or facilitate an informal resolution process to resolve allegations that an employee engaged in Sexual Harassment against a student.

Investigating Formal Complaints

Anderson University's Responsibilities

The University will designate one or more investigators to investigate the allegations in the Formal Complaint. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the Parties. The University shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived it. If the Investigator makes any determinations regarding credibility, those determinations may not be based on a person's status as a Complainant, Respondent, or witness.

The University may restrict who can be present during any meeting or proceeding related to the grievance procedure, including meetings or interviews conducted by the Investigator. However, both the Complainant and the Respondent will have the same opportunities to have others present during any grievance proceeding.

Concurrent Policy Violations

A student may feel hesitant to report an incident of sexual misconduct because they fear that their own conduct, for instance, the use of alcohol or drugs by themselves or others, may result in their being disciplined for those actions.

The focus of the University in matters related to sexual harassment and misconduct is always on that reported behavior, not on ancillary policy violations, such as alcohol or drugs. Harassment/sexual misconduct will always be the primary focus of this kind of investigation and adjudication, and the University will not take disciplinary action toward students involved in sexual misconduct cases regarding these secondary behaviors. Depending on the situation, however, the University may institute educational discussions and interventions for the well-being of the student.

Equal Opportunity to Present and Review Evidence

In the course of the investigation, all Parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The University does not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

Before completing the Investigative Report, the Investigator will send to each Party and the Party's advisor, if any, all the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including

1. Evidence upon which the University does not intend to rely in reaching a determination regarding responsibility; and
2. Inculpatory or exculpatory evidence, whether obtained from a Party or another source.

The evidence will be subject to inspection and review by both Parties and may be provided in an electronic format, a hard copy, or a mixture of both. Each Party will have at least ten (10) calendar days to submit a written response to the evidence. This written response shall be the Party's final opportunity to identify and present witnesses and other inculpatory and exculpatory evidence.

If the Investigator finds that Party has provided new evidence (including witnesses) that is directly related to the allegations, the Investigator will provide the new evidence to both Parties and permit an additional ten (10) calendar days for each Party to respond to the new evidence. The Investigator will consider the Parties' written responses to the evidence before completing the Investigative Report.

Medical and Treatment Records

In gathering evidence, except with the Party's voluntary, written consent, the University cannot access, consider, disclose, or otherwise use a Party's records that are:

- Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity; and
- Made and maintained in connection with the provision of treatment to the Party.

The Investigation Report

After the time for a Party's written response to the evidence has expired, the Investigator will create an Investigative Report that fairly summarizes all the relevant evidence gathered in the course of the investigation.

At least ten (10) calendar days prior to the Hearing, the Investigator will send each Party and each Party's advisor a copy of the Investigative Report in an electronic format or a hard copy.

A Party or a Party's advisor may make a written response to the Investigative Report by providing a copy to the Investigator and the Title IX Coordinator no later than noon of the last business day before the day of the Hearing. The Title IX Coordinator will provide a Party's written response, if any, to the other Party. A copy of the Investigative Report and all written responses by the Parties will be provided to the Decision-maker prior to the Hearing.

Pre-Hearing Procedures

When Hearings Are Required

A live hearing must be held with respect to a Formal Complaint unless:

- The Formal Complaint has been dismissed;
- The facts alleged in a Formal Complaint are not contested;
- The Respondent has admitted, or wishes to admit, responsibility; or
- The Parties want to resolve the case through an informal resolution process without a completed investigation or adjudication.

The Parties cannot waive a hearing except by agreement to use the University's informal resolution process.

Preparing for the Hearing

At least 12 calendar days before the Hearing, the University will notify each Party and advisor in writing of the date, time, location, and participants for the Hearing, including the name of each witness whom the University will request to appear at the Hearing (in person or virtually) for the purpose of providing evidence. The Hearing may be conducted with all participants physically present in the same location or, at the University's discretion, any or all Parties, witnesses, and other participants may appear virtually, with technology enabling participants simultaneously to see and hear each other.

Requesting Separate Rooms

At the request of either Party, the University will provide for the Hearing to occur with the Parties located in separate rooms using technology enabling the Decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions.

In order to have sufficient time to make the appropriate arrangements, a Party's request to be in a separate room must be made in writing to the Title IX Coordinator at least two (2) business days before the Hearing.

Attendance by Advisors

If a Party does not have an advisor present at the Hearing, the University must provide the Party an advisor of the University's choice without fee or charge to that Party. Unless the University grants a delay for good cause shown, the University shall appoint an advisor for a Party whose designated advisor is absent from the Hearing. The advisor is not required to be an attorney and shall be responsible to conduct cross-examination on behalf of that Party.

Attendance of Parties and Witnesses; Delay for Absent Witness

The University is prohibited by law from requiring any Party or witness to appear at the Hearing, or from engaging in any act that would intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, grievance proceeding, or Hearing.

For these reasons, the University is not responsible if a Party or witness fails to appear at the Hearing, and the Hearing may proceed in the absence of the Party or witness. The University may grant a Party's reasonable request to delay the Hearing if that Party or an important witness is unable to attend the Hearing. A request for a delay should be made as soon as possible in the manner described below in the section of this grievance procedure entitled "Temporary Delays or Extensions."

Hearing

Convening the Hearing

The Decision-maker shall convene the Hearing at the appointed time. In order to maintain students' privacy as much as possible, witnesses will not be in the Hearing room or attending by technological means except when providing evidence or being cross-examined. Parties and witnesses will not be "sworn in," but will be reminded that providing false information in connection with the Hearing is a violation of the University's code of conduct for students or expectations for employees.

Questioning Parties and Witnesses

Each Party's advisor will be given an opportunity to ask the other Party and any witnesses all relevant questions and follow-up questions, including those that challenge credibility. Such cross-examination must be conducted directly, orally, and in real time by the Party's advisor, and never by a Party personally.

Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-maker may ask both advisors to provide reasons why a question should or should not be considered relevant.

The Decision-maker will instruct all Parties and witnesses not to answer any question until the Decision-maker has allowed the question. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

- Such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
- The questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The Decision-maker shall not permit any questions, nor the introduction of any evidence, that would involve the disclosure of information protected under a legally recognized privilege under state law unless the person holding the privilege has waived it.

Because the University's grievance procedure is not a civil proceeding or state action, there is no right against self-incrimination. However, the Decision-maker cannot draw an inference regarding responsibility based solely on a Party's or witness's absence from the Hearing or refusal to answer cross-examination or other questions.

Availability of Evidence

The University will make all of the evidence that was subject to inspection and review by the Parties in connection with the preparation 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. Parties must notify the Title IX Coordinator at least two (2) business days prior to the Hearing regarding any physical evidence, transcripts, recordings, or other items requested to be physically available at the Hearing.

Conducting the Hearing

The Hearing will be conducted substantially as provided below. The Decision-maker may recess the Hearing for appropriate and reasonable rest and meal breaks. Any Hearing participant may request a break.

1. The Title IX Coordinator will serve as the moderator for the Hearing. The function of the moderator is to move the proceeding forward in an unbiased manner and to give the Parties and witnesses an opportunity to get their evidence before the Decision-maker.
2. The moderator will give each party the opportunity to make an opening statement, first the Complainant, then the Respondent.
3. The moderator will review the Complainant's allegations and review the evidence provided by the Complainant and summarized in the Investigative Report. The moderator will ask the Complainant whether he or she wishes to affirm the allegations and evidence as reviewed, and whether he or she would like to make any additional statements.
4. The Respondent's advisor will be given an opportunity to question the Complainant.
5. The moderator will review the Respondent's response to the allegations and review the evidence provided by the Respondent and summarized in the Investigative Report. The moderator will ask the Respondent whether he or she wishes to affirm the response and evidence as reviewed, and whether he or she would like to make any additional statements.
6. The Complainant's advisor will be given an opportunity to question the Respondent.

6. The Complainant's advisor will be given an opportunity to question the Respondent.
7. The moderator will bring each witness before the Decision-maker, either in person or through appropriate technology. The moderator will review any evidence provided by the witness and summarized in the Investigative Report. The moderator will ask the witness whether he or she wishes to affirm the evidence as reviewed.
8. The Complainant's advisor will be given an opportunity to question the witness.
9. The Respondent's advisor will be given an opportunity to question the witness.
10. If the University has provided any relevant evidence summarized in the Investigative Report, an appropriate representative or representatives of the University will review such evidence.
11. The Complainant's advisor will be given an opportunity to question the University's representative(s).
12. The Respondent's advisor will be given an opportunity to question the University's representative(s).
13. The Decision-maker may ask questions of any Party, witness, or University representative during the time that person is presenting evidence or being questioned.
14. Each Party, beginning with the Complainant, will have the opportunity to make a brief closing statement to the Decision-maker.
15. After confirming with the moderator that there is no additional evidence or other matters to be addressed, the Decision-maker will adjourn the Hearing.

Record of the Hearing

The University will create an audio or audiovisual recording, or transcript, of the Hearing and make it available on request to the Parties and to the Decision-maker for inspection and review.

Determination of the Allegations

Letter of Determination

The Decision-maker shall determine whether the Respondent is responsible for each of the allegations in the Formal Complaint that could constitute Sexual Harassment. The Decision-maker shall reach these decisions by applying the preponderance of the evidence standard, that is, whether it is more likely than not that the Respondent is responsible for the allegation being considered. In making the determination, the Decision-maker:

- Must make an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.
- Must not make credibility determinations based on a person's status as a Complainant, Respondent, or witness.
- Must not rely on any statement of a Party or witness who does not submit to cross-examination at the Hearing.
- Cannot draw an inference about responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- Cannot rely upon evidence or information protected under a legally recognized privilege unless the person holding the privilege has waived it.

The Decision-maker shall issue a written determination stating the Respondent's responsibility for the alleged misconduct. The written determination must include:

1. Identification of the allegations potentially constituting Sexual Harassment;
2. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the University's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's Education Program or Activity will be provided by the University to the Complainant; and
6. The University's procedures and permissible bases for the Complainant and Respondent to appeal.

The Decision-maker shall exercise independent and unbiased judgment with respect to:

- Findings of fact which support the determination(s);
- Conclusions regarding the application of the University's code of conduct to the facts;
- The determination regarding responsibility as to each allegation; and
- The rationale for the Decision-maker's conclusions.

The Decision-maker may consult with University officials for information with respect to the procedural steps taken, the University's normal practices relating to appropriate sanctions, and the University's procedures and permissible bases for appeals.

Effective Date of Determination

The University will provide the written determination regarding responsibility to the Parties simultaneously. If neither Party appeals, the determination becomes final on the date on which an appeal would no longer be considered timely.

If a Party appeals the determination, the determination becomes effective on the date the University provides the Parties with the written determination of the result of the appeal, unless the appeal decision requires further proceedings. The Title IX Coordinator is responsible for effective implementation of any sanctions and/or remedies.

Sanctions

The University can impose a range of disciplinary sanctions and remedies with respect to any misconduct for which a Respondent has been determined to be responsible. Possible disciplinary sanctions and remedies include but are not limited to:

- Imposing, continuing, or modifying any Supportive Measures.
- Warning: A reminder to the respondent about relevant university rules, regulations, or policies and the potential consequences for violating them.
- No contact order: A directive to initiate no contact with the Complainant, including contact in person or by phone, email, text message, social network, or any other means, either directly or through a third party.

- Reprimand: Written notice that University rules, regulations, or policies have been violated and that continuation or repetition of misconduct may result in a more severe sanction.
- Relevant Education: A program of education/training on a topic(s) related to the violation(s).
- Fines: A monetary fine assessed for a disciplinary violation.
- Probation: Written notice explaining the serious nature of misconduct and outlining the terms of probation. The terms of probation may prohibit a student from participating in co-curricular activities and provide for expulsion for violating the terms of probation.
- Restitution: Reimbursement or other compensation for damage or loss of property.
- Eviction: Probation or removal from campus housing.
- Suspension - Termination of student status at the University for a specified time period.
- Expulsion - Termination of student status at the University permanently or for an indefinite time period.

If the Respondent who is found responsible is an employee, sanctions may include:

- Informal warning
- Letter of warning in employee's personnel file
- Harassment or sensitivity training
- Counseling
- Remediation
- Relocation of work office or area
- Restriction
- Reassignment of work duties
- Termination

Appeals

Right of Appeal

Both Parties may appeal from a determination regarding responsibility, or from the University's dismissal of all or any part of a Formal Complaint. The appeal procedures shall apply equally to both Parties.

Any of the following is an appropriate basis for appeal:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made; or
3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Filing an Appeal

In order to appeal, a Party must file a written Notice of Appeal challenging the initial outcome that is received by the Title IX Coordinator within 10 calendar days after the written Letter of Determination was issued. The Notice of Appeal must state, at a minimum:

1. Every basis for the appeal;
2. A complete statement of the facts and evidence that support each basis for the appeal; and
3. The relief requested as a result of the appeal.

Consideration of an Appeal

The University will promptly notify both Parties in writing that an appeal has been filed and provide a copy of the Notice of Appeal to the other Party. The non-appealing Party shall have 10 days from the date of such notice to submit to the Title IX Coordinator a written statement in support of the initial outcome or in opposition to the appeal. A copy of any such written statement shall be provided to the appealing Party.

The appeal shall be considered and decided by an Appeal Decision-maker who is not the same person as the Investigator, the Title IX Coordinator, or the Decision-maker(s) that reached the determination regarding responsibility or dismissal. The Appeal Decision-maker shall review the Notice of Appeal, the response of the non-appealing Party, and may review the record of the Hearing as necessary to reach a conclusion on the appeal. The Appeal Decision-maker shall be bound by the same rules and considerations which apply to a Decision-maker, as described in this grievance procedure.

Decision on Appeal

The Appeal Decision-maker shall issue a written decision describing the result of the appeal and the rationale for the result. The written decision shall, insofar as applicable, provide the same type of information required to be included in the initial written determination issued in connection with the Hearing.

The decision on appeal shall be appropriate to the basis or bases for appeal, and may adopt one or more of the following decisions, regardless of which Party filed the appeal:

- Affirm the initial written determination;
- Change any part of the written determination, including a change to find responsibility or to find no responsibility;
- Increase or decrease the sanctions;
- Require additional investigation (particularly in the case of new evidence that is material, not merely cumulative, and if presented in the Hearing could reasonably have resulted in a different determination); or
- Order a new Hearing

The written decision on the appeal shall be provided simultaneously to both Parties.

Scheduled Time Frames for the Grievance Procedure

Normal Time Frames

The University will conclude this grievance procedure in a reasonably prompt manner and in accordance with the following time frames:

- The University will generally issue the written Hearing determination within 75 business days after the filing of the Formal Complaint.
- The University will generally issue the written appeal determination within 20 business days after the filing of the Notice of Appeal.
- The University will generally conclude any informal resolution process within 60 business days after the Parties agree to an informal resolution.

Temporary Delays or Extensions

The University may direct a temporary delay in the grievance procedure or the limited extension of the normal time frames for good cause. The University will notify the Complainant and the Respondent in writing of any temporary delay or limited extension and the reasons for the action.

The Complainant or Respondent may request a temporary delay or limited extension in writing to the Title IX Coordinator. The written request must state the reason for the delay or extension and the length of the delay or extension being requested.

Some examples of situations which may constitute good cause for a delay or extension include: the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

The University will attempt to accommodate the schedules of Parties and witnesses throughout the grievance procedure in order to provide Parties with a meaningful opportunity to exercise their lawful rights. However, the University will not delay the grievance procedure indefinitely because a Party, witness, or advisor is refusing to cooperate. In order to resolve complaints within reasonable time frames, the grievance procedure can proceed to conclusion even in the absence of a Party or witness.

Retaliation Prohibited

Retaliation Defined

Retaliation shall include the following:

- Conduct intended to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 CFR Part 106, or this grievance procedure.
- Bringing disciplinary charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint, for the purpose of interfering with any right or privilege secured by Title IX, 34 CFR Part 106, or this grievance procedure.

No Retaliation

Neither the University nor any other person may engage in retaliation against an individual because the individual has made a report or complaint or testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or Hearing under this grievance procedure.

Any person who believes that he or she has experienced retaliation which is prohibited by this grievance procedure may file a complaint or Formal Complaint with the Title IX Coordinator.

Confidentiality

The University must keep confidential the identity of:

- Any individual who has made a report or complaint of sex discrimination;
- Any individual who has made a report or filed a Formal Complaint of Sexual Harassment;
- Any Complainant;
- Any individual who has been reported to be the perpetrator of sex discrimination;
- Any Respondent; and
- Any witness,

except as may be permitted by law or as necessary to carry out this grievance procedure.

About Anderson University

Follow our
Journey!

Located in the vibrant city of Anderson, in the rapidly growing region of Upstate South Carolina, Anderson University is a selective, comprehensive Christian liberal arts university offering bachelor's, master's and doctoral degrees on campus, online and at the University Center in Greenville. Students may choose from among 59 majors, 46 minors, 40 concentrations, 18 master's and doctoral degrees, and 8 certificate programs.

Anderson University is among the fastest-growing private universities in the country, according to the U.S. Department of Education and the 2018 *Chronicle of Higher Education*. Increased enrollment only tells part of the story. Anderson has been

Anderson University is a three-time Apple Distinguished School; to date, only 43 colleges or universities in the world are recognized as an Apple Distinguished School.

recognized by both *U.S. News & World Report* and *The Princeton Review* as a premier institution of higher learning and status among the best regional universities in the South. Further, *U.S. News & World Report* in 2021 named Anderson as one of the "Best Value" schools among regional universities in the South.



Distinguished School

Innovation is a hallmark of the Anderson University experience. Among regional universities in the South, *U.S. News & World Report* ranks Anderson as the No. 16 "Most Innovative" school and recently ranked it No. 3 in the state of South Carolina for having the "Best Online Bachelor's" program – and the top such program in the Upstate. Innovation continues to be a strategic goal, and with that vision in mind, Anderson launched a new Office of Technology, Online Learning and Innovation in 2018.

At the heart of the University's educational program is an uncompromising commitment to the liberal arts as a means of preparing students with a breadth and depth of knowledge, that will help them be successful in the career of their choice, to be adaptable to multiple careers, and ultimately to be successful in all realms of life—in work, family, community, and faith.



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@AUTrojans



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@AUTrojans



@AndersonUniversitySC
@Anderson Trojans



@Anderson University (SC)

AndersonUniversity.edu
316 Boulevard
Anderson, SC 29621
864.231.2000

