



Annual Fire and Safety Report 2025

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Message from the President

Dear Lees-McRae Students, Faculty, Staff, and Visitors:

The security, safety, and well-being of the Lees-McRae community is, and will always be, a major priority for the college. We exhibit this through our commitment to investing in our Lees-McRae College Police and Security department, Office of Campus Operations, and Title IX and Compliance department.

In compliance with our requirements under the Clery Act, the 2025 Annual Fire and Safety Report is published for transparency and information. This report includes guidelines for reporting emergencies and crimes. It highlights safety programs and other basic safety tips, and it contains the emergency alert notification process. In this report you will also find detailed policies and procedures that help protect each member of the campus community. I advise you to read and become knowledgeable about this document.

We encourage and welcome your ideas that will help improve the safety and security of our campus, so please feel free to email me at president@lmc.edu if you have suggestions for how we can improve our overall safety and security programs and policies.

Thank you for helping to protect our community through your dedication and vigilance.

Sincerely,

Herbert L. King Jr., EdD
president@lmc.edu



Message from the Campus Police Chief

Dear Lees-McRae Community,

As your Chief of Police, I want to take a moment to thank you for being an active part of what makes Lees-McRae College such a strong and caring community. Our department's mission goes beyond enforcing laws—we're here to serve, protect, and support every student, faculty, staff, and visitor who steps onto our campus.

Over the past year, our department has worked diligently to enhance campus safety through proactive patrols, community engagement, and collaboration with local law enforcement partners. We encouraged timely reporting and continued to build strong relationships across campus. These partnerships are key to our success and essential in maintaining a culture of shared responsibility.

We encourage all members of the Lees-McRae community to review this report carefully and to remain active participants in campus safety. Your awareness, involvement, and communication help us maintain a campus where everyone feels safe and supported.

Thank you for your continued partnership and trust in the Lees-McRae College Campus Police Department. Together, we are ONE Lees-McRae.

Sincerely,

Melissa Kiefer
police@lmc.edu

The Annual Campus Safety Report is created to provide the campus community with information about the college's policies, procedures, and efforts to keep the campus safe. This report is published in compliance with the Jeanne Clery Disclosure of Policy and Campus Crime Statistics Act ("Clery Act"), and the Violence against Women Act (VAWA). This report is distributed to students and employees of Lees-McRae via email on an annual basis. An electronic version can be found online by visiting lmc.edu/security. Printed copies are available in the Campus Police and Security department. The Annual Campus Safety Report is prepared in cooperation with Campus Police and Security, Student Affairs, local law enforcement agencies, and Marketing and Communications.

Crime Statistics

The Campus Police and Security department records all reports of criminal activity on campus property. The campus Clery coordinator submits a formal request for crime statistics from the Campus Police Department, the Banner Elk Police Department, and the Avery County Sheriff's Department in preparation of the Annual Security Report. Crime statistics for the previous three years can be found at the end of this report.

Campus Crime Log

The Campus Police and Security department keeps a daily crime log of reported incidents. A list of 60 days of activity is available by request at the Campus Police and Security department during normal business hours Monday through Friday. The college does not share names of crime victims or identifiable information of victims in the Campus Crime Log.

Campus Police and Security

The Campus Police and Security department maintains a campus presence 24 hours a day. Security officers do not have the power to arrest, nor do they have law enforcement authority. Safety Ambassadors works closely with the Campus Police Department and receives support from the Banner Elk Police Department, the Avery County Sheriff's Department, and the North Carolina State Bureau of Investigation when necessary or requested. The college does not have a memo of understanding with these agencies. Parking enforcement is managed by the Campus Police and Security department. Additionally, the Campus Police and Security department works with campus counseling services, local ministers, and local mental health professionals when appropriate.

Campus Police Officers

The Lees-McRae Campus Police Department is a multi-functional service agency dedicated to the protection of the campus community in accordance with local, state, and federal laws. The Lees-McRae College Police Department was created with the goal of the department's sworn officers establishing relationships with members of the campus community while enforcing the law when necessary. All full-time campus officers have been certified and fall under the supervision of the N.C. Attorney General's Office. Officers patrol the entire campus on foot and in marked/unmarked Campus Police Department vehicles. The Campus Police Department is located in the Robb Center (350 W Main St.).

Reporting Crimes or Emergencies

Call 911 and/or Campus Police and Security (828.260.0505) if:

- You see fire or smell smoke
- You witness someone vandalizing property or stealing
- You witness someone hurting another person
- You see something suspicious
- You have something stolen
- Someone becomes injured or ill

Even if you aren't sure security is needed, call anyway, and let the Campus Police and Security department assess the situation.

Emergency Contacts

- Campus Police and Security department: 828.898.8756 (On-call: 828.260.0505)
- Banner Elk Police Department: 828.898.4300
- Avery County Sheriff's Office: 828.733.3858
- Cannon Hospital: 828.737.7000

Individuals are asked to share reports with the Campus Police and Security department as accurately and as quickly as possible to allow for timely warning of any danger to the campus community.

Confidential Reporting

If you are a victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. The college will respect and honor the confidentiality wishes of the individual's request to keep reports confidential to the extent permitted by law and consistent with the college's obligation to investigate allegations to protect the college community. This enables the college to have an accurate record of incidents to take steps to ensure the safety of the victim and the college community. Reports filed in this manner are counted and disclosed in the annual crime statistics for the college.

The college's professional counseling staff and pastoral counselors are exempt from reporting crimes they may have learned about while performing their duties as mental health counselors unless mandated by North Carolina State law. The college encourages its professional counselors to inform the individual receiving counseling of procedures to report crimes for inclusion in the annual crime statistics.

Individuals have the ability to report an incident or observation via an anonymous reporting form found on the [Campus Safety](#) webpage. The college prefers an anonymous report to no report, however anonymous reporting will hinder or prevent the college's ability to provide protective measures or respond with appropriate actions against the alleged perpetrators.

Incident Report Routing

Incident Reports received or filed by Campus Police and Security officers and/or Residence Life staff are sent to the Vice President for Student Affairs, Director of Student Conduct and Engagement and the AVP of Operations & Risk Management, and Title IX Coordinator, and the Senior Director of Residence Life. Reports may also be sent to the college President, Vice President for Finance and Business Affairs/CFO, Vice President for Academic Affairs, Executive Director of Human Resources, and other essential personnel. The Director of Student Conduct and Engagement or their designee review reports and referrals for Student Code of Conduct violations.

Campus Safety Authority (CSA)

CSAs are designated on campus as part of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)), otherwise known as the Clery Act. Its purpose is to provide the campus community with timely, accurate, and complete information about crime and the safety of the campus environment so that they can make informed decisions to keep themselves safe.

Who Is a CSA?

Any Lees-McRae College employee with significant responsibility for student and/or campus activities or building relationships with students. Campus Security Authorities include, but not limited to, campus police and Safety Ambassadors, student affairs staff, resident directors (RDs) and resident assistants (RAs), faculty advisors to clubs and student organizations, athletic director, coaches, and human resources personnel.

Training for CSAs

Training for CSAs is available in Vector Solutions under the “Safety Authorities: Roles and Responsibilities” module and in additional classroom training each semester.

CSA Responsibilities

When a CSA is informed of a crime or an incident that might be a crime, they must report it to the Campus Police and Security department via the [CSA reporting form](#) or contact the Campus Police and Security department officer on duty.

Although this list does not include every CSA, you may contact any of the following Lees-McRae employees to obtain immediate assistance if you are the victim or otherwise aware of a crime on campus. These CSAs are generally available Monday through Friday during regular business hours. Victims are encouraged to call the Campus Police and Security department at 828.260.0505 (or 911 from any campus phone) at all other times.

First Name	Last Name	Title	Email
Sam	Albus	Head Men's Volleyball Coach	albuss@lmc.edu
Emily	Alvut	Athletic Trainer	alvute@lmc.edu
Kaysee	Armstrong	Assistant Women's Cycling Coach	armstrongk@lmc.edu
Adam	Atlasy	Campus Safety Officer	atlasya@lmc.edu
Jess	Bellemer	Dean of the Library, Associate Professor	bellemerj@lmc.edu
Alex	Biggerstaff	Assistant Men's Basketball Coach	biggerstaffa@lmc.edu
Randy	Bloemendaal	Head Men's and Women's Tennis Coach	bloemendaalr@lmc.edu
Victoria	Bowman	Director of Spirit Programs	bowmanv@lmc.edu
Michael	Brown	Head Women's Flag Football Coach	brownmj@lmc.edu
Josh	Bumgarner	Head Softball Coach	bumgarnerj@lmc.edu
Amy	Carson	Compliance Administrator	carsona@lmc.edu
Elizabeth	Cope	Director of Student Conduct and Engagement	copee@lmc.edu
AJ	Czarnecki-Atwell	Outdoor Recreation Management Coordinator	czarnecki-atwella@lmc.edu
Richard	Dellavechia	Senior Director of Residence Life	dellavechiar@lmc.edu
Thomas	Dellinger	Athletic Trainer	dellingert@lmc.edu
Brad	Dunn	Associate Director of Athletics/Director of Compliance	dunnb@lmc.edu
Ley	Fletcher	Head Cross Country/Track & Field Coach	fletcherl@lmc.edu
Lauren	Galvani	Women's Head Basketball Coach	galvaniil@lmc.edu
John	Grant Jr.	Head Men's Lacrosse Coach	grantj@lmc.edu
Emmanuel	Hagan	Assistant Men's Soccer Coach	hagene@lmc.edu
Tim	Hall	Director of Cycling, Head Cycling Coach	hallt@lmc.edu
Lauren	Havill	Head Women's Volleyball Coach	havilll@lmc.edu
Jason Levesque	Jason Levesque	Head Women's Lacrosse Coach	levesquej@lmc.edu

Jason	Jones	Vice President for Student Affairs	jonesja@lmc.edu
Melissa	Kiefer	Campus Police Chief	kieferm@lmc.edu
Lee	King	President	kingl@lmc.edu
Margaret	Harvey	Assistant Women's Basketball Coach	Harveyem@lmc.edu
Aaron	Maas	Head Skiing and Snowboarding Coach	maasa@lmc.edu
Thomas	McDonough	Assistant Track and Field Coach	mcdonought@lmc.edu
Donye' Monroe	Monroe	Assistant Women's Soccer Coach	monroed@lmc.edu
Cally	Morrill	Head Women's Soccer Coach	morrillc@lmc.edu
Taylor	Morton	Head Men's Soccer Coach	mortont@lmc.edu
Desean	Motley	Head Men's Basketball Coach	motleyd@lmc.edu
Joe	Penley	Assistant Cycling Coach	penleyj@lmc.edu
Lance	Puett	Campus Police Officer	puettl@lmc.edu
Blake	Smith	Assistant Athletic Director—Director Sports Information	smithn@lmc.edu
HD	Stewart	Assistant Vice President of Campus Operations and Risk Management	stewarth@lmc.edu
Cameron	Strawderman	Athletic Trainer	strawdermanc@lmc.edu
Channing	Thomas	Assistant Men's Lacrosse Coach	thomasc@lmc.edu
Pam	Vesely	Vice President for Academic Affairs, Dean of Faculty	veselyp@lmc.edu
Michael	Vines	Dean of Arts and Humanities, Director of General Education	vines@lmc.edu
Liz	Walden	Human Resources Generalist	waldenl@lmc.edu
Katie	Wall	Program Coordinator for Outdoor Recreation Management	wallk@lmc.edu
Ed	Winters	Director of Athletics and Club Sports	winterse@lmc.edu
Matt	Wisniewski	Head Strength and Conditioning Coach	wisniewskim@lmc.edu

Other CSAs include advisors to student groups and organizations, resident directors, resident assistants, and athletic coaches.

Timely Notifications

Timely warnings will be shared upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety to members of the college community. Timely warnings will be distributed by procedures described in the Emergency Notification Policy.

Access to Campus Buildings

Exterior doors to residence halls are locked 24 hours a day. Students have access to their residence hall by using their ID card or key access for the building exterior and their assigned room key. Campus academic and administrative buildings are open during normal business hours. Requests to access buildings outside of business hours can be made to the Campus Police and Security department by visiting the [Campus Safety webpage](#) and completing a Security Services Request Form.

Employees and students are responsible for the conduct of their guests at all times.

Security Services Request Forms

The Campus Police and Security department is available to assist with parking coordination, building or room unlocks, or other specialized services for Lees-McRae events. This includes:

- Traffic control and coordinating spaces for a large event
- Reserving parking spaces for event VIPs
- Requests for parking passes for expected campus guests
- Assistance with parking for oversized vehicles (e.g., buses)
- Assistance with loading/unloading buses
- Unlocking or securing a building before/after special events
- Unlocking/locking buildings or classrooms
- Assistance at athletic, student affairs, or academic events

Events that need city, county, or state permits must send permit information to the Lees-McRae Office of Campus Operations after submitting a security request form.

Maintenance of Campus Facilities

Members of the college community are encouraged to immediately report lighting issues or damaged equipment that may cause a safety concern to the Campus Police and Security department or the college [facilities department](#). Facility staff members, Residence Life staff, and the Campus Police and Security department monitor safety concerns on a daily basis.

- Twice an academic year, campus light and safety walks are hosted by the Student Government Association.
- Campus lighting surveys are completed by the Campus Police and Security department.
- Lighting and landscaping safety issues are identified and repaired to improve safety.

[Facility Services request link >>](#)

Basic Safety Tips

- Avoid walking alone at night and always choose well-lighted pathways.
- Keep your doors locked even when you are in your room.
- Always have your keys out and ready when you approach your vehicle or residence hall.
- Don't let strangers follow you into your residence hall; always ask to see ID if you aren't sure if they belong.
- Alert a friend or roommate of your whereabouts and your expected return whether you are leaving for a few hours or a few days.
- Keep an eye out for dangerous wildlife and never approach bears or other wild animals.
- Stay alert and be aware of your surroundings.
- Keep your vehicle locked at all times; valuables should be concealed.
- Secure your personal information (Social Security number, date of birth, ID numbers, PIN's, passwords, etc.).
- Record all serial numbers on personal electronic items.
- Report any suspicious activity to Campus Safety (828.260.0505).

Campus Safety Programs

The college conducts intentional programming, strategies, campaigns, and initiatives to address and educate on Alcohol and Drug Abuse, Sexual Assault Awareness, Relationship Abuse, Bystander Intervention, Personal Safety, and Wellness.

Examples of prevention and educational programs:

Sexual Assault Awareness Week

Held every academic year to bring education and awareness about Sexual Assault and Harassment. Events during the week include guest speakers, movies, vigils, campus walks, art installations, and ribbon campaigns. Information is shared through bulletin boards and signage.

Orientation

New students discuss topics including Title IX policies, Bystander Intervention, weather safety, personal safety, wildlife safety, and drug and alcohol policies. Resources for Health Services, Counseling and Wellness Services, Campus Police and Security, Campus Operations, and student success are introduced and reviewed.

Vector Solutions Modules

The college partners with our insurance provider and Vector Solutions to provide everyone with online training modules that cover a variety of educational, safety, and compliance topics.

Campus Safety Walks

The Student Government Association in partnership with the Campus Police and Security department and the Office of Student Affairs holds nighttime walks around campus each semester to identify safety concerns and provide suggestions on additional lighting, handrails, stairs, and landscaping to improve safety on campus.

Self-Defense Classes

Self-Defense Classes are offered each semester. Participants learn techniques to defend themselves, increase awareness of surroundings, and stay calm and focused during stressful situations.

The Residence Life staff, Peer Allies, Student Government Association, Athletic Department, Burton Center for Student Success, Campus Operations and the Campus Police and Security department regularly hold programs across campus addressing (but not limited to) the following issues:

Emergency Procedures	Fire Safety	Helping Skills
Alcohol Abuse and Safety	Risk Management	Weather Safety
Self Defense	Campus Safety Walks	Drug Abuse

Members of the campus community are encouraged to attend and to contribute programming ideas to the offices listed above.

Employee Assistance Program

Lees-McRae employees have access to the institution's Employee Assistance Program through a partnership between Human Resources and the college's insurance provider. Employees have access to confidential, personal, and web-based support on a wide variety of important and relevant topics, such as stress management, dependent/elder care, nutrition, fitness, and legal and financial issues.

Lees-McRae employs trained personnel for the protection of students, employees, guests, and property (security for extended campus sites is provided by each individual campus). However, security of the campus is a responsibility shared by all members of the community. Campus community members are expected to accept this responsibility by:

- Attending campus safety education programs.
- Locking residence hall room doors.
- Locking car doors, parking in the assigned areas, and keeping valuables out of sight.
- Labeling valuable items.
- Making sure that any property brought to campus is covered under a property insurance policy.

- Using sound judgment, such as not walking alone on campus after dark, not loaning a room key to a friend, etc.
- Reporting any suspicious person or behavior to a campus police and/or security officer as soon as possible.

The college does not assume responsibility in the event of theft from student rooms or vehicles parked on campus. In the case of theft, assault, or other serious crime, the Campus Police and Security department will notify the Banner Elk Police Department and/or the Avery County Sherriff's department. In the event of sexual assault, one should seek immediate medical attention, and notify the Campus Police and Security department and the Vice President for Student Affairs for professional assistance.

In the event that any student or employee is approached on campus by law enforcement personnel seeking information on students, faculty, or staff, the following procedure should be followed:

- Request proof of identity, if not apparent.
- Maintain a cooperative and courteous attitude.
- Unless an emergency event:
 - Direct daytime inquiries (8 a.m.–5 p.m.) to the Office of Student Affairs or the Campus Police and Security department.
 - Nighttime inquiries should be directed to the Campus Police and Security department and/or Resident Directors.
- In case of an emergency, provide pertinent information and assistance as appropriate.
- Classes should not be interrupted unless an emergency situation exists.

Criminal Activity Off-Campus and Off-Campus Organizations

The college reserves the right to review student conduct that occurs off campus with local law enforcement agencies when such behavior reflects upon the integrity of the college or the college's pursuit of its mission, policies, or procedures. Students are reminded that they serve as representatives of Lees-McRae College and both positive and inappropriate behavior affect the college's image and reputation (for example, students taking off-campus trips or players and spectators at "away" athletic contests). It is not necessary for students to receive a criminal or civil citation for their behavior to be subject to discipline. The college desires to have students act as both responsible and mature representatives and encourages students to be involved in the community in positive ways, such as community service and local government.

At the present time, Lees-McRae does not have off-campus student organizations.

Alcohol Policies

Lees-McRae College provides an academic environment that fosters positive physical and mental health and educates students concerning the use of alcoholic beverages and peer pressure. Drunkenness as a result of the use of alcohol is a violation of the alcohol policy and is punishable through the conduct process. No immunity or exemption is granted for misconduct while under the influence of alcohol. Mature judgment and discretion are required at all times.

1. The possession or consumption of alcoholic beverages on campus is permitted by those of legal drinking age.
2. Aiding and abetting in the sale or transfer of alcoholic beverages to any person under the age of 21 years is prohibited.
3. All those present in a registered state law room must be 21 or older when alcohol is present and being consumed. Students under the age of 21 are not allowed to be present in a room when alcohol is being consumed, even if the student is not actively drinking. Regardless of the age of the individuals, if alcohol is located in a room, all students present will be held responsible for an alcohol violation.
4. All persons consuming alcohol must carry a valid picture ID.
5. While alcoholic beverages may be consumed by those of legal drinking age in non-public areas, they

may not be consumed in any public area except for special functions registered as a Special Alcohol Event.

6. No person, regardless of age, is permitted to have an open container of alcohol in a public area on campus. This includes public events such as athletic events, unless otherwise approved by the college.
7. The use of alcoholic beverages as a prize in a contest, drawing, lottery, etc. is prohibited.
8. Kegs or other common containers of alcohol are not allowed on the campus, except for Special Alcohol Events. Glass containers are allowed only inside of state law residence hall rooms. Once the seal has been broken, it may not be removed from that room.
9. Alcoholic beverages may not be used, sold, possessed, or consumed at sporting events, including intramural events, campus parking lots, on field trips, or at off-campus college functions. This includes possession or consumption of alcohol in college vehicles.
10. Members of the Lees-McRae community are not allowed to provide alcohol to underage individuals.

For the current version of the Alcohol Policy, visit the [Lees-McRae Student Handbook](#).

Illegal Drug Policies

North Carolina state law prohibits the sale, use, possession, manufacture, or delivery of illegal controlled substances including stimulants or depressants (marijuana seeds included). Any student who uses illegal substances or who shows signs of use may be suspended, as well as referred to the appropriate civil authorities for further action. Positive drug tests may result in immediate suspension.

All paraphernalia that is associated with and related to the use of marijuana and other illegal stimulants and depressants is prohibited. Any student who possesses such paraphernalia will be entered into the Student Conduct Process for disciplinary action, as well as being referred to the appropriate civil authorities for further action.

Sharing or selling of your prescribed drugs is prohibited. Violators may also be referred to local authorities as well as the Student Conduct Process. For the current version of the Illegal Drug Policy, visit the [Lees-McRae Student Handbook](#).

Drug-Free Schools and Communities Act Report

Introduction

The Drug-Free Schools and Communities Act of 1989 (DFSCA) requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs. The DFSCA also requires the establishment of a drug and alcohol prevention program. All members of the Lees-McRae College community are encouraged to review the information in this report.

The publication of the DFSCA provides the campus community with information on standards of conduct, sanctions for violations, prevention programming, health risks associated with alcohol and drug use, and resources for the campus community. The purpose of this report is to outline Lees-McRae College's ongoing commitment to maintaining a safe and healthy learning environment free from alcohol and drug abuse.

Standards of Conduct

All students must adhere to policies and guidelines regarding the use of alcohol and/or illegal drugs that are contained within the Lees-McRae College Student Handbook and Code of Conduct. Students who violate the alcohol or drug policy will be charged under the Code of Conduct. If found responsible for their actions/decisions, students will receive an appropriate sanction. In addition, students may be referred to the proper law enforcement authorities for prosecution if necessary.

Introduction to Principles of Student Conduct and Violations of This Code

The primary way in which the Code of Student Conduct is violated is when a student acts in any way that is unbecoming a Lees-McRae student. That is, if the student acts in ways that are contrary to the Mission, the

Honor Code, or the Policies and Procedures of this College. What follows are numerous examples of prohibited behavior that would exemplify conduct unbecoming a Lees-McRae student. Simple but not exhaustive definitions are attached to a list, again not exhaustive, of conduct violations. Other violations may arise that are not specifically listed here or that do not fit fully into the simple definitions attached. Such violations can and shall be addressed through the processes outlined in this Code.

Violations of Local, State, or Federal Law

Violation of local, state, or federal laws violates the Student Code of Student Conduct for members of the Lees-McRae community.

Alcohol, Tobacco, CBD-like Substance, and Drug Violations Alcohol

In accord with the laws of the State of North Carolina, Lees-McRae will permit students who are of legal age (currently, 21 years or older) to consume alcohol in their residences and at college-sponsored events that are specifically designated as allowing alcohol consumption for those of legal age. No alcohol may be consumed by a Lees-McRae student who is not of legal age to consume alcohol. No one of legal age may provide those 2 under the legal age with alcohol. No one may of any age may consume alcohol on campus except as designated herein. Penalties for violations of this policy may be regarded additionally as violations of state law. Alcohol consumption will not excuse and may even result in more severe sanctions for other conduct violations related to that consumption. Provisions can be made, at the discretion of the College President, to designate one or more residential spaces as alcohol-free, in which case all possession, distribution, and consumption shall be prohibited.

Tobacco and CBD-like Substance

Lees-McRae is a smoke-free campus. The use, sale, or free distribution of tobacco or a CBD-like substance (including but not limited to cigarettes, cigars, electronic cigarettes, vaping, pipes, and chewing tobacco) on campus properties or at campus events is prohibited.

Illicit Drugs

Use, possession, or distribution of an illegal drug or substance, including medication not prescribed to an individual receiving and/or ingesting it, violates this Code. In the case of a non-marijuana, CBD-like substance, the student bears the responsibility for proving that the substance is not marijuana; otherwise, the CBD-like substance will be treated as if it were marijuana.

The following protocol is a guideline for conduct decisions regarding the sanctions and interventions that shall be imposed for student alcohol and drug violations once a finding of responsibility has occurred. The purpose of administering sanctions is to hold students accountable for their actions, ensure the safety and well-being of the Lees-McRae community, and facilitate learning. Students who violate the alcohol and/or drug policy will go through the college's conduct process. Students found responsible for violating the college's code of conduct may receive sanctions. Outcomes may vary and are determined on a case-by-case basis. Different instances of a violation of the student conduct policy rarely look the same, and so require detailed analysis and consideration when sanctioning. Sanctions may vary or accelerate based on the following circumstances:

- A student's past disciplinary record and history of past behavior, especially when that behavior is similar in nature
 - The length and time between violations may also be taken into consideration for the purpose of determining appropriate sanctions
- The potential for ongoing risk to the student, other individuals, or the community
- Evidence of distribution or sale of alcohol, marijuana, other drugs
- Threatening, violent, and/or destructive behavior while under the influence of alcohol or drugs
- Evidence of multiple violations (ex. Alcohol Use + Marijuana Possession)

Sanctions from Lees-McRae College include (but are not limited to):

- Verbal Warning—Students receive verbal warning outlining the consequences of further violations of campus and housing policies.

- **Disciplinary Probation**—Students may be placed on probation for any duration of time. This sanction may be given to students who have violated any Lees-McRae College Code of Student Conduct or Housing Policy, or students whose behavior does not meet the expectations of a Lees-McRae student, or who those have a history of repetitive offenses. Any further policy while on disciplinary probation will result in a conduct board hearing.
- **Campus Work/Community Service**—Students may be given campus work/community service at any level in the disciplinary process. The student must complete these hours and provide proof of this completion. If the student fails to complete the campus work/community service hours by the given deadline, he/she will be charged with Failure to Comply.
- **Counseling Assessment**—Students may be given an assessment session at any level in the disciplinary process. Students are responsible for initiating a meeting with a personal counselor by a given deadline. The personal counselor will assess the student and initiate a plan for the student to complete.
- **Educational Seminar**—Students may be assigned to complete an Alcohol or Decision-Making seminar. These seminars require students to engage with provided content and reflect on their learning.
- **Drug Screening**—A student who is found in violation of a drug or substance violation may be subject to random drug testing. The student will assume responsibility for the cost of this drug screening.
- **Financial Restitution**—A student whose behavior has caused damage to property, including but not limited to items like fire safety equipment, others' possessions, College property including residence hall rooms, hallways, bathrooms, and common may be required to make financial restitution for these damages or face removal from the Lees-McRae community.
- **Parental Notification**—Under certain circumstances, such as violations in which a student's safety is at risk or a student is being removed from campus, parents may be notified of their student's disciplinary violations.
- **Interim Removal from Campus**—A student may be removed from campus should a college assessment team (e.g., a Threat Assessment Team) determine that the student's presence on the College's premises or at a college-related activity poses a significant risk of harm to the safety or security of the Lees-McRae community or its property. This removal can be appealed and can also be reversed upon the final disposition of a Conduct Board Hearing or with permission from the Vice President for Student Affairs or designee.
- **Suspension**—Following a Conduct Hearing Panel determination, a student may be suspended from Lees-McRae College based on the nature and severity of the violation. A suspended student must leave the College premises within 24 hours of the time in which the sanction is given unless other provisions are approved by the Vice President for Student Affairs or designee. The student may not return to campus absent permission from the Vice President for Student Affairs and/or designee.
- **Expulsion**—Following a Conduct Hearing Panel determination, a student may be expelled (permanently removed) from Lees-McRae College based on the nature and severity of the violation. An expelled student must leave the College premises within 24 hours of the time in which the sanction is given unless other provisions are approved by the Vice President for Student Affairs or designee. The student may not return to campus.
- **Other Possible Sanctions**—Other possible and appropriate sanctions may be imposed.

In addition to the sanctions set forth above, students are required to abide by local, state, and federal laws governing the consumption, sale, or possession of alcohol and other drugs.

Health Risks

Specific serious health risks are associated with the use of alcohol and illicit drugs. Some of the major risks are listed below.

- **Alcohol**
 - Possible Effects: impaired judgment and coordination, increased aggression at low to moderate doses, severe impairment of higher mental functions at moderate to high doses, fatal consequences at exceedingly high doses
 - Effects of Overdose: dependence and withdrawal symptoms (anxiety, tremors, hallucinations, convulsions), long-term damage to vital organs (brain, heart, pancreas, liver),

- linked to cardiomyopathy, stroke, high blood pressure, fibrosis, cirrhosis, pancreatitis, and cancer
 - Withdrawal Syndrome: anxiety, tremors, nausea, vomiting, hallucinations, irritability, and convulsions
- Cannabis (Marijuana)
 - Possible Effects: euphoria, relaxed or lowered inhibitions, increased heart rate and appetite; impaired reaction time, coordination, concentration and memory, and time distortion; lack of energy; drowsiness
 - Effects of Overdose: paranoia, increased anxiety and depression, increased odds of developing psychotic disorders
 - Withdrawal Syndrome: insomnia, hyperactivity, irritability or mood swings, decreased appetite
- Depressants
 - Examples: Barbiturates (such as Nembutal, Amobarbital, Phenobarbital), Benzodiazepines (such as Valium, Xanax, Halcion, Ativan, Klonopin), Quaalude, Sopor, GHB, Alcohol
 - Possible Effects: lower inhibitions, drowsiness, confusion, impaired judgment, loss of motor coordination, nausea, depressed central nervous system
 - Effects of Overdose: slurred speech, slowed breathing, cool and clammy skin, coma, and possible death
 - Withdrawal Syndrome: anxiety, agitation, insomnia, tremors, delirium, seizures, withdrawal syndrome can become a medical emergency and result in possible death
- Hallucinogens
 - Examples: LSD, Psilocybin (Mushrooms), Peyote (Mescaline), DMT, PCP, Ketamine, Salvia
 - Possible Effects: illusions or hallucinations, increased blood pressure, breathing, and body temperature, intensified sensory experiences and emotions, lack of coordination, confusion, impaired or loss of memory, altered sense of reality, perception of time and depth
 - Effects of Overdose: Paranoia, psychosis, anxiety, depression, persistent psychosis/flashbacks, overdoses can lead to seizures, difficulty breathing, coma, and death
 - Withdrawal Syndrome: no information reported
- Inhalants
 - Examples: Gasoline, Airplane Glue, Paint Thinner, Dry-Cleaning Fluid, Nitrous Oxide, Amyl Nitrate, Butyl Nitrate, aerosols (whippets)
 - Possible Effects: euphoria, lightheaded or dizziness, slurred or distorted speech, poor motor coordination, impaired vision, memory, organ failure, and muscular damage
 - Effects of Overdose: seizures, coma, or death due to asphyxiation
 - Withdrawal Syndrome: nausea, loss of appetite, insomnia, irritability, and mood swings, sweating
- Narcotics/Opioids
 - Examples: Demerol, Dilaudid, Vicodin, Percocet, OxyContin, Methadone, Percodan, Codeine, Morphine, Heroin, Fentanyl
 - Possible Effects: euphoria, drowsiness, lethargy, nausea, constipation, slowed breathing, impaired memory and perception
 - Effects of Overdose: slow breathing, cool or clammy skin, seizures, coma, or death
 - Withdrawal Syndrome: watery eyes, runny nose, yawning, sweating, irritability, hyperactivity, nausea, vomiting, chills, severe depression, cravings
- Steroids
 - Examples: Testosterone, Parabolin, Winstrol, Anadrol, Sustanon, Equipoise 6
 - Possible Effects: physical changes to the body that may be permanent, muscle growth, extreme mood swings, agitation, hostility, high cholesterol
 - Effects of Overdose: Liver damage and stomach bleeding
 - Withdrawal Syndrome: severe depression, outbursts of anger, irritability, impotence
- Stimulants
 - Examples: Amphetamine, Dextro-Amphetamine, Adderall, Ritalin, Concerta, Nicotine, Cocaine, Methamphetamine

- Possible Effects: increased alertness, excitation, euphoria, increased blood pressure, breathing and heart rate, restlessness, anxiety, nervousness, irritability, mood swings, restlessness, insomnia, anxiety, loss of appetite
- Effects of Overdose: agitation, increase in body temperature, hallucinations, seizure, or death
- Withdrawal Syndrome: insomnia, fatigue, depression

Prevention Programs and Enforcement

A variety of resources exist for alcohol and other drug prevention including education, programming, counseling, and referral. Lees-McRae College explains the policies and procedures during orientation events, move-in, and during the academic year with programs and initiatives aimed at preventing alcohol and drug abuse among students. This could include:

- First-year student orientation programs on alcohol and drug awareness.
- Educational workshops or seminars on topics like responsible drinking, drug safety, and addiction prevention.
- Peer wellness education programs involving trained students.
- Social media campaigns and informational resources distributed to students.

Students may contact the Office of Student Affairs for student conduct, medical services, and mental health counseling.

Online resources, education, and training

- Alcoholics Anonymous: 1-212-870-3400 or <https://aa.org>
- Narcotics Anonymous: 1-818-773-9999 or www.na.org
- National Domestic Violence Hotline: 1-800-799-SAFE or www.thehotline.org
- National Drug Helpline: 1-844-289-0879 or <http://drughelpline.org/>
- National Institute on Drug Abuse/Treatment Hotline: 301-443-1124 or www.drugabuse.gov/nidahome.html
- National Suicide Hotline: 1-800-273-8255
- Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline: 1-800-662-4347 or <https://www.samhsa.gov/>

The Director of Student Conduct and Engagement, Senior Director of Residence Life, Assistant Director of Residence Life, Resident Assistants, and the Vice President for Student Affairs enforces policies and procedures and provides students with resources necessary to resolve personal disputes. The Lees-McRae College Police Department enforce laws related to alcohol and drugs.

For additional information, contact the Director of Student Conduct and Engagement and/or the Vice President for Student Affairs via email at StudentAffairs@lmc.edu.

Lees-McRae College is committed to fair and consistent enforcement of the alcohol and drug policy. The college will respond to all instances of violations of the alcohol and drug policy.

Conclusion

Lees-McRae College cares about students' health, safety and academic success and has a long-standing commitment to proactively addressing high-risk drinking and substance abuse. The illegal abuse of alcohol or other drugs by students interferes with the academic learning process and places the safety of individuals and the college community at risk. The goal of Lees-McRae's alcohol and drug education and policy enforcement is to improve academic success and the quality of student life on the campus by increasing healthy lifestyles and reducing the harm associated with alcohol and other drug use.

Stop Campus Hazing Act

The Clery Act requires each institution of higher education to abide by the Stop Campus Hazing Act and report hazing statistics in the Annual Security Report and to the U.S. Department of Education.

Definition of Hazing

Students may not participate, actively or passively, in any act or series of actions that endanger the mental or physical health of a student or that destroys property as part of an initiation, entrance into, affiliation with, or as a conditioned for continued participation in any group, team, club, or organization.

How to Report Hazing

Students may report allegations to any person employed in the Office of Student Affairs, to Campus Police and Security, by emailing studentaffairs@lmc.edu, or by completing the [Student Code of Conduct form](#).

Process Used to Investigate Hazing

In each case, sanctions shall be determined by the decision-maker(s) based upon the totality of the circumstances. These circumstances may include the severity of the offense(s), the conduct history of each person found in violation, and other mitigating and aggravating circumstances. Sanctions are fashioned to educate individual students to become better citizens within the campus and wider communities if possible and to separate them from the community when it is not. In all cases, the student may request a written rationale for the sanction from the decision-maker(s).

Local, State, and Tribal Laws Pertaining to Hazing

NC Statute § 14-35. Hazing; definition and punishment—It is unlawful for any student in attendance at any university, college, or school in this State to engage in hazing, or to aid or abet any other student in the commission of this offense. For the purposes of this section hazing is defined as follows: "to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group." Any violation of this section shall constitute a Class 2 misdemeanor. (1913, c. 169, ss. 1, 2, 3, 4; C.S., s. 4217; 1969, c. 1224, s. 1; 1993, c. 539, s. 19; 1994, Ex. Sess., c. 24, s. 14(c); 2003-299, s. 1.)

VAWA Policy

Introduction

This guide explains Lees-McRae College resources and options available to individuals impacted by sexbased harassment including sexual assault, domestic violence, dating violence, and stalking. Below, you will find valuable information and resources to familiarize yourself with options if you or another individual experiences sex-based misconduct.

In compliance with federal law (Title IX), Lees-McRae College has appointed a Title IX Coordinator whose role is to ensure that members of the community receive Title IX protections as guaranteed by law and institutional policy. Contact information for Lees-McRae College's Title IX Coordinator and other key resources is listed in the next section.

This can be an overwhelming time for someone who has experienced sex-based misconduct. Lees-McRae College regrets that you may have had such an experience. We want you to know that we are here for you and want to ensure you are empowered to make the choices that are best for your needs, without pressure and with respect for your autonomy and privacy.

Choose how to proceed. You have options. You can: (1) do nothing until you are ready, (2) pursue a Lees-McRae College resolution, (3) initiate criminal proceedings, 4) initiate a civil process against the perpetrator, and/or 5) pursue healing options that do not require reporting to any official. You may pursue whichever combination of options is best for you. If you pursue a Lees-McRae College resolution, your options can include an investigation, hearing, informal resolution, and/or supportive measures. Those options are summarized below and explained in detail in Lees-McRae College's Title IX Policy and Procedures, found here: <https://www.lmc.edu/students/title-IX.htm>.

If you have experienced sex-based misconduct

If you are off campus and experiencing an emergency, you can call police by dialing 911 or Campus Police and Security by dialing 828.260.0505

1. Go to a safe location as soon as you are able.
2. Contact any of the following for immediate assistance on campus or in the community:
 - a. Title IX Coordinator at 828.898.8823. Regular business hours, M-F,
 - b. Campus Police and Security at 828.898.8756. 24 hours/7 days a week,
 - c. Campus Health Services at 828.898.8862. Regular business hours, M-F,
 - d. The Counseling and Wellness Center at 828.898.3841. Regular business hours, M-F, including on-call,
 - e. Vice President for Student Affairs at 828.898.8797. Regular business hours, M-F, including on-call, and
 - f. OASIS in Boone, NC at 828.504.0911. 24 hours/7 days a week.
3. Medical Attention: Seek immediate medical attention if you are injured or believe you may have been exposed to the risk of an STI/STD or pregnancy.
 - a. Cannon Memorial Hospital in Linville, NC.
 - b. Watauga Medical Center in Boone, NC.
4. Evidence Preservation: Preserving evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time sensitive. The following steps will help preserve evidence:

For instances of Sexual Assault:

- a. Seek forensic medical assistance at the nearest hospital, ideally within 120 hours of the incident (sooner is better).
- b. Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
- c. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- d. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or a secure evidence container (if provided one by law enforcement).
 - i. If you are still wearing any clothes worn during the incident, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence.
- e. Seeking medical treatment, in general, can be essential, even if it is not for the purpose of collecting forensic evidence.
- f. Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a criminal complaint.

For instances of Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment:

- a. Evidence in the form of text and voice messages will be lost, in most cases, if the impacted individual changes their phone number.
 - a. Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
 - b. Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
 - b. Save copies of email and social media correspondence, including notifications related to account access alerts.
 - c. Take time-stamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
 - d. Save copies of any messages, including those showing any request for no further contact.
 - e. Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.
5. Contacting Law Enforcement: Lees-McRae College will provide assistance contacting law enforcement, if the impacted individual wishes to do so. Contacting law enforcement is not required to receive support or to engage other options for resolution through Lees-McRae College. Local law enforcement can assist with evidence collection, evidence preservation, taking statements, pressing criminal charges, and

obtaining protective or restraining orders. Local law enforcement agencies include:

- a. Banner Elk Police Department.

Lees-McRae College will also help facilitate contact with any other law enforcement agencies not listed above if those agencies would have jurisdiction over the alleged misconduct or could otherwise provide support for or information to the impacted individual.

If any impacted individual would prefer to have a support person accompany them to any meeting or interview with law enforcement, Lees-McRae College will help find an appropriate resource at the institution or in the local community.

If any impacted individual is interested in support with contacting law enforcement, they should contact HD Stewart, Lees-McRae College's Title IX Coordinator, at 828.898.8823 or stewarth@lmc.edu

6. Resolution Options: Impacted parties have a variety of procedural options for resolution of a complaint of sex-based misconduct at Lees-McRae College:

- a. Initiate a Complaint and Investigation with the Title IX Coordinator: An impacted party may initiate a Complaint with the Title IX Coordinator office and request they open an investigation into the allegations. The assigned investigator(s) will interview parties and relevant witnesses, collect evidence, and write an investigation report or provide a summary of evidence for the parties' review. After the investigation is complete, individual meetings or a live hearing with a Decision-maker will take place, and the Decision-maker will determine whether a violation of Lees-McRae College policy occurred. This is a Lees-McRae College administrative process, not a criminal or civil process.
- b. Informal Resolution: An impacted party may seek to resolve the allegations through an Informal Resolution, according to the parameters set out in Lees-McRae College's Title IX policy. All involved parties and the Title IX Coordinator must consent to Informal Resolution. Informal Resolution is a Lees-McRae College administrative process, not a criminal or civil process. Lees-McRae College offers four approaches to Informal Resolution:
 - i. [Supportive Resolution: Lees-McRae College can provide individualized support measures designed to maintain or restore the impacted individual's access to the College/University's education program and activities. See below for a list of possible supportive measures. For more information on supportive measures, see Policy or contact the Title IX Coordinator at Phone or Email.
 - ii. Educational Conversation: The Title IX Coordinator can resolve the allegations informally by having a conversation with the person alleged to have committed the policy violation to discuss the allegations and institutional expectations. If the impacted individual wishes to have this conversation, the Title IX Coordinator may accompany them, if desired.
 - iii. Accepted Responsibility: The person alleged to have committed the policy violation is willing to accept responsibility for violating policy and accept sanctions, and the impacted individual and Lees-McRae College accepts the resolution terms.
 - iv. Alternative Resolution: Could include, but is not limited to mediation, shuttle negotiation, restorative practices, and facilitated dialogue as a means to reaching an agreed-upon resolution.

If the impacted party chooses to initiate an investigation, Informal Resolution is available at any time during an investigation (see above) prior to a final determination. No investigation is required, though, to have access to Informal Resolution options.

- c. No Action Taken: Unless an imminent and serious threat to the health or safety of the impacted individual, or the wider Lees-McRae College community exists, if the impacted individual declines to pursue Lees-McRae College action to resolve the allegations of sex-based harassment, Lees-McRae College will provide support but not pursue resolution. The impacted individual may pursue any of the above resolutions at any time.

Impacted individuals may also seek criminal charges or civil remedies, outside the administrative resolution options Lees-McRae College offers, as outlined above. For more information on criminal

charges or civil remedies please reach out to Campus Police and Security at 828.898.8756 or the Title IX Coordinator at 828.898.8823 or stewarth@lmc.edu.

7. Protection Orders. The Title IX Coordinator, Campus Police and Safety Ambassadors or local law enforcement can provide information for obtaining a protection order, if desired. A protection order, imposed by a court, would prohibit proximity and/or contact between individuals.

Reporting

To make informed choices, all parties should be aware of confidentiality and privacy considerations, as well as institutional mandatory reporting requirements.

Confidential Reporting: A confidential resource is not required to share information about disclosures of sex-based harassment with Lees-McRae College. If an impacted individual would like the details of an incident to be kept confidential, they may speak with the following:

Confidential Employees

- The Director of the Counseling and Wellness
- The on-campus Health Service Provider
- The on-campus Chaplain

In addition, impacted individuals may speak with professionals unaffiliated with Lees-McRae College without concern that Policy will require them to disclose information to the institution without permission:

- Licensed professional counselors and other medical providers • Local rape crisis counselors • Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

Mandated Reporting: All employees not designated as confidential above are mandated reporters. This means they are required to disclose about sex-based misconduct with the Title IX Coordinator. The Title IX Coordinator will reach out to offer support and the opportunity to initiate a complaint to the impacted party, but the impacted party can choose whether to respond or participate in any meeting or process. Reporting link: https://cm.maxient.com/reportingform.php?LeesMcRae&layout_id=1.

Supportive measures and rights in the resolution process supportive measures

- Lees-McRae College will assist any impacted party with accessing counseling, advocacy services, health care, legal support, student financial aid, and visa and immigration assistance, both on campus and in the community.
- The Title IX Coordinator will discuss the availability of supportive measures after an alleged incident of discrimination, harassment, and/or retaliation. No complaint or investigation, either campus or criminal, needs to occur before this option is available. Such measures may include, but are not limited to:
 - Referral to counseling, medical, and/or other healthcare services
 - Referral to the Employee Assistance Program
 - Referral to community-based service providers
 - Visa and immigration assistance
 - Student financial aid counseling
 - Education to the institutional community or community subgroup(s)
 - Altering campus housing assignment(s)
 - Altering work arrangements for employees or student-employees\
 - Safety planning
 - Providing campus safety escorts
 - Providing transportation assistance
 - Implementing contact restrictions (no contact orders) between the Parties
 - Academic support, extensions of deadlines, or other course/program-related adjustments

- Trespass, No Contact, or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Rights of parties in the Lees-McRae College Title IX resolution process

Under the Title IX Policy and procedures, the parties have the right to:

- An equitable investigation and resolution of all credible allegations of prohibited discrimination, harassment, retaliation, and Other Prohibited Conduct, when reported in good faith to Recipient officials.
- A fundamentally fair resolution as defined in Lees-McRae College procedures.
- Timely written notice of all alleged violations, including the identity of the parties involved (if known), the specific misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated Policies and procedures, and possible sanctions.
- Be able to select an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- Have Lees-McRae College policy and procedures followed without material deviation.
- Be treated with respect by Lees-McRae College officials.
- Have Lees-McRae College law enforcement, security, and/or other Lees-McRae College officials respond promptly to alleged policy violations.
- Have Lees-McRae College maintain supportive measures for as long as necessary, ensuring they remain confidential, provided confidentiality does not impair the institution's ability to provide the supportive measures or comply with the law.
- Preservation of confidentiality/privacy, to the extent possible and permitted by law.

These rights are some of the most important, but not the only rights provided by Lees-McRae College policy. For a full list of rights, please see the Title IX policy at: <https://www.lmc.edu/students/files/policy-prohibiting-discrimination-based-on-sex-under-title-IX.pdf>.

Frequently Asked Questions (FAQ)

Can an attorney be my Advisor?

Yes. You have the right to an Advisor of your choice, which can include an attorney.

Will my parents/guardians find out about this incident?

It depends. If you are a minor, members of the Title IX team may have certain mandatory reporting obligations, which may include notifying your parents/guardians of the incident.

If you are not a minor, any incident disclosed to a Mandatory Reporter is a part of Lees-McRae College's education record, which is protected under the Family Educational Rights and Privacy Act (FERPA). This means that your education record cannot be shared with anyone with whom you have not given Lees-McRae College permission to share, except in emergency situations.

Do I have to resolve this through a Resolution Process with the Lees-McRae College?

No. You have options, as outlined above. The Title IX Coordinator can explain those options and answer your questions.

Is there a time limit for reporting?

There are no time limits on initiating a complaint; however, the passage of time may impact your options.

Will I get in trouble if I was drinking underage during the incident?

To encourage reporting and participation in the Resolution Process, Lees-McRae College offers a responsible reporting party amnesty from minor policy violations, such as underage alcohol consumption or the use of illicit drugs, related to the incident.

What happens if the Respondent fails to comply with the sanctions after a Resolution Process?

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or for any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination.

What happens if the Respondent transfers, leaves, or resigns prior to the conclusion of the Resolution Process?

It depends on the circumstances. The Title IX Coordinator can provide more information.

What if law enforcement is involved?

Lees-McRae College's action(s) or processes do not change, generally, because there are civil or criminal charges involving the underlying incident(s). Lees-McRae College may undertake a short delay in its investigation if circumstances require.

Title IX Policies and Procedures

Lees-McRae College prohibits discrimination and harassment on the basis of race, sex, sexual orientation, gender identity, color, age, religion, national and ethnic origin, disability, genetic information, protected veteran status or other individual distinctions in its programs and activities (collectively, "protected status"). This prohibition includes discrimination or harassment based upon the perception of an individual's protected status, even if the perception is mistaken. Relatedly, this Policy prohibits related misconduct, such as sexual assault, relationship violence, and stalking. The College will take affirmative action to ensure this Policy is enforced. This Policy should be read consistently with all applicable federal and state laws addressing discrimination, harassment, and related misconduct. This Policy also prohibits retaliation against any individual: who complains of or reports discrimination, harassment, or related misconduct; against whom a complaint is filed; who participates in reporting, investigation, or adjudication of possible violations of this Policy or exercises any right provided under this Policy; or engages in good-faith opposition to what the individual reasonably believes to be discrimination under this Policy.

Title IX | Lees-McRae College

The College's Title IX Coordinator is:

HD Stewart, MSHEA '15
Assistant Vice President of Operations and Risk Management
Cannon Administration Building, Room 1
P.O. Box 128
191 Main Street West
Banner Elk, NC 28604
stewarth@lmc.edu
828.898.8823

The College's Title IX Coordinator is responsible for administering the College's Title IX Policies and Procedures and is designated as the Coordinator for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, and the Age Discrimination Act of 1975. Inquiries regarding Lees-McRae College's Title IX Policies and Procedures or the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to the College's Title IX Coordinator.

Lees-McRae College is committed to providing a safe and discrimination-free learning, living and working environment for all members of the College community. Students, staff, faculty, and third parties who believe they have been subjected to discrimination or harassment in violation of this Policy should follow the procedures outlined in this Policy to report these concerns immediately to the Title IX Coordinator.

Inquiries regarding the College's application of this Policy may also be directed to:

United States Department of Education's Office for Civil Rights
U.S. Department of Education, District of Columbia Office
400 Maryland Avenue, S.W.
Washington, DC 20202
ocr@ed.gov
Telephone: 202.453.6020
Toll-Free: 800.421.3481

Scope of the College's Title IX Policy and Procedures

This Title IX policy governs the conduct of Lees-McRae College students; faculty; staff; and third parties (non-members of the College community, such as vendors, alumni, visitors, or local residents) who come on campus and/or participate in the College's programs and activities (collectively, the "campus community"). For the purposes of this Policy, status as a "student" begins with initial application to a College program and does not conclude until a degree is awarded or the student permanently withdraws or is dismissed.

This Title IX Policy applies to all College programs and activities. All campus community members are responsible for their actions and behavior, whether the conduct in question occurs on campus or in another location if it involves a program or activity of the College. This Policy applies to conduct that occurs on College property, and in certain circumstances, off college property or off campus, especially if the conduct involves another member of the campus community. This Policy applies to conduct when the conduct is associated with a College-sponsored program or activity, such as travel, distance learning, research, or internship programs. Judgments about these matters will depend upon the facts of an individual case. In particular, off-campus behaviors that have an actual or potential adverse impact on any member of the campus community or College fall under this Policy. The College retains the discretion to determine whether conduct that occurs off-campus or that is allegedly not within a College program or activity, such as online conduct, falls under this Policy. At all times, members of the campus community have a responsibility to adhere to College policies and local, state and federal law.

Third parties are both protected by and subject to this Policy. A third party may report or file a complaint concerning a violation of this policy committed by a member of the College community. A third party may also be permanently barred from the College or subject to other restrictions for failing to comply with this Policy.

Anyone can consult directly with the Title IX Coordinator for guidance by calling 828.898.8823.

Policies and Practices Addressing and Preventing Sexual Discrimination and Harassment

Lees-McRae College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as later defined herein. The College's approach to addressing this problem is to (a) educate the campus community as a means of prevention; (b) deter such acts through prompt reporting and investigation of alleged violations of this policy, and the imposition of sanctions where a violation is found by a preponderance of the evidence; (c) provide assistance to Complainants; and (d) place Complainants in contact with local law enforcement to investigate possible legal prosecution.

Educational programs on Title IX including Lees-McRae policies concerning consent, sexual harassment and assault, and bystander intervention are managed by the Title IX Coordinator. The Title IX Coordinator partners with the Office of Student Affairs and Campus Safety Committee to provide education and services. Counseling options are available through the Office of Student Affairs.

Along with other groups at the College, the Title IX Coordinator coordinates and promotes ongoing prevention and awareness campaigns, primary prevention programs, and risk reduction. Ongoing prevention and awareness campaigns involve programming, initiatives, and strategies that are sustained over time and focus on increasing

understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution and including information described in paragraph 34 CFR 668.46, paragraph (j)(1)(i) (A)-(F). Primary prevention programs are programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions. Risk reduction refers to options designed to decrease perpetration and bystander inaction, and to increase empowerment for individual members of the campus community in order to promote safety and to help individuals and communities address conditions that facilitate violence.

If a student, staff, or faculty member believes someone they know has experienced a violation of this Policy they should promptly report incidents to the Title IX Coordinator. The sooner a report is made, the more effectively it can be investigated. All faculty and staff (including all Residence Life staff) who observe or receive a Report of sexual misconduct are required to promptly report the incident to the Title IX Coordinator. The faculty or staff member is not permitted to investigate or try and resolve or mediate the situation and is expected to be discreet. A faculty or staff member's receipt of information will not automatically trigger an obligation by the College to respond to an allegation of Title IX Sexual Harassment. Only a report to the Title IX Coordinator or an Agent of Actual Notice will trigger the College's obligation to respond to an allegation of Title IX Sexual Harassment. There is no time limitation for reporting conduct prohibited under this Policy.

Lees-McRae College encourages the reporting of possible violations of Title IX policy by those subject to the violation or witnesses. In some cases, students may be reluctant to make such reports or participate in a grievance proceeding because they themselves may be accused of a conduct violation. However, it is in the best interests for those subject to sexual misconduct or witnesses of possible violations to report to the Title IX Coordinator. Thus, a student who reports sexual misconduct by another will not be subject to conduct violations or disciplinary proceedings for her/his own actions, provided that the reporting student's actions did not place the health or safety of any other person at risk or violate Title IX or other College policies. Only those who are a Complainant or a witness may receive amnesty, not the alleged Respondent.

All Lees-McRae College employees shall refrain from any inappropriate relationship with students to the extent that the relationship may compromise any policies and/or expectations of the College as a quality institution of higher education. Inappropriate relationships include any romantic or physically intimate liaison with a student. College employees are not to engage in a dating or inappropriate relationship with an individual that they have direct supervisory authority over.

Definitions

Advisors: The Complainant and the Respondent may consult with anyone they wish (including an attorney) during any stage of the Formal Grievance Process. The Advisor's role in any meeting is limited to quietly conferring with the Complainant or Respondent through written correspondence or whisper, and the Advisor may not address any other participant. An Advisor may not also be a witness. If the Complainant or Respondent has not selected an Advisor prior to a hearing conducted through the Formal Grievance Process, the College will make a trained Advisor available to the party. Only an Advisor may conduct cross-examination of any witness or party on behalf of Complainant or Respondent during a hearing.

Agent of Actual Notice: An official of the College with the authority to institute corrective action on behalf of the College, and notice to whom causes the College to respond to Title IX Sexual Harassment.

Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention

options, and taking action to intervene. Bystanders may report possible misconduct and all faculty and staff (including all Residence Life staff) who observe or are aware of sexual misconduct are required to immediately report to the Title IX Coordinator.

Complainant: The individual who has reported alleged misconduct under this Policy.

Consent: The explicit approval and permission to engage in sexual activity demonstrated by clear actions, words, or writings, considered from the perspective of a reasonable person. Consent is informed, freely given and mutually understood by all parties involved. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the Complainant was mentally or physically incapacitated or impaired so that the Complainant could not understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious, or under the age of legal consent, or unable to give consent under current law. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the Respondent has taken advantage of a position of influence over the Complainant may be a factor in determining whether consent was freely given. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Consent can be withdrawn at any time, and once withdrawn, sexual activity must cease.

Discrimination: Any distinction, preference, advantage for or detriment to an individual compared to others that is based upon an individual's actual or perceived race, color, sex, sexual orientation, gender identity, age, ethnicity or national origin, religion, disability, genetic information, protected veteran status and any other characteristic protected by law.

Discriminatory Harassment: Detrimental action based on an individual's actual or perceived race, color, sex, sexual orientation, gender identity, age, ethnicity or national origin, religion, disability, genetic information, protected veteran status and any other characteristic protected by law that is so severe, persistent or pervasive that it unreasonably interferes with or limits a student's ability to participate in or benefit from the College's education program or activities.

Education Program or Activity: Includes all operations of the College, including locations, events, and circumstances where the College exercises substantial control and any building owned or controlled by a student organization officially recognized by the College.

Formal Complaint: A document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment or Retaliation by a Respondent and requesting that the College investigate the alleged conduct. A Formal Complaint must be signed by the Complainant or, in the case of an email submission, sent as an email attachment in letter format, and should contain the name and all contact information for the Complainant. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. A Formal Complaint is not required for the College to pursue more information about a Report of conduct in violation of this Policy generally, but a Formal Complaint is required for the College to investigate Title IX Sexual Harassment. When the Title IX Coordinator receives a Formal Complaint alleging conduct that would, if the allegations are true, constitute Title IX Sexual Harassment, the Title IX Coordinator will determine whether the alleged conduct: (i) was perpetrated against a person in the United States; took place within the College's education program and activities; and was reported by a Complainant who, at the time of filing or signing the Formal Complaint, was participating or attempting to participate in the College's education program and activities. If these conditions are satisfied, the Title IX Coordinator will address the Formal Complaint using the Title IX Formal Grievance Process. If those conditions are not satisfied, or subsequent investigation reveals that not all of the conditions are satisfied, the Title IX Coordinator will dismiss the Formal Complaint from the Title IX Formal Grievance Process. This decision may be appealed by either party. Such allegations of misconduct that do not satisfy these conditions will be addressed under the misconduct provisions of the appropriate policy governing students, faculty, or staff.

Gender-based Harassment: This is another form of sex-based harassment and refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature.

Pregnant and Parenting Students: The college may not (a) apply any rule concerning parental, family, or marital status that treats persons differently on the basis of sex; (b) discriminate against or exclude any student from its education program or activity, including any class or extracurricular activity on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom; or (c) make pre-admission inquiries as to the marital status of an applicant for admission.

Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, hearings, and appeals. Proceeding does not include communications and meetings between officials and the Complainant or officials and the Respondent concerning Supportive Measures to be provided to the Complainant and/or Respondent.

Relevance: During any Proceeding, the representative of the College conducting the Proceeding may exclude and/or redact:

- Information that has no bearing on a fact at issue in the case, is more prejudicial than probative, or is duplicative
- Information regarding prior or subsequent sexual behavior by the Complainant 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 if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Medical or mental health information treatment and/or diagnosis, unless relevant to the facts at issue and provided during an investigation of a formal complaint under this Policy;
- Medical records of the Complainant or Respondent, unless the party gives voluntary, written consent to use the records as part of the investigation or adjudication of a formal complaint made under this Policy. If a party gives consent to the College to use his or her medical records in Proceedings under this Policy and the records are directly related to the allegations made in the formal complaint, the other party will be allowed to inspect and review the records. Any information or records that is not directly related to the allegations made in a formal complaint under this Policy will be withheld or redacted.
- Sensitive personally identifying information (e.g. social security numbers, contact information, etc.)
- Information relating to Supportive Measures, except to the extent necessary to implement the Supportive Measures.

Report: Notification, orally or in writing, that conduct in violation of this Policy is alleged to have occurred.

Respondent: The individual who has been accused of a violation of this Policy.

Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions assigned by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

Retaliation: Intentional action taken by an accused individual, allied third party, or a Title IX Coordinator, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a proceeding under this policy or any other grievance or disciplinary proceeding, or advocating for others' Title IX rights. Any such action is strictly prohibited and may be investigated and reviewed as a separate violation of these Title IX Policies and Procedures.

Title IX Sexual Harassment: Any conduct on the basis of sex that satisfies one or more of the following:

- An employee of the College conditioning the provision of an aid, benefit or service of the College on an individual's participation in unwelcome conduct of a sexual nature;

- Unwelcome conduct that is so severe, persistent or pervasive, from the perspective of a reasonable person, that it denies a person's ability to participate in or benefit from the College's education program or activities.
- *Sexual Assault*: Any sexual act directed against another person, without consent of the Complainant including instances where the Complainant is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders. This includes the following:
 - *Rape* – the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by the sex organ of another person, without the consent of the Complainant.
 - *Sodomy* – oral or anal sexual intercourse with another person, forcibly and/or against the person's will; or not forcibly or against the person's will where the Complainant is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.
 - *Sexual Assault with an Object* – the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the Complainant is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
 - *Fondling* – the touching of private body parts of Complainant for sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the Complainant is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
 - *Incest* – Non-forcible sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.
 - *Statutory Rape* – Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- *Dating Violence*: Any act of violence that is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on consideration of the length, the type, and the frequency of interactions between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- *Domestic Violence*: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the Complainant; By a person with whom the Complainant shares a child in common; By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- *Title IX Stalking*: A course of conduct on the basis of sex directed at a specific person that would cause a reasonable person to fear for their safety or the safety of another, or to suffer substantial emotional distress.

Sexual Harassment: Any unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, or physical conduct of a sexual nature, such as assault or acts of sexual violence.

Examples of sexually harassing conduct include, but are not limited to:

- making sexual propositions or pressuring students for sexual favors;
- touching of a sexual nature;
- writing graffiti of a sexual nature;
- making via electronic means, displaying, or distributing sexually explicit
- drawings, videos, pictures, or written materials, in any manner or through social media;
- performing sexual gestures or touching oneself sexually in front of others;

- telling sexual or dirty jokes;
- Spreading sexual rumors or rating other students as to sexual activity or performance; or circulating or showing e-mails or Web sites of a sexual nature.

Sexual Violence: Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person too far of the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, course of conduct means two or more acts including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or Respondent, or both, coordinated by the Title IX Coordinator before or after the filing of a formal complaint, or after receipt of an informal report by the Title IX Coordinator, if no formal complaint is filed, designed to restore or preserve access to the College's education programs and activities, protect the safety of all parties and the College's educational environment, or deter conduct prohibited by this Policy, while not unreasonably burdening any party. Supportive Measures may include measures to avoid contact between the Complainant and the Respondent; changes to academic and extracurricular activities including living, transportation, dining, and working situations; and access to resources such as victim advocacy, housing assistance, academic support, counseling, disability services, and health and mental health services, and assistance with reporting a crime to the Campus Police and Security department or the Town of Banner Elk Police Department.

Procedures

When a complaint is filed alleging discrimination, harassment, or sexual misconduct in violation of Title IX as defined herein, or such alleged conduct is brought to the attention of the Title IX Coordinator, the process involves an immediate initial inquiry by the Title IX Coordinator to determine if there is reasonable cause to believe the conduct or discrimination occurred and whether the conduct is in violation of this Policy. If the Title IX Coordinator determines there is reasonable cause to believe the conduct or discrimination as alleged has occurred, the Title IX Coordinator will initiate a prompt, thorough and impartial investigation. This investigation is designed to provide a fair and reliable determination about whether the conduct or discrimination has occurred. If so, the College will implement a prompt and effective remedy designed to end the conduct or discrimination, prevent its recurrence and address its effects.

Initial Response

After receiving a report of any misconduct in violation of this Policy, the Title IX Coordinator will promptly contact the Complainant to discuss and provide a written notification of the Complainant's rights and options. In cases of Title IX Sexual Harassment or Stalking, written notification will include: existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the College and locally and in the community; assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures that are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement; and an explanation of the procedures for disciplinary action under this Policy or other applicable misconduct policies.

Upon receipt of a Report, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures, explain that Supportive Measures will be made available with or without filing a Formal

Complaint, inform Complainant of the process for filing a Formal Complaint, and inform the Complainant that even if they do not wish to file a Formal Complaint, the Title IX Coordinator may do so on the Complainant's behalf. The Complainant will also be advised of their right to an Advisor of their choosing, the College's policy prohibiting retaliation, and the requirements of the Formal Grievance Process.

With or without a Formal Complaint, Supportive Measures will be offered to the Complainant and the Complainant's wishes and preferences regarding the Supportive Measures will be considered. Supportive Measures will also be made available to the Respondent, witnesses, and other impacted campus community members, if applicable and as appropriate.

Where there is an immediate threat to the physical health or safety of any students or other individuals arising from a Report of Title IX Sexual Harassment or a Formal Complaint, the College can remove a student Respondent from part or all of the College's education programs or activities and issue any necessary related no-trespass and no-contact orders. In consultation with the Dean of Students and/or Office of Student Affairs, the Title IX Coordinator will make the decision to remove a student Respondent from some or all of the College's education programs and activities based on an individualized assessment and risk analysis. If the College makes such a decision, the student Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal.

The College may place a staff or faculty Respondent on administrative leave (or student employee on leave from their employment) upon receiving a Report and/or while a Formal Complaint is pending. An employee alleged to have committed Title IX Sexual Harassment will not be placed on administrative leave unless and until a Formal Complaint has been filed. The College, in its discretion and based upon the circumstances, will determine whether any administrative leave is imposed with or without pay or benefits.

This procedure is intended to apply to alleged discrimination or harassment in violation of this Title IX Policy. All other misconduct or grievances by members of the campus community will be addressed through the misconduct procedures in the Lees-McRae College Student Handbook, Lees-McRae College Faculty Handbook, and As discussed below, the procedures and processes contained in this Policy are in addition to a Complainant's rights and options to make a report to law enforcement and to seek redress through the civil or criminal court systems.

Alternative/Informal Resolution Process

After a Formal Complaint has been filed and prior to any determination regarding responsibility, either party may request, or the Office of Student Affairs or other representative of the College may offer, the parties the opportunity to resolve a report using alternative/informal resolution through mediation or another process that does not involve a full investigation and adjudication of the Formal Complaint. Prior to undertaking an Alternative/Informal Resolution Process, the College will: (i) provide written notice disclosing the allegations made in the complaint, the requirements of the Alternative/Informal Resolution Process, the circumstances under which the parties would be considered to have agreed to a resolution and would not be permitted to resume the Formal Grievance Process, and any consequences, including recordkeeping requirements, that may result from participating in the College's Alternative/Informal Resolution Process; (ii) obtain the parties' voluntary, written consent to using the Alternative/Informal Resolution Process; and (iii) will not offer or allow use of the Alternative/Informal Resolution Process to resolve allegations that an employee of the College sexually harassed a student.

If the parties have voluntarily undertaken informal discussion of the alleged misconduct before the Complainant follows any of the reporting procedures under this Policy and both parties believe the issues have been resolved, the Complainant should nevertheless report the matter to the Title IX Coordinator for approval of the resolution and implementation of any relevant Supportive Measures.

Formal Grievance Process

After a Report is received or a Formal Complaint is made, and if the parties do not elect to proceed through the Alternative/Informal Resolution Process, the Title IX Coordinator will notify the Title IX Investigator (the "Investigator"), who will be designated to formally investigate the complaint. The Investigator will be someone who

is regularly trained on dating violence, domestic violence, sexual assault, stalking, and how to conduct an investigation and hearing process that protects the safety of the Complainant and promotes accountability.

The procedures used to formally adjudicate alleged misconduct in violation of this Policy may vary depending upon the identities of the Complainant and Respondent and the nature of the alleged misconduct. Where more than one procedure may apply based upon the identities of the parties and/or the alleged misconduct, the College has the discretion to apply the procedure that it determines is the most appropriate based on the unique facts and circumstances presented by the allegations, as well as to consolidate multiple sets of allegations into a single investigation and/or formal grievance process.

For Formal Complaints alleging conduct against a student that is prohibited under this Policy, but does not constitute Title IX Sexual Harassment, the Student Conduct Process conducted according to the Code of Student Conduct and the procedures in the Lees-McRae College Student Handbook will apply.

For Formal Complaints alleging conduct against a faculty member that is prohibited under this Policy, but does not constitute Title IX Sexual Harassment, the misconduct procedures conducted according to the Lees-McRae College Faculty Handbook will apply.

For Formal Complaints alleging conduct against a staff member that is prohibited under this Policy, but does not constitute Title IX Sexual Harassment, the appropriate disciplinary procedures in Part 7.00, Performance and Discipline of the Lees-McRae College Employee Handbook will apply.

For Formal Complaints alleging Title IX Sexual Harassment by a student or any faculty or staff member, the Lees-McRae College Title IX Sexual Harassment Grievance Procedures will apply.

[View the institution's Title IX Sexual Harassment Grievance Procedures](#)

Victims of sexual assault, rape and/or date rape are encouraged to seek the criminal prosecution of their assailants. The Campus Police and Security department will assist victims who choose to prosecute by transporting them to the Town of Banner Elk Police Department and providing information in support of the criminal investigative process. However, the College will continue to investigate the report in compliance with Title IX.

This Title IX Policy does not replace civil or criminal justice systems. Should a student be raped, sexually assaulted, or experience any potentially criminal harassment or misconduct on the campus or in the vicinity of the school, the victim is urged to consider reporting the matter to the Campus Police and Security department without delay and preserve all evidence of criminal action. As unpleasant as it may be, the victim should not wash, shower, or change clothes. To a large extent, the victim is the evidence of the crime. The longer the delay between the incident and the time it is reported, the less likely it is that the criminal prosecution will be successful. It should also be noted that state laws dealing with victim compensation and aid limit eligibility for compensation for medical expenses and economic losses to cases of rape and sexual assault reported seventy-two (72) hours, in most cases. Whether a student chooses to make a report to the Campus Police and Security department will not affect the College's decisions to respond to the student's informal or formal Complaint, offer remedies to the complainant, or investigate the reported misconduct.

By contacting the Town of Banner Elk Police Department while at the Campus Police and Security office, Campus Police and Security will arrange for proper care and assistance to be provided and for a victim's advocate to be appointed, if the student wishes. Furthermore, the members of the Campus Police and Security department pledge that:

- They will meet with the victim privately, at a place of the victim's choice in the local area, to take a complaint report.
- They will not release the victim's name to the public or to the press.
- Their officers will not prejudice or blame the victim for what has occurred.

- They will treat the victim and the particular case with courtesy, sensitivity, dignity, understanding and professionalism.
- If the victim feels more comfortable talking with a female rather than a male officer, they will do their best to accommodate the victim's request.
- They will assist the victim in arranging for any hospital treatment or medical needs.
- They will assist the victim in privately contacting counseling services and other available resources.
- They will fully investigate the victim's case and will help the victim achieve the best outcome. This may involve the arrest and full prosecution of the suspect responsible. The victim will be kept up-to-date on the progress of the investigation and/or prosecution.
- They will continue to be available to the victim to answer questions, explain the systems and processes involved, and be willing listeners.
- They will consider the victim's case seriously, regardless of the victim's gender.

The criminal investigation into the rape or sexual assault will be handled by the Town of Banner Elk Police Department and victim assistance may be available through the procedures authorized by NC General Statute § 143B-480.2. These are separate from the measures provided by the College, which will provide Supportive Measures to victims of rape and/or sexual assault in coping with the after-effects of their experience through the Title IX Coordinator, as described above.

To reach the Campus Police and Security department, you can:

- Call 911, in an emergency; or
- Call the office at 828.898.8756.
- Call the officer on duty at 828.260.0505

Other local law enforcement agencies may be called using following telephone numbers:

- Banner Elk Police Department: 828.898.4300
- Avery County Sheriff's Office: 828.733.3858

Revised and effective as of January 13, 2025

Additional Enforcement Information

Concerns about the Lees-McRae College's application of this Policy and compliance with certain federal civil rights laws may also be addressed to:

Office for Civil Rights (OCR)
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, D.C. 20202-1100
 Customer Service Hotline #: (800) 421-3481
 Facsimile: (202) 453-6012
 TDD#: (877) 521-2172
 Email: OCR@ed.gov
 Web: <http://www.ed.gov/ocr>

Office for Civil Rights (OCR)
 District of Columbia Office
 400 Maryland Avenue, S.W.
 Washington, DC, 20202-1475
 Email: OCR.DC@ed.gov

For Complaints involving employee-on-employee conduct: [Equal Employment Opportunity Commission](#) (EEOC)

EEOC Regional Office
129 West Trade Street, Suite 400
Charlotte, NC, 28202

Also, you can report employment discrimination to the [State of North Carolina's Civil Rights Division](#).

NC Administrative Civil Rights
1711 New Hope Church Rd
Raleigh, NC 27609

Support and Resources

This list of resources is NOT exhaustive but is a sample of potential support measures available:

CONFIDENTIAL (this means that nothing you share in these settings can be reported to anyone else without your written permission except in cases where personal safety is involved)

On-Campus Confidential Resources

- **Counseling.** We offer mental health resources through Student Affairs who additionally can make referrals to providers in the area who can help. The offices are located in the Student Affairs Suite on the lower level of Virginia Hall. We have counselors available. Contact Sandine Ingabire at ingabires@lmc.edu or 828.898.3841.
- **Health Services.** Contact Director of Health and Wellness Tracy Jenkins at jenkinst@lmc.edu or 828.898.8798.
- **Chaplain.** Our college Chaplain is the Rev. Ted Henry, who can be reached at henryt@lmc.edu.

Off-Campus Confidential Resources

- **OASIS, Inc.** (Opposing Abuse with Service, Information and Shelter), with personnel in both Avery and Watauga Counties. Their website is www.oasisinc.org or they can be reached by email at admin@oasisinc.org or by phone at 828.785.5249 (Avery) or 828.264.1532 (Watauga). *This service is only for those who report experiencing sexual assault.*
- **Therapists and Healthcare Providers.** Our mental and physical healthcare workers can assist with referrals as requested or needed.
- **National Hotlines and Agencies,** including Domestic Abuse Survival, Suicide Prevention, Trans Support, and more.

PRIVATE (this means that your information is ONLY shared on a strictly need-to-know basis, and this would be for the sole purpose of operationalizing these support measures)

On-Campus Private Resources

- **Safety and Security.** For emergent matters at any point, you can reach out to Campus Police and Security at (828) 260.0505.
- **Title IX Processes and Procedures.** Additionally, both informal and formal processes are available under Title IX legislation, including alternative dispute resolutions, informal settlements, and formal investigations and adjudications. Title IX inquires may be sent to HD Stewart at stewarth@lmc.edu.
- **Protection from Retaliation.** Lees-McRae will not tolerate any form or retaliation, direct or indirect, in-person or virtual, aimed at any person or party involved in a Report to the Title IX Office.
- **Extensions of Deadlines or Other Course-Related Adjustments.** The Title IX Office can work with the Office of the Provost if an affected person needs extra time to complete academic work because of more pressing self-care needs.

- **Modifications of Work or Class Schedules.** The Title IX Office can work with the Registrar, Human Resources, the Provost, or other Administrators for needed scheduling changes
- **Restrictions on Contact/No Contact Directives.** This would be a directive that, while on campus or engaging in college-related activities, an affected student and the other party(ies) would be forbidden to initiate or engage in any communication, direct or indirect, without incurring more serious consequences up to and including suspension from the campus grounds. In rare cases, a No Trespassing on Campus order can be put in place.
- **Changes in Work or Housing Locations.** These can be operationalized by the Title IX Office, working with the appropriate campus personnel.
- **Leaves of Absence.** There are times when this is the best choice a person can make for their own wellbeing and this Office can assist with this process.
- **Increased Security and Monitoring of Certain Areas of Campus.** If there are areas that need to be better lit or checked on more frequently, the Title IX Office can work with Safety Ambassadors.

Off-Campus Private Resource

- **Banner Elk Police.** Their physical address is 583 Main Street E, Banner Elk, NC 28604, and their phone number is (828) 898-4300.

Confidential Employee Resource

- **Employee Assistance Program.** If unclear whether this resource is available to you or how to access it, please contact Lees-McRae College's Human Resources office.

For further information, you can email HD Stewart at stewarth@lmc.edu.

Policy Review and Revision

These policies and procedures will be reviewed and updated regularly by the Title IX Coordinator. The Title IX Coordinator will submit modifications to this Policy in a manner consistent with Lees-McRae College policy upon determining that changes to law, regulation or best practices require policy or procedural alterations not reflected in this Policy and procedure. Procedures in effect at the time of its implementation will apply. The Policy definitions in effect at the time of the conduct will apply even if the Policy is changed subsequently, unless the parties consent to be bound by the current Policy.

This Policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon posting to Lees-McRae College website.

This Policy is effective as of August 1, 2024.

Sex Offender Registration

Information regarding sex offenders can be found by visiting the North Carolina Department of Justice website at <http://sexoffender.ncdoj.gov/>. Convicted sex offenders in North Carolina must register with the North Carolina Department of Justice.

Emergency Communication Plan

This plan shall become effective:

- Automatically when a major incident significantly disrupts college operations.
- Automatically when a state of emergency for an area including Lees-McRae College has been declared by the Governor of the State of North Carolina.
- When the college president or appointed representative implements the Lees-McRae College Emergency Communication Plan.

Minor Emergencies

Should be immediately reported to the Campus Police and Security department and handled on a case-by-case basis by the Officer on duty.

Major Emergencies

Any incident which affects an entire building or buildings, may disrupt the overall operations of the college, or requires major efforts from campus support services or outside Emergency Services. The Campus Police and Security department officer on watch shall take immediate action in order to meet the emergency and safeguard persons and college property. The officer on watch will notify the AVP Operations & Risk Management who shall immediately consult with the college president or designee regarding the emergency and the possible need for a declaration of a campus state of emergency. The college president or designee serves as the overall Emergency Director during any major emergency or disaster and has the authority to declare a campus state of emergency.

Disaster

Any incident which has seriously impaired or halted the operations of the college. In some cases, mass casualties and severe property damage may be sustained. A coordinated effort of all campuswide resources is required to effectively control the situation. Outside emergency services will be essential. In all cases of a disaster, the Emergency Control Center will be activated.

Inclement Weather Policy

Main Campus

The practice of Lees-McRae College is to continue operations, both instructional and otherwise, even when facing snow, ice, or other harsh weather.

When Operations Continue

In the event that the Banner Elk area experiences inclement weather conditions, and that classes or other operations are not delayed or canceled, students and employees should exercise all due care, caution, and prudent judgment in their determination of whether travel to campus is safe and warranted. The same applies to students and employees whose responsibilities lie at extended campus sites. (See Inclement Weather Policy for distant learning.)

The college appreciates the efforts of both students and employees to meet their obligations when operations continue uninterrupted. However, unnecessary risk of life, limb, and property is to be avoided. If students decide not to attempt travel, they should make every effort to inform their instructors by email. If employees decide not to attempt travel, they should make every effort to inform the appropriate supervisor of that decision. If contact with the immediate supervisor is not possible, college employees should relay their decision through the office of the appropriate Cabinet member. Note that when the college is open and employees make the decision not to attempt travel, employees must claim their missed work time as a personal day or vacation time; however, sick leave may not be used.

When Operations Are Delayed or Canceled

If extraordinarily severe conditions warrant, the president, in consultation with pertinent President's Cabinet members and the AVP Operations & Risk Management, may delay classes, cancel classes, delay opening of the college, or close the college. These distinctions being important, the following definitions become significant:

- **Classes Will Begin At...:** Classes begin at the stated time; other college operations begin as usual.
- **Classes Are Canceled:** Classes throughout the day are canceled; other college operations continue as usual. (Administrators, administrative staff, professional staff, custodial staff, and other non-instructional staff are expected to continue operations within the parameters of the above remarks.)
- **The College Will Open At...:** Both classes and administrative operations begin at the stated time.
- **The College Is Closed:** Both classes and administrative operations are canceled for the day. Only essential staff members (e.g., food services, physical plant, police and security, and Cabinet members) are expected to report to campus. Additional staff members may be required on campus at the discretion of the supervising Cabinet member.

These decisions will be communicated through the following channels. Note that the official decision for delay or cancellation is the one broadcast through campus communications.

- Lees-McRae College switchboard (828.898.5241)
- Campuswide email
- Lees-McRae College website
- Social media sites (@leesmcrac, facebook.com/lmc.edu)
- Campuswide text message, email, and/or voice mail through the opt-in AMG Alerts system.
- Various media outlets, including:
 - Boone: MTN-24
 - Charlotte: WBTV-3 (CBS)
 - Asheville: WLOS-13 (ABC)
 - Johnson City: WJH-11 (CBS)
 - Bristol: WCYB-5 (NBC)
 - These stations will be alerted in the event of a delay of full-day closure. Stations will not be contacted in the event of an early closure.

Declaring a Campus State of Emergency

The authority to declare a campus state of emergency rests with the college president or his designee as follows:

During the period of any campus emergency, the Campus Police and Security department, as required, shall place into immediate effect the appropriate procedures necessary in order to meet the emergency, safeguard persons and property, and maintain educational facilities. The AVP Operations & Risk Management shall immediately consult with the president regarding any major emergency and the possible need for a declaration of a campus state of emergency.

When this declaration is made, only registered students, faculty, staff, affiliates (i.e., persons required by employment) and emergency personnel (police, fire, and EMS) are authorized to be present on campus. Those who cannot present proper identification (student, employee, or other photo ID showing their legitimate business on campus), will be asked to leave the campus, or will be detained. In addition, only those faculty and staff members who have assigned emergency resource team duties will be allowed to enter the immediate disaster site.

In the event of earthquakes, aftershocks, fires, storms, or major disaster occurring in or around the campus, or which involves college property, the Campus Police and Security officers will be dispatched to determine the extent of any damage.

Emergency Notification

In the event of an emergency, Lees-McRae has the following options available for notifying faculty, staff, students, parents, and community members.

Rave Alert System

Lees-McRae utilizes the Rave Alert System. This alert system allows faculty, staff, students, parents, and community members the opportunity to receive text messages, voicemails, or emails in the event of an emergency. Users can select a preferred method of contact which the college can choose to override if there is a significant threat to campus. The AVP Operations & Risk Management and/or the Executive Vice President for Strategic Operations and Public Relations is responsible for executing the alert system. The Executive Director of Marketing and Communications is secondary.

Alertus Desktop Notification

In the event of an emergency, Lees-McRae can utilize the Alertus Desktop notification system to send an alert to all campus desktop computers. These alerts are remote activated either by the AVP Operations & Risk

Management and the Executive Vice President for Strategic Operations and Public Relations. The Executive Director of Marketing and Communications is secondary.

Lees-McRae College Website (www.lmc.edu)

The Lees-McRae College website will broadcast a large banner at the top of every page in the case of an emergency. This banner would only contain the most pertinent information. Additionally, the campus safety section of the website houses a page specifically for incidents. All other communications refer faculty, staff, students, parents, and community members to this page. It includes time stamps for convenient reference. All website updates are implemented by the Executive Director of Marketing and Communications (primary) and the Associate Director for Marketing and Enrollment Communications (secondary).

College Switchboard Automated Answering Machine (828.898.5241)

The college's main phone line, the switchboard, includes an answering machine that will contain the same broadcast message as the alert sent through Rave. This message is broadcast by the Executive Director of Marketing and Communications.

Social Media

In the event of an emergency, the college uses social media to notify faculty, staff, students, parents, and community members. Lees-McRae moderates a Facebook and Twitter account (facebook.com/lmc.edu and [@leesmcrac](https://twitter.com/leesmcrac)). The Executive Director of Marketing and Communications is responsible for sending messages via social media.

Emergency Sirens

In the event of an emergency, Lees-McRae can utilize emergency sirens located on the campus bell tower. These sirens are remote activated either by the AVP Operations & Risk Management, the Executive Vice President for Strategic Operations and Public Relations, or by the Campus Police and Security department Safety Ambassador on duty.

Annual Fire Report

The purpose of the Annual Fire Safety Report is to provide the Lees-McRae community information about fire safety on campus.

Report Distribution

Copies of the Fire Report can be printed from the Annual Fire and Safety Report or hard copies can be printed by visiting the Campus Police and Security department.

Fire Log

The college maintains a written fire log of any fire that occurs in campus housing. The Fire Log is maintained by the Campus Police and Security department and can be viewed during the regular business hours of the college. Requests for data prior to 60 days before the request will be provided within two business days of the request.

On-Campus Housing Facilities included in Annual Fire Reporting

Name of Facility	2022				2023				2024			
	Fires	Injuries	Deaths	Property Damage	Fires	Injuries	Deaths	Property Damage	Fires	Injuries	Deaths	Property Damage
Apartments	0	0	0	0	0	0	0	0	0	0	0	0
Avery Hall	0	0	0	0	0	0	0	0	0	0	0	0
Baldwin Hall	0	0	0	0	0	0	0	0	0	0	0	0
Bentley Hall	0	0	0	0	0	0	0	0	0	0	0	0
Cannon Cottage	0	0	0	0	0	0	0	0	0	0	0	0
Campbell Hall	0	0	0	0	0	0	0	0	0	0	0	0
Douglass Cottage	0	0	0	0	0	0	0	0	0	0	0	0
East Wing	0	0	0	0	0	0	0	0	0	0	0	0
Harris Cottage	0	0	0	0	0	0	0	0	0	0	0	0
Hickory Cottage	0	0	0	0	0	0	0	0	0	0	0	0
Keener Cottage	0	0	0	0	0	0	0	0	0	0	0	0
McKowen Cottage	0	0	0	0	0	0	0	0	0	0	0	0
West Wing	0	0	0	0	0	0	0	0	0	0	0	0
Hemlock Village I	0	0	0	0	0	0	0	0	0	0	0	0
Hemlock Village II	0	0	0	0	0	0	0	0	0	0	0	0
Hemlock Village III	0	0	0	0	0	0	0	0	0	0	0	0
House 110	0	0	0	0	0	0	0	0	0	0	0	0
House 160	0	0	0	0	0	0	0	0	0	0	0	0
House 168	0	0	0	0	0	0	0	0	0	0	0	0
House 193	0	0	0	0	0	0	0	0	0	0	0	0
House 207	0	0	0	0	0	0	0	0	0	0	0	0
House 248	0	0	0	0	0	0	0	0	0	0	0	0
House 262	0	0	0	0	0	0	0	0	0	0	0	0
House 280	0	0	0	0	0	0	0	0	0	0	0	0
House 300	0	0	0	0	0	0	0	0	0	0	0	0
House 306	0	0	0	0	0	0	0	0	0	0	0	0
House 320	0	0	0	0	0	0	0	0	0	0	0	0
McMillan Hall	0	0	0	0	0	0	0	0	0	0	0	0
McRae House 236	0	0	0	0	0	0	0	0	0	0	0	0
Tate Hall	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee Hall	0	0	0	0	0	0	0	0	0	0	0	0
Townhouse A	0	0	0	0	0	0	0	0	0	0	0	0
Townhouse B	0	0	0	0	0	0	0	0	0	0	0	0
Virginia Hall	0	0	0	0	0	0	0	0	0	0	0	0
Lake Side Apartments	0	0	0	0	0	0	0	0	0	0	0	0

Fire Alarms and Drills

When there is a fire alarm, staff members will follow the below steps to secure their areas:

1. If in a residence hall, the RA on duty should call the Housing Coordinator on duty and then immediately start knocking on doors and evacuating the building. The Housing Coordinator will then notify the Campus Police and Security department, go to the appropriate hall, check the firebox to see where the alarm originated, and immediately start knocking on and keying doors to evacuate the building (the Housing Coordinator will always lock the door after opening).
2. In an academic or administrative building, notify the Campus Police and Security department immediately and then all students and personnel should follow the fire evacuation plans placed strategically throughout each building.
3. Call the appropriate Cabinet-level member for that area.
4. Campus Police and Security will then verify if the alarm is false or real and notify dispatch.
5. If the alarm is real, the fire department will arrive, and the building will be turned over to them. Faculty and staff are advised to assist as needed, but only at the fire department's request.
6. If it is a false alarm, the building must be completely vacated before the alarm can be disengaged.

Residence halls are required to participate in fire drills each semester. When there is a fire alarm, students will take the following steps:

1. Close windows.
2. Leave the room and shut the door. The Housing Coordinator will check the building to see that all residents are out of the building.
3. Proceed in a quiet and orderly manner through an assigned exit to a safe distance from the building.
4. Keep out of the building until given the all-clear by a member of the Residence Life staff.

All residential students are required to attend the beginning of semester meetings for their respective housing areas. Residence Life and/or Campus Operations reviews fire safety information, campus fire policies, evacuation processes, and reporting procedures.

Additional education and training is available throughout the year via Vector Solutions as well as additional residence life programming, posters, bulletin boards, electronic bulletin boards, and other communication methods.

Health and Safety inspections are conducted twice a semester for all rooms of student housing. Staff check for health issues, policy violations, fire hazards, as well as test smoke detectors and check status of fire extinguishers.

Reporting a Fire or Alarm

Members of the campus community should immediately dial 911 from a campus phone or 911 from a cell phone when there is suspicion of a fire. Non-emergency fire reports can be made by contacting the officer on duty at 828.260.0505.

Housing Fire Safety Policies

Fire safety devices found on campus include smoke detectors, fire extinguishers, and pull stations. Tampering with fire safety equipment is strictly prohibited. Tampering includes, but is not limited to, removing, relocating, disabling, or covering a smoke detector, inappropriately discharging a fire extinguisher, or activating a fire alarm in a non-fire event.

Candles with wicks, incense, wax warmers, fireworks, hotplates or exposed heating elements, portable electric heating devices including ceramic heaters, and halogen lamps are not allowed in campus housing. Intentionally filing a false fire report will result in a referral to the Student Conduct Process and/or law enforcement.

Violation of the fire safety policies may result in verbal warning, educational sanction, probation, fines, community service, and/or notification of civil authorities.

Fire Safety Data

Name of Facility	2022				2023				2024			
	Fires	Injuries	Deaths	Property Damage	Fires	Injuries	Deaths	Property Damage	Fires	Injuries	Deaths	Property Damage
Annie Cannon Cottage	0	0	0	0	0	0	0	0	0	0	0	0
Avery Hall	0	0	0	0	0	0	0	0	0	0	0	0
Baldwin Hall	0	0	0	0	0	0	0	0	0	0	0	0
Bentley Hall	0	0	0	0	0	0	0	0	0	0	0	0
Cannon Cottage	0	0	0	0	0	0	0	0	0	0	0	0
Elk River Apartments	0	0	0	0	0	0	0	0	0	0	0	0
Hemlock Village I	0	0	0	0	0	0	0	0	0	0	0	0
Hemlock Village II	0	0	0	0	0	0	0	0	0	0	0	0
Hemlock Village III	0	0	0	0	0	0	0	0	0	0	0	0
House 110	0	0	0	0	0	0	0	0	0	0	0	0
House 160	0	0	0	0	0	0	0	0	0	0	0	0
House 168	0	0	0	0	0	0	0	0	0	0	0	0
House 193	0	0	0	0	0	0	0	0	0	0	0	0
House 207	0	0	0	0	0	0	0	0	0	0	0	0
House 248	0	0	0	0	0	0	0	0	0	0	0	0
House 262	0	0	0	0	0	0	0	0	0	0	0	0
House 280	0	0	0	0	0	0	0	0	0	0	0	0
House 290	0	0	0	0	0	0	0	0	0	0	0	0
House 300	0	0	0	0	0	0	0	0	0	0	0	0
House 306	0	0	0	0	0	0	0	0	0	0	0	0
House 320	0	0	0	0	0	0	0	0	0	0	0	0
Lake Side Apartments	0	0	0	0	0	0	0	0	0	0	0	0
McMillan Hall	0	0	0	0	0	0	0	0	0	0	0	0
McRae House 236	0	0	0	0	0	0	0	0	0	0	0	0
Tate Hall	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee Hall	0	0	0	0	0	0	0	0	0	0	0	0
Virginia Hall	0	0	0	0	0	0	0	0	0	0	0	0

Missing Student Notification

The Clery Act update of 2008 requires each institution of higher education that provides on-campus housing to establish a missing student notification policy for students who reside in on-campus housing. The policy shall:

- Inform each student that they have the option to identify an individual to be contacted by the institution no later than 24 hours after the time that the student is determined missing.
- Provide each student a means to register confidential contact information in the event that the student is determined to be missing for a period of more than 24 hours.

- Advise each student who is under 18 years of age (and not an emancipated individual) that the institution is required to immediately notify a custodial parent or guardian no later 24 hours after the time that the student is determined to be missing.
- Inform each student that the institution will notify the appropriate law enforcement agency no later than 24 hours after the time that the student is determined to be missing.
- When a student is missing for more than 12 hours the President, Provost, Vice President for Student Affairs, and AVP Operations & Risk Management, will be notified that a student is missing.
- Any official missing person report relating to a student will be referred immediately to the President, Provost, Vice President for Student Affairs, and/or AVP Operations & Risk Management.
- If, on investigation of the official report, Campus Police and Security officers or law enforcement officials determine that the student has been missing for more than 24 hours:
 - The college will contact the individual identified by the student.
 - If such student is under 18 years of age and not an emancipated individual, the college will immediately contact the custodial parent or legal guardian of such student.
 - If the above statements do not apply to a student determined to be a missing person, the college will inform the appropriate law enforcement agency.

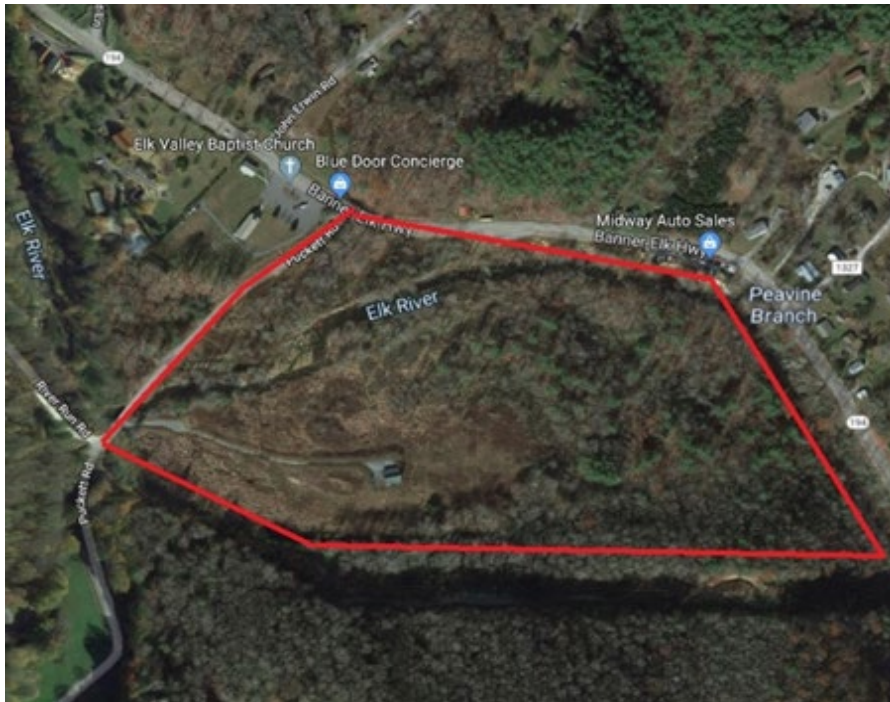
Weapons Policy

The handling, possession, transportation, or use of a weapon as defined by the Student Handbook is forbidden. Weapons include guns of all types, explosives, ammunition, knives (greater than three inches,) bows and arrows, slingshots, swords, tasers, stun guns, martial arts equipment, and other items deemed a weapon by the Director of Conduct and Citizenship, Vice President for Student Affairs, or Provost. Lees-McRae College is a private institution and is exempt from the North Carolina Concealed Permit law (effective October 1, 2013.)

Tobacco Policy

The college is a smoke free campus. The use, sale, or free distribution of tobacco (including, but not limited to, electronic cigarettes, vaping, pipes, and chewing tobacco) in campus buildings, adjacent sidewalks, or student activities or events is prohibited.

Lees-McRae College Clery Act Geography Map(s) and Off-Campus Locations



Additional locations:

Brigham Classroom at Beech Mountain Resort
1007 Beech Mountain Parkway
Beech Mountain, NC 28604

Common Ground
185 Azalea Circle
Room #7
Banner Elk, NC 28604

Surry Community College
630 South Main Street,
Dobson, NC 27017

Definitions of Reportable Crimes

Murder/Manslaughter defined as the willful killing of one human being by another.

Negligent Manslaughter is defined as the killing of another person through gross negligence.

Sex Offenses are defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

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

Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory rape is non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

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

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

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

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

Larceny/Theft includes pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

Simple Assault is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property (except Arson) is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Dating Violence is violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Domestic Violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is

cohabitating with or has 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 the jurisdiction in which the crime of violence occurred, by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

Definitions of Hate Crimes

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported:

Race A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

Religion A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Gender Identity A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

Ethnicity A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age or illness.

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property.

~Handbook for Campus Safety and Security Reporting 2016

Campus Crime Statistics

	On-Campus			On-Campus Residence			Non-campus			Public			Unfounded
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024	2024
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses - Forcible		0	0	0	0	0	0	0		0	0	0	0
Rape	6	2	0	0	0	0	0	0		0	0	0	0
Fondling	1	2	5	0	0	0	0	0	5	0	0	0	0
Sex offenses - non-forcible													
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0		0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	1	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	On-Campus			On-Campus Residence			Non-campus			Public			Unfounded
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024	2024
Weapons, Carrying, Possessing	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse violations	0	0	0	0	0	0	0	0	0	0	0	1	0
Liquor Law violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	On-Campus			On-Campus Residence			Non-campus			Public			Unfounded
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024	2024
Weapons: Carrying, possessing	0	0	2	0	0	2	0	0	0	0	0	0	0
Drug Abuse	25	24	33	25	24	33	0	0	0	0	0	0	0
Liquor Law Violations	31	19	54	31	19	54	0	0	0	0	0	0	0
VAWA Offenses (added 2013)	On-Campus			On-Campus Residence			Non-campus			Public			Unfounded
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024	2024
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	5	0	1	5	0	1	0	0	0	0	0	0	0
Stalking	1	1	0	1	1	0		0	0	0	0	1	0

Hate Crimes	On-Campus			On-Campus Residence			Non-campus			Public			Unfounded
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024	2024
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0

Hazing	On-Campus 2024	On-Campus Residence 2024	Non-campus	Public	Unfounded 2024
	0	0	0	0	0