



Annual Safety Report 2018



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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 Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), and 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 Security Office.

The Annual Campus Safety Report is prepared in cooperation with Campus Security, Student Development Office, Local Law Enforcement Agencies and the Communications Office.

Crime Statistics

The Campus Security Office records all reports of criminal activity on campus property. The Campus Security Office submits a formal request for crime statistics from the Banner Elk Police 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 Security Office keeps a daily crime log of reported incidents. Requests for the log can be made to the Campus Security Office and will be completed within two business days. The College does not share names of crime victims or identifiable information of victims in the Campus Crime Log.

Campus Security Office

The Campus Security Office maintains a campus presence 24 hours a day. Security officers do not have the power to arrest or have law enforcement authority. The Campus Security Office works closely and receives support from the Banner Elk Police Department, 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.

The Campus Security Office works with Campus Counseling Services, local ministers and local mental health professionals when appropriate. Parking enforcement is managed by the Campus Security Office.

Reporting Crimes or Emergencies

Call 911 and / or Campus Security (828.898.8756) 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 security assess the situation.

Emergency Contacts

- Campus Security Office: 828.898.8756
- 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 Security Office as accurately and soon 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 colleges' 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 Security webpage. The college prefers an anonymous report versus not reporting, 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 Security are sent to the College President, Provost, Director of Facilities, Vice President of Student Development and Dean of Students, Director of Human Resources and to the Associate Dean of Students for review.

Incident Reports created by Residence Life staff are submitted to the Associate Dean of Students for review of 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 security officers, dean of students', RDs and RAs, faculty advisors to clubs and student organizations, athletic director, coaches and human resources.

Campus Security Authority Responsibilities

When a CSA is informed of a crime or an incident that might be a crime, they must report it to the Campus Security Department via CSA report at the following link or contact the Campus safety Officer on duty.

https://leesmcræe.formstack.com/forms/campus_security_authority_reporting_form

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 Campus Security at 828-898-8756 (or 911 from any campus phone) at all other times.

Name	Title	Number
HD Stewart	Director of Safety and Security	828-898-8700
Jon Driggers	Vice President of Student Development and Dean of Students	828-898-8795
Josh Gaisser	Assistant Dean of Students for Residence Life	828-898-3311
Dr. Todd Lidh	Provost and Dean of Faculty	828-898-8962
Craig McPhail	Vice President of Athletics and Club Sports	828-898-2483
Jeff Merrill	Director of Compliance, Title IX Coordinator	828-898-8783
Mary Furst	Director of Human Resources and Benefits Administration	828-898-8743
Jon Kokos	Vice President of Finance and Business Affairs/CFO and Treasurer	828-898-8809

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 for the building exterior and their assigned room key. Campus academic and administrative buildings are open during normal business hours. Requests to access to buildings outside of business hours can be made to Campus Security by visiting the Campus Security 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 Form

Campus security officers are 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 development or academic events

Events that need city, county or state permits must send permit information to the Lees-McRae security department 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 Campus Security or the College Facilities Department. Facility staff members, Residence Life staff, and Campus Security monitor safety concerns on a daily basis. Twice a semester campus light and safety walks are hosted by the Student Government Association, Student Development Office, Campus Security and College Facilities. Lighting and landscaping safety issues are identified and repaired to improve security.

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 Security (828.898.8756)

Campus Safety Programs

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

Examples of prevention and educational programs:

Sexual Assault Awareness Week (Tea Week)

Held every Spring Semester to bring education and awareness about Sexual Assault and Harassment. Events during the week include guest speakers, movies, vigils, campus walks, art installations, ribbon campaigns, bulletin boards and signage.

Orientation

New students discuss topics including Title IX policies, Bystander Intervention, weather safety, personal safety, Wildlife safety, Drug and Alcohol policies. Resources for Health Services, Counseling Services, Security, and Student Success are introduced and reviewed.

SafeColleges Modules

The college partners with our insurance provider and SafeColleges 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 Campus Security and the Student Development Department hold 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.

Impaired Driving Simulators

Student Developments brings different agencies in to provide a simulation of impaired driving. Students are

able to “drive” a car to feel the effects and see how alcohol, drugs, or texting impairs their driving.

Self Defense Classes

Campus Security in conjunction with Student Development offers Self Defense Classes each semester. Participants learn techniques to defend themselves, increase awareness of surroundings, and how to stay calm and focused during stressful situations.

The Residence Life staff, Peer Allies, Student Government Association, Athletic Department, Student Success Center and Campus Security 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 institutions Employee Assistance Program from a partnership with 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 (Campus 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. Students 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 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, Campus Security will notify the Banner Elk Police Department. In the event of sexual assault, one should seek immediate medical attention, and notify the Vice President of Student Development and Dean of Students for professional assistance.

In the event that a student or any 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 (8:00 a.m. – 5:00 p.m.) to the Student Development or Campus Security Office
 - Night time inquiries should be directed to Campus Security 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 in order 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

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 at Wily's Bar & Grill and by those of legal drinking age who have a registered state law room in Hemlock Village, the College apartments or houses. A registered state law room is a designated apartment, suite, or house where all students living in that location are 21 years of age or older. The room must be officially registered with the Assistant Dean of Students before alcohol is permitted in the location.
2. Aiding and abetting in the sale or transfer of alcoholic beverages to any person under the age of twenty-one 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 registered state law 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 non-registered 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 Drugs

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 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](#).

Title IX Policies and Procedures (Revised and effective as of October 2, 2018)

Notice of Non-Discrimination

Lees-McRae College does not discriminate on the basis of race, sex, color, age, religion, national and ethnic origin, disability, or other individual distinctions in its programs, procedures or hiring and employment practices. The College will take affirmative action to ensure this policy is enforced.

Statement of Title IX Compliance

Title IX of the Education Amendments Act of 1972 is a federal law that prohibits sex discrimination in education. It reads: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX).

Lees-McRae College is committed to providing a safe and discrimination-free environment for all members of the College community. The College does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. The College will respond to complaints or reports about prohibited conduct with measures designed to stop the behavior, eliminate any such discrimination, prevent the recurrence of the prohibited conduct, and remediate any adverse effects of such conduct on campus or in college-related programs or activities. This may include the implementation of interim restriction(s).

The College has an obligation to make reasonable efforts to promptly and equitably investigate and address complaints or reports of sex discrimination, including but not limited to, sexual violence, sexual harassment, sexual assault, stalking, dating/domestic violence, retaliation, and other related forms of sex discrimination or sexual misconduct, whenever it becomes aware of such a complaint or report. Collectively, these terms are referred to in this policy as "Sexual Misconduct."

Once made aware, the College must conduct an investigation regardless of how the information was brought to the College's attention or the extent to which the Complainant wishes to participate or be involved. This policy refers to the individual who is the alleged victim of the behavior(s) in question as the "Complainant" and the alleged to have committed the violation of the policy as the "Respondent."

Students, staff, faculty, and third parties who believe they have been subjected to discrimination or harassment in violation of Title IX should follow the procedures outlined in this policy to report these concerns immediately to the Title IX Coordinator or any Deputy Title IX Coordinator identified below. Title IX prohibits retaliation by any student and/or employee against anyone who reports an alleged Title IX violation.

Inquiries, regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to:

Ms. Mary Furst
Title IX Coordinator
Business Affairs Office
furstm@lmc.edu
828-898-8743

Mr. Jon Kokos
Deputy Title IX Coordinator for College Employees and Third Parties
Business Affairs Office
kokosj@lmc.edu
828-898-8809

Mr. Josh Gaisser
Deputy Title IX Coordinator for Students and Resident Life
Cannon Student Center, Student Development Office
gaisserj@lmc.edu
828-898-3311

Mr. Jeffery Merrill
Deputy Title IX Coordinator for Athletics
Williams Gym, Athletics Office
merrillj@lmc.edu
828-898-8783

Mr. H.D. Stewart
Title IX Investigator
Office of Campus Safety and Security
stewarth@lmc.edu
828-898-8700

Inquiries 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.dc@ed.gov
202-453-6020

This Title IX policy governs the conduct of Lees-McRae College students, regardless of enrollment status; faculty; staff; and third parties (non-members of the College community, such as vendors, alumni, visitors, or local residents).

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 recipient. 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. This policy applies to conduct that occurs on college property, and in certain circumstances, off college property or off campus. This policy applies to conduct that occurs off campus 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.

Policies and Practices

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 Respondents; and (d) place Complainants and Respondents in contact with local law enforcement to investigate possible legal prosecution.

Educational programs on Title IX including Lees-McRae policies, consent, sexual harassment and assault, and bystander intervention are conducted through appointed Title IX Coordinators. The Title IX Coordinators partner with the Student Development Office and Campus Safety Committee to provide education and services. Counseling options are available through the Student Development Office.

If a student, staff, or faculty member believes someone they know has experienced sexual misconduct, they should promptly report incidents to the applicable Deputy Title IX Coordinator. All faculty and staff (including all Resident Assistants and Resident Directors) who observe or are aware of sexual misconduct are required to immediately report to the applicable Deputy Title IX Coordinator. The faculty or staff member should not and are not permitted to investigate or try and resolve or mediate the situation.

Lees-McRae College encourages the reporting of possible violations of Title IX policy by those subject to the violation or witnesses. 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 applicable Deputy 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 subject to the violation 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

Awareness Programs: Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

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 Resident Assistants, Resident Directors) who observe or are aware of sexual misconduct are required to immediately report to the applicable Deputy Title IX Coordinator.

Complainant: The individual who has experienced alleged sexual misconduct.

Consent: The explicit approval and permission to engage in sexual activity demonstrated by clear actions, words, or writings. 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.

Dating Violence: 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 the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction 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.

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 educational program or activities.

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.

Hostile Environment: Harassing that was conduct sufficiently serious-that is sufficiently severe or pervasive-to deny or limit a student's ability to participate in or benefit from the College's program based on sex.

Ongoing Prevention and Awareness Campaigns: 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).

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.

Primary prevention programs: 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.

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, and hearings. Proceeding does not include communications and meetings between officials and the Complainants concerning accommodations or protective measures to be provided to the Complainants.

Respondent: The individual who has been accused of committing sexual misconduct.

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.

Retaliatory Harassment: 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.

Risk Reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for the Complainant in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Sex Offenses: Any sexual act directed against another person, without consent of the Complainant including instances where the Complainant is incapable of giving consent.

Rape – the carnal knowledge of a 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 (or because of his/her youth).

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).

Forcible Fondling – the touching of private body parts of another person 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).

Sex Offenses – Non-Forcible: Unlawful, non-forcible sexual intercourse.

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 intercourse with a person who is under the statutory age of consent.

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 Harassment of a Student by another Student: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a student toward another student 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 educational program or activities.

Sexual Harassment of a Student by a Faculty/Staff Member: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a faculty or staff member toward a student are held to constitute sexual harassment when: Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating an individual's educational development or performance; or such conduct 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 educational program or activities.

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.

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 applicable Deputy 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. 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.

If deemed necessary by the Title IX Coordinator or applicable Deputy Title IX Coordinator, interim remedial

measures to avoid contact between the Complainant and the alleged perpetrator (the “Respondent”) may be taken prior to completion of the investigation to change academic and extracurricular activities including living, transportation, dining, and working situations. The Complainant will be referred to the Vice President of Student Development and/or Director of Human Resources, to make him/her aware of all available resources such as victim advocacy, housing assistance, academic support, counseling, disability services, and health and mental health services, and the right to report a crime to Campus Safety or the Town of Banner Elk Police Department.

This procedure is intended to apply to alleged discrimination or harassment in violation of this Title IX Policy. All other misconduct or grievances by students against students or employees against students will be addressed through the student academic/misconduct procedures or non-academic/non-misconduct grievance procedures located elsewhere in this Code which is administered by the Vice President of Student Development.

Informal Process

Before pursuing the formal complaint process, every reasonable effort should be made to constructively resolve the issues. Whenever possible and safe, the problem or complaint should first be discussed with the Respondent who is the subject of the complaint. If the parties believe the issue has been resolved, they should nevertheless report the matter to the Title IX Coordinator for approval of the resolution.

If satisfactory resolution is not reached after discussion with the Respondent, the Complainant should contact the applicable Deputy Title IX Coordinator immediately. The college does not require a student to contact the Respondent or the Respondent’s supervisor if doing so is impracticable or unsafe, or if the student believes that the conduct cannot be effectively addressed through informal means.

Formal Process

If the informal process does not resolve the complaint, the Deputy Title IX Coordinator will immediately contact the Title IX Coordinator. 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. Notice of a formal student complaint can be made in person or orally to an appropriate official, but the college strongly encourages submission of the complaint in writing, by email, or other written form to the appropriate Deputy Title IX Coordinator immediately, as identified above.

The Complainant should clearly and concisely describe the alleged incident(s), when and where it occurred, and the desired remedy sought. The complaint should 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. Any supporting documentation and evidence should be referenced within the body of the complaint. Additionally, the Complainant should submit any supporting materials in writing as quickly as is practicable.

Upon receipt of a complaint, the Investigator will direct the investigation and confer with the Title IX Coordinator and the Vice President for Student Development on interim action, accommodations for the alleged Complainant, or other necessary remedial short-term actions.

The Investigator will then take the following steps:

- In coordination with the Title IX Coordinator, initiate any necessary remedial actions to include preventing any contact between the Complainant and the alleged violator if necessary;
- Determine the identity and contact information of the Complainant (whether that be the initiator, the alleged Complainant, or a College proxy or representative);
- In coordination with the campus Title IX Coordinator or appropriate Deputy Title IX Coordinator, identify the policies allegedly violated;
- Conduct an immediate initial investigation to determine if there is reasonable cause to charge the Respondent , and what policy violations should be alleged as part of the complaint;
- If there is insufficient evidence to support reasonable cause, the complaint should be closed with no further action;

- Meet with the Complainant to finalize the complaint;
- Prepare the notice of charges on the basis of the initial investigation;
- Commence a thorough, reliable and impartial investigation;
- Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- Have both the Complainant and the Respondent review their statements made to the Investigator and sign off on them either in person or electronically as their full and complete statement;
- Submit all investigation documentation and support to the Title IX Coordinator

The Title IX Coordinator will then take the following steps:

- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not)
- Inform the appropriate Deputy Title IX Coordinator of the finding, which may include a recommended sanction;
- The decision of the Title IX Coordinator is final, and not subject to modification except through the appeals process set forth below.
- Either party may appeal the findings pursuant to the procedures set forth below.
- Refer possible Student Code of Conduct violations to the Student Conduct Process that are outside the scope of the Title IX process.

The appropriate Deputy Title IX Coordinator will then take the following steps:

- Present the findings and recommended sanction to the Respondent, who may it, accept it in part and reject them in part, or may reject all; and
- Simultaneously share the findings and update the Complainant on the status of the investigation and the outcome.
- Notify the Title IX Coordinator that these actions have been completed.

These procedures are entirely administrative in nature and are not considered legal proceedings. During the meeting with the Investigator or any subsequent proceedings, the Complainant or the Respondent may have an advisor or advocate accompany and assist him/her at their expense. This advisor can be anyone. If the case is reviewed by the Hearing Committee (see section below), then the advisor may not take part directly in the hearing itself, though they may communicate with the Complainant or Respondent they represent as necessary as long as it does not disrupt the proceedings.

The Complainant and the Respondent will not be allowed to use electronic devices during the meeting with the Investigator, subsequent investigation meetings, reviewing documents, and in any Hearings; except to reveal evidence to the Investigator that is on the electronic device.

Interim Measures and Remedies for the Complainant: The Complainant may seek the assistance, in confidence, of the college's counseling services. Additionally, depending on the specific nature of the problem, the Vice President for Student Development, in conjunction with the Title IX Coordinator, may direct remedies for the Complainant which may include, but are not limited to:

- Providing an effective escort to ensure that the Complainant can move safely between classes and activities
- Ensuring the Complainant and Respondent do not share classes or extracurricular activities
- Moving the Respondent or Complainant (if the Complainant requests to be moved) to a different residence hall
- Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring
- Arranging for the Complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty

The Title IX Hearing Committee Procedures

When the Respondent accepts the finding that he/she violated the Title IX Policy, the findings cannot be appealed by the Respondent.

If the Complainant or Respondent is not satisfied with the Title IX Coordinator's findings and/or the remedies/sanctions that the Title IX Coordinator assigned, the Complainant or Respondent may request a hearing before the Title IX Appeals Hearing Committee. The hearing request must be made in writing within 3 school days to Office of the Vice President for Student Development. If the request is timely filed, the Title IX Appeals Hearing Committee shall schedule a hearing in accordance of this policy within ten (10) school days of the notification. The hearing shall occur within thirty (30) school days of the notification.

For purposes of this decision, the Title IX Appeals Hearing Committee will be provided all relevant documents and statements of witnesses, the Respondent, and the Complainant gathered by the Investigator. The Title IX Appeals Hearing Committee may consult with the Investigator at any time about conflicts in testimony if it will not unduly prejudice the Title IX Appeals Hearing Committee decision making process.

At any hearing conducted by the Title IX Appeals Hearing Committee both the Complainant and the Respondent will be requested to appear, as well as any witnesses they wish to call. If requested, the Complainant and Respondent will not be present at the same time during the hearing, nor is the presence of the Complainant a prerequisite for the hearing to proceed. The failure of either or both parties to appear when properly notified will not prevent the hearing from taking place as scheduled or preclude a decision from being reached. The decision of the Title IX Appeals Hearing Committee shall be based on a preponderance of the evidence.

If the Title IX Appeals Hearing Committee finds, based upon a preponderance of the evidence, that there has been a violation of the Title IX Policy, Title IX Appeals Hearing Committee may support the remedies/sanctions assigned by the Deputy Title IX Coordinator or assign further remedies/ sanctions in accordance with the section below.

The Title IX Appeals Hearing Committee is authorized to assign sanctions as outlined in Student Handbook up to expulsion.

Appeal to the Executive Appeals Committee

The Complainant and the Respondent will both be notified of the Title IX Appeals Hearing Committee decision and will both have the option, if dissatisfied, to make written appeals to the Executive Appeals Committee through the Office of the Vice President for Student Development. Notice of such appeals must be provided to the Office of the Vice President for Student Development within three (3) school days of the decision of the Title IX Appeals Hearing Committee.

The only permitted grounds for appeal are as follows:

- A procedural [or substantive error] occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included
- The sanctions assigned are substantially disproportionate to the severity of the violation.

If the Executive Appeals Committee determines that new evidence should be considered, it will return the complaint to the Title IX Appeals Hearing Committee to reconsider in light of the new evidence, only. The reconsideration of the Title IX Appeals Hearing Committee is not appealable.

If the Executive Appeals Committee determines that a material procedural [or substantive] error occurred, it may return the complaint to the Title IX Appeals Hearing Committee with instructions to reconvene to cure the error. In rare cases, where the procedural [or substantive] error cannot be cured by the Title IX Appeals Hearing Committee (as in cases of bias), the Executive Appeals Committee may request a new hearing of the complaint

with a new body of hearing officers. The results of a reconvened hearing cannot be appealed. The results of a new hearing can be appealed, once, on the three applicable grounds for appeals.

If the Executive Appeals Committee determines that the sanctions assigned are disproportionate to the severity of the violation, Executive Appeals Committee may then increase, decrease or otherwise modify the sanctions. The decision of Executive Appeals Committee is final.

Criminal Process

Victims of sexual assault, rape and/or date rape are encouraged to seek the criminal prosecution of their assailants. The Office of Campus Safety and Security 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 charges being preferred. However, the college will continue to investigate the report in compliance with Title IX.

The College views rape, date rape, and sexual assault as grievous violations of criminal law and the Student Code of Conduct. As such, these offenses will be addressed by the Executive Student Conduct Committee. A student who is proven to have committed or been involved in the commission of such an offense can expect to be suspended or expelled from the College.

Should a student be raped or sexually assaulted on the campus or in the vicinity of the school, the victim is urged to report the matter to Campus Safety and Security 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 benefits to cases of rape and sexual assault reported within five (5) days.

By contacting the Town of Banner Elk Police Department at the Campus Security office, Campus 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 Office of Campus Safety and Security 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 prejudge 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 investigation into the rape or sexual assault will be handled by the Town of Banner Elk Police Department. Refer to the NC General Statute § 143B-480.2 regarding victim assistance. The College will assist victims of rape and/or sexual assault in coping with the after-effects of their experience.

The College is prepared to accommodate reasonable requests for academic schedule and housing changes by victims of rape and sexual assault. Such requests should be directed to the Residence Life Office.

For the current version of the Title IX Policy and Procedures, visit lmc.edu/students/title-ix.

Procedures to Follow in the Event of Sexual Assault, Relationship Violence or Stalking

- Get to safety: go to a safe place
- Preserve evidence: avoid bathing, showering, drinking, douching, brushing your teeth, changing clothes. Evidence can be collected in the emergency room. You can decide later if you would like to press criminal charges.
- Call for help: You can contact the National Sexual Assault Hotline at 800.656.HOPE, Campus Security or Local Law enforcement
- Write down details: Try to write down or tell a friend as many details you remember of the incident.
- Seek medical attention: Visit an emergency room or health professional to be checked out. Medical professionals can provide treatment and medications.

Who to Contact for Sexual Harassment or Discrimination

Students, staff, faculty, and third parties who believe they have been subjected to discrimination or harassment in violation of Title IX should follow the procedures outlined in this policy to report these concerns immediately to the Title IX Coordinator or any Deputy Title IX Coordinator listed in the Title IX Policies and Procedures. Title IX prohibits retaliation by any student and/or employee against anyone who reports an alleged Title IX violation.

Resources for Victims of Dating Violence, Sexual Assault, Stalking and Domestic Violence

On-Campus

Counseling Services (Cannon Student Center): 828-898-3841

Off-Campus

- OASIS: Opposing Abuse with Service, Information and Shelter: Emergency 828-262-5035; Office 828-264-1532 (www.oasisinc.org)
- Avery County Mental Health: 828-733-5889
- Legal Aid of North Carolina: 828-264-5640 (www.legalaidnc.org)
- National Sexual Assault Hotline: 800.656.HOPE (4673)

Online Resources

- Rape, Abuse, and Incest National Network: www.rainn.org
- Department of Education, Office of Civil Rights: www.ed.gov/ocr

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.

Use of the 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 Campus Security and handed on a case-by-case basis by the Security Officer on watch.

Major Emergencies

Any incident which affects an entire building or buildings, may disrupt the overall operations of the College or require major efforts from campus support services or outside Emergency Services. The Security Officer on watch shall take immediate action in order to meet the emergency and safeguard persons and college property. The Security Officer on watch will notify the Director of Campus Security 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 campus-wide 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 cancelled, 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 extended campus sites.)

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 Cancelled

If extraordinarily severe conditions warrant, the President, in consultation with pertinent President's Cabinet members and Campus Security, 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 Cancelled:** Classes throughout the day are cancelled; 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 cancelled for the day. Only essential staff members (e.g., food services, physical plant, 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)
- Campus-wide email
- Lees-McRae College website
- Social media sites (@leesmrae, facebook.com/lmc.edu, facebook.com/AveryCountyRoadConditions)
- Campus-wide 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: WJHL – 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.

Extended Campus and Online Learning

In the event of ice, snow, or other harsh weather it may be necessary to cancel extended campus classes. The first factor is to always consider the safety of faculty and students and you are asked to exercise all due care, caution and judgment to determine if travel to the extended campus site is safe. Beyond personal safety, the weather conditions at the extended campus sites will be the major factor determining whether or not Lees-McRae College's classes are held. If the classes are on a community college campus, and that school has cancelled classes, Lees-McRae College's classes will not be held until the community college resumes operations.

Each faculty member will be responsible for checking with the extended campus program coordinator when making a determination about holding classes during inclement weather. Program coordinators should contact community colleges to determine the status of their operations. Students are responsible for checking their respective extended site to determine the status of operations. Students are also responsible for checking their Lees-McRae email and Brightspace site(s) for messages from their instructors indicating class cancellations. Faculty reserve the right to hold classes online, so please refer to Brightspace for updates and announcements.

In the event of severe weather in the Banner Elk area that prevents Lees-McRae faculty from traveling, but does not affect extended campus sites, program coordinators and/or faculty can contact the switchboard operators at community college sites notifying them of cancellations. Community college contact personnel can also be notified to post signs on classroom doors. Faculty members should make every effort to contact students via email, telephone or Brightspace when cancellations are due to inclement weather in the Banner Elk area.

Program coordinators, faculty, and students should be aware that community colleges may make separate announcements concerning the cancellations of day and evening classes. Therefore, it is

best to call the college switchboards for the most detailed information since radio and television announcements may not differentiate between day and evening closings. Most community colleges will also post closings on their website. Listed below are contact numbers for the community colleges:

Mayland Community College | 828.765.7351

Surry Community College | 336.386.8121

Western Piedmont Community College | 828.438.6000

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 Security Office, 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 Director of Campus Security 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, Campus 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.

Alert System

Lees-McRae utilizes the AMG Alert System (www.lmc.edu/eas). 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 Digital Marketing Manager is responsible for executing the alert system.

Campus-wide Email (sent to faculty, staff and students)

This email, which is sent to faculty, staff and on-campus students only, includes pertinent details about any incident that is affecting the campus. It is not sent to extended campus or online learning students because they are not often on the main campus in Banner Elk and are, therefore, under the jurisdiction of their home community college site. This message is sent by the Digital Marketing Manager.

Lees-McRae College Website

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 security 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 Digital Marketing Manager.

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 College’s Bulletin Board. This message is broadcast by the Director of Human Resources and Telecommunications.

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 @leesmcræ). Announcements are also made on a local Facebook page (facebook.com/AveryCountyRoadConditions). The Digital Marketing Manager 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 Director of Campus Security or the VP of Strategic Planning and Effectiveness. The sirens may also be manually activated in the Office of Campus Security.

- A log of tests and communications are kept by the Campus Security Office.

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 Safety Report or hard copies can be printed by visiting the Campus Security Office.

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 Security Office 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	Emergency Evacuation Drills	Fire Detection System	Monitored
Avery Hall	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Baldwin Hall	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Bentley Hall	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Cannon Cottage	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes

Hemlock Village I	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Hemlock Village II	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Hemlock Village III	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
McMillan Hall	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Tennessee Hall	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Tate Hall	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
Virginia Hall	2	Smoke Detection, Heat Sensors, Pull Stations, extinguishers	Yes
House 168	0	Smoke Detectors, Extinguisher	NA
House 262	0	Smoke Detectors, Extinguisher	NA
House 290	0	Smoke Detectors, Extinguisher	NA
House 300	0	Smoke Detectors, Extinguisher	NA
House 306	0	Smoke Detectors, Extinguisher	NA
House 320	0	Smoke Detectors, Extinguisher	NA
House 193	0	Smoke Detectors, Extinguisher	NA
Mill Pond House 267	0	Smoke Detectors, Extinguisher	NA
McRae House 236	0	Smoke Detectors, Extinguisher	NA
Apartments	0	Smoke Detectors, Extinguisher	NA
House 110	0	Smoke Detectors, Extinguisher	NA
House 160	0	Smoke Detectors, Extinguisher	NA
House 280	0	Smoke Detectors, Extinguisher	NA
House 207	0	Smoke Detectors, Extinguisher	NA
House 248	0	Smoke Detectors, Extinguisher	NA

Fire Policies

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 RD on duty and then immediately start knocking on doors and evacuating the building. The RD will then notify Campus Security, 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 RD will always lock the door after opening).
2. In an academic or administrative building, notify security 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. 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. 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 RD 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 Security reviews fire safety information, campus fire policies, evacuation process and reporting procedures.

Additional education and training is available throughout the year via SafeColleges program 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

Members of the campus community should immediately dial 9-911 from a campus phone or 911 from a cell phone when there is a suspension of a fire. Non-emergency fire reports can be made by contacting Campus Security at 828.898.8756.

Housing Fire Safety Policies

Smoke detectors, fire extinguishers and pull stations are all fire safety devices found on campus. 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 may result in verbal warning, educational sanction, probation, fines, community service, and/or notification of civil authorities.

Tobacco

Lees-McRae provides its students and employees with a healthy environment. The College views the use of tobacco products as detrimental to the health of students, staff, faculty and visitors, and prohibits its use on campus grounds. Lees-McRae recognizes that its legal authority to prohibit tobacco use pursuant to G.S. 143-599.

- The use of tobacco including any type of cigarette (including electronic cigarette/vaping), cigar, cigarillos, pipes, bidis, hookahs, smokeless or spit tobacco or snuff is prohibited by students, staff, faculty or visitors:
 - on all adjacent sidewalks (including those on the perimeter of campus), parking lots, all campus buildings, facilities or property owned or leased by Lees-McRae College and outside areas of the

- o campus
 - o on campus grounds, facilities or vehicles that are the property of the campus
 - o at lectures, conferences, meetings and social and cultural events held on school property or school grounds
 - o on College field trips or student activity events
- The sale or free distribution of tobacco products, including merchandise, on campus or at school events is prohibited.
- Student organizations are prohibited from accepting money or gifts from tobacco companies, including parties sponsored by tobacco companies and all tobacco advertising.
- Tobacco advertisements are prohibited in College publications and on grounds or facilities owned or operated by the College.

Violations of the Tobacco Policies can result in the following sanctions, Warning, Probation, Fine, Letter to Parents, Loss of Housing, Suspension, or expulsion.

Fire Safety Data

Name of Facility	2015				2016				2017			
	Fires	Injuries	Deaths	Property Damage	Fires	Injuries	Deaths	Property Damage	Fires	Injuries	Deaths	Property Damage
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
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
McMillan 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
Tate 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
House 168	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 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
House 193	0	0	0	0	0	0	0	0	0	0	0	0
Mill Pond House 267	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
Apartments	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 280	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

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 of Student Development and Dean of Students, Associate Dean of Students, and/or Campus Security Supervisor 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 of Student Development and Dean of Students, Associate Dean of Students, and/or Campus Security Supervisor.
- If, on investigation of the official report, Campus Security 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 fireworks, BB guns, paint guns, firearms (including Airsoft Guns), weapons, ammunition, knives, bows and arrows, slingshots, swords, martial arts equipment or other like items deemed inappropriate by the Student Development Office is not permitted on campus. Confiscated weapons and fireworks will be destroyed. Concealed weapons are not allowed on campus property. Lees-McRae is a private institution and is exempt from the North Carolina Concealed Permit law (effective October 1, 2013).

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 – 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 – 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 – 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 or Property (except Arson) – 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.

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 (Includes On-campus Residence)			On- Campus Residence			Non- campus			Public			Unfounded
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017	2017
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													
Rape	0	1	1	0	1	1	0	0	0	0	0	0	0
Fondling	1	1	1	1	0	1	0	0	0	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	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

Arrests

Weapons, Carrying, Possessing	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse violations	1	3	6	1	3	4	0	1	2	2	0	0	0
Liquor Law violations	0	0	0	0	0	0	0	0	1	0	0	0	0

Disciplinary Action

Weapons: Carrying, possessing	1	10	1	1	9	1	0	0	1	0	0	0	0
Drug Abuse	9	24	41	9	18	41	0	0	0	0	0	0	0
Liquor Law Violations	57	44	53	57	44	53	0	0	0	0	0	0	0

VAWA Offenses (added 2013)

Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	1	1	0	1	1	0	1	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0

Hate Crimes

	On-Campus (Includes On-campus Residence)			On-Campus Residence			Non- campus			Public			Unfounded
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017	2017
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	1a	0	0	1a	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

^a Intimidation-Gender