



# ANNUAL CAMPUS SECURITY & SAFETY REPORT

2023

Published by October 1 of every year, with statistics from the previous academic year (2022-23), this document serves as a disclosure of the procedures, practices and programs of Wesleyan College to keep students, faculty, staff, and facilities safe.

Each year, Wesleyan College, in compliance with the [Jeanne Clery Disclosure of Campus Security and Crime Statistics Act](#), publishes an Annual Security and Annual Fire Safety Report. The report contains information regarding safety- and security-related policies and crime statistics for the past three calendar years. The report also contains fire safety-related policy statements as well as **fire statistics** associated with each on-campus student housing facility for the past three calendar years.

### The Wesleyan College Mission

Wesleyan College is committed to women's education and helping every student find a unique voice and purpose. As the first college in the world chartered to grant degrees to women and shaped by Methodist values, Wesleyan provides students an academically challenging and relevant liberal arts education. Our diverse, inclusive community encourages creativity, innovation, and leadership so all graduates are prepared to thrive in a complex world.

Wesleyan's community is:

- Academically challenging: We believe students succeed when they are challenged academically. Wesleyan's dedicated faculty and staff offer individualized support to motivate students to achieve their potential.
- Purposeful: We believe students thrive when they have a purpose and clear vision of their goals. Wesleyan helps students define these goals and strategically plan for the future.
- Inclusive: We believe all student voices are important. Wesleyan is diverse and inclusive, gaining strength from and celebrating the many ways we can learn from each other.
- Connected: We believe we gain strength from our connections to each other. Wesleyan encourages students to find their own places within a community and to contribute in meaningful ways.

### STATEMENT OF NONDISCRIMINATION

Wesleyan College is committed to maintaining a diverse, academically talented, and well-rounded community of learners in an atmosphere of mutual respect and appreciation of differences.

Wesleyan College admits qualified students regardless of race, color, national and ethnic origin, sexual orientation, age, religion, creed, disability, marital status, pregnancy, status with regard to public assistance, veteran status, citizenship status, sex or other status protected by applicable federal and state laws to all rights, privileges, programs and activities generally accorded to or made available to students at the college.

Wesleyan College does not discriminate on the basis of race, color, national and ethnic origin, sexual orientation, age, religion, creed, disability, marital status, pregnancy, status with regard to public assistance, veteran status, citizenship status, sex, genetic information, gender identity, gender expression, or any other category protected by applicable federal or state laws in its educational policies, programs, activities and employment.

Additional information can be found on the Wesleyan College website under Compliance and Equity and Inclusion. Contact Kathy Malone, Title IX Coordinator, at (478) 757-3775 or [kmalone@wesleyancollege.edu](mailto:kmalone@wesleyancollege.edu), with any questions, concerns or reports of discrimination, sexual harassment or sexual misconduct.

\*Wesleyan College does not admit men into its baccalaureate programs.

The Title IX Coordinator is responsible for coordinating the college's compliance with Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, and all other applicable laws and regulations prohibiting discrimination.

Kathu Malone, Title IX Coordinator  
[kmalone@wesleyancollege.edu](mailto:kmalone@wesleyancollege.edu)

### **ANNUAL CAMPUS SAFETY AND SECURITY REPORT**

#### Daily Crime Log

The daily crime log for the most recent 90-day period is available to the public in the office of the Chief of The Department of Campus Safety and is available for review within two business days at 4760 Forsyth Road, Macon, GA 31210 upon request.

#### Requesting Annual Safety and Security Report

There are several ways to request a paper copy of the Wesleyan College Annual Safety and Security Report:

- In person — Campus Safety Office, Olive Swann Porter Building, 3<sup>rd</sup> floor, 4760 Forsyth Road, Macon, GA 31210. Monday through Friday, 8:30 a.m. — 5:00 p.m.
- By mail — 4760 Forsyth Road, Macon, GA 31210
- By e-mail — [ibartlett@wesleyancollege.edu](mailto:ibartlett@wesleyancollege.edu)
- By phone - (478) 757-2038; (478) 960-7969

### **Department of Campus Public Safety**

The Wesleyan College Department of Campus Public Safety has 8 officers providing 24-hour, 365 days a year service. All officers are CPR, AED, Basic Life Savers, and Stop the Bleed Certified. All officers are trained using Vector Solution Safe College and Law Enforcement Security Training systems. All Campus Safety Officers have completed Campus Police and Frontline Responders training. Campus safety Officers are armed trained and licensed by the State of Georgia Secretary of State's Office Board of Private Investigators and Private Security, and authorized by the governing body of the college to have jurisdiction over the college campus.

- Providing first response to emergencies.
- Enforcing laws and College regulations.
- Investigating criminal incidents.
- Reporting crimes and traffic accidents.
- Conducting crime awareness and prevention programs.

### **Campus Community Safety Services**

The following services are provided by Campus Safety

- Vehicle Patrols
- First Response
- Parking Enforcement

- Crime Prevention
- Safety Escorts and Lost & Found
- Campus surveillance
- Securing of facilities and gates

More information can be found at [www.wesleyancollege.edu](http://www.wesleyancollege.edu) under "Student Life," "Campus Safety."

### Escort Services

Campus Safety provide 24/7 escorts to any member of our campus community who feels unsafe or afraid. Simply call Campus Safety 478-960-7969 or 478 757-5145 and an officer will meet you at your on-campus location and escort you to your on-campus destination.

\*Due to COVID-19, Campus Safety is doing on-foot escort only.

### Lost and Found

Campus Safety operates a lost-and-found area. Stop by the Campus Safety Office, located on the 3<sup>rd</sup> floor of Olive Swann Porter (09) to drop off any found items or to inquire about any lost property.

### Working Relationships with Local, State, and Federal Law Enforcement Agencies

Wesleyan College Campus Safety maintains a cooperative relationship with the Macon-Bibb County Sheriff's Office. This affords intraoperative radio capability, training programs, special events coordination, and investigation of serious incidents.

Wesleyan participates in a Memorandum of Understanding (MOU) with the Macon-Bibb County Sheriff's Office that authorizes officers of participating agencies to request mutual aid for incidents based upon a reasonable belief that such aid will enhance the public's safety and/or officer safety and efficiency.

### Community Feedback and Complaint Process

The Wesleyan College Campus Safety sets high standards of conduct and professionalism for all its personnel. Complaints or feedback regarding a member of the department may be communicated by any of the following ways:

- In person — Contact Chief Jay Bartlett, located at 4760 Forsyth Road, Macon, GA 31210, Office located in Olive Swann Porter.
- E-mail — [ibartlett@wesleyancollege.edu](mailto:ibartlett@wesleyancollege.edu)
- Mail — Wesleyan College Department of Campus Safety Attention: Chief Jay Bartlett, 4760 Forsyth Road, Macon, GA 31210
- If the complaint involves the Chief you may contact Dean of Student Affairs, 4760 Forsyth Road, Macon, GA 31210 (or email [deanofstudents@wesleyancollege.edu](mailto:deanofstudents@wesleyancollege.edu))
- ●all complaints will be investigated. Your statement regarding facts and circumstances surrounding the complaint will be documented and forwarded for investigation. Identified complainants will be notified of the completion of the investigation. The

complainant may appeal an investigation decision to the Vice President for Administration/CFO.

If you wish to commend an officer, please provide as much information as possible about the officer and the reason for the commendation. In addition, it is helpful to provide your name and contact information. Your identification will be kept confidential upon request.

### Reporting Crimes and Other Emergencies

#### Reporting to Campus Safety

All members of the Wesleyan College community, including all students, faculty, staff, and guests are encouraged to report all crimes and other public safety concerns to campus police in a timely manner. Like any large community, Wesleyan College experiences accidents, injuries, crimes, and other emergencies and encourages prompt reporting of these incidents.

To report such incidents, potential criminal actions, or suspicious behavior, call Campus Safety at 478-960-7969 (cell) or 478-757-5145 (radio) these numbers are answered 24/7. An officer will come to the scene and, if necessary, additional emergency assistance will be summoned. Campus Safety reports involving students are forwarded to the Office of the Dean of Students for review and for potential action.

If you are a victim of a crime or witness a crime taking place, report the incident and/or any suspicious person(s) immediately to Campus Safety. Provide as much information as possible, including:

- Nature of the incident
- Location of the incident
- ● Is the suspect armed?
- Whether the incident is in progress
- ● Description of suspect(s) involved
- Description of any vehicle(s) involved

Follow the responding officer's instructions and stay on the line until an officer arrives. If possible, and if you are in no threat of danger, protect the crime scene.

When a criminal act is reported, Campus Safety will investigate the incident and make every reasonable effort to identify the offender(s). Depending upon the wishes of the victim, the nature of the offense, and the evidence gathered, the case could be presented for prosecution in the criminal courts of Georgia. If a member of the Wesleyan community is identified as an offender in an incident, the Campus Safety will also notify the appropriate administrator so the administrative disciplinary action may be taken.

#### Reporting to Other Campus Security Authorities (CSA)

All members of the Wesleyan College community, including students, faculty, staff, and guests, may also report specific crimes to any Campus Security Authority (CSA). These crimes, as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics (Clery Act), include: murder, non-

negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson (limited to investigated cases determined by law enforcement authorities to be arson), and domestic violence, dating violence, and stalking. The Clery Act defines a CSA broadly as (i) a member of a campus police department, (ii) any individuals who have responsibility for campus security, but who do not constitute a police or security department, (iii) any persons designated in an institution's campus security policy as a recipient of reports of criminal offenses from students or employees; and (iv) an official of an institution having significant responsibility for student and campus activities.

The following denotes the positions at Wesleyan College that meets the definition of a CSA.

The list is not meant to be comprehensive, but certain positions may not be specifically listed. ●All

#### Campus Safety Officers

- The President's Cabinet — (All Vice Presidents and Deans)
- The Director of Human Resources
- All full-time and part-time faculty members
- All full-time and part-time staff members ● All advisors to student clubs and organizations
- All Resident Advisors ● All coaches

#### Persons exempt from reporting Clery reportable crimes

Pastoral counselors and professional counselors, as defined below, when acting as such, are not considered to be Campus Security Authorities and are not required to report crimes. The College encourages them, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

A pastoral counselor is an employee of the College who is associated with a religious order or denomination, who is recognized by that religious order or denomination as someone who provides confidential counseling, and who is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is an employee of the College whose official responsibilities include providing psychological counseling and who is functioning within the scope of his or her license or certification.

#### Creating a Safe Campus

Safety, security, and crime prevention are everyone's responsibilities. The cooperation and involvement of faculty, staff, and students are absolutely essential to having a safe campus. Your safety and the security of your belongings begin with your awareness and commitment.

All members of the campus community are informed of crime prevention and safety awareness programs offered by Campus Safety and departments on campus during new student orientation, new employee orientation and via e-mail communication throughout the academic year.

Campus Safety Officers are available to provide any additional crime prevention programming that may be necessary to address an ongoing problem or situation.

### Security of and Access to College Facilities

All campus buildings are locked and secured by the Campus Safety officer on duty by 10:00 p.m. daily, except for the 24/7 area of the Library on the first floor. Access to the 24/7 first floor of the library is only available after hours via a Wesleyan College ID card enabled with the key access. Buildings are opened by the Campus Safety officer on duty beginning at 7:30 a.m. daily. When not on patrol of the campus, the officer on duty after 8:00 p.m. is stationed in the first floor 24/7 area of the Library, and the day officer is stationed in OSP Room 304.

Authorization from their supervisor. Employees must sign for each key they receive and must return keys upon termination of employment at Wesleyan. Record of key access is maintained in the Physical Plant Office.

### Weapons

Wesleyan College is a weapon free campus. The term "weapon" is defined as any object or substance designed to inflict a wound, cause injury or incapacitate, and may include, but is not limited to all firearms, pellet guns, paintball guns, crossbows, bows, and arrows, martial arts devices, switchblade knives or knives with a blade two (2) inches or longer, and clubs. The possession of ammunition is also prohibited.

### Suspected Child Abuse

Effective July 1, 2012, Georgia state law requires all College employees and volunteers who, in the course of their duties, suspect that a child has been abused on or off campus to report that abuse immediately to Campus Safety in person or by phone (478) 960-7969(cell) or(478) 7575145(radio). Employees and volunteers must report suspected child abuse to their supervisor, program director, or a Wesleyan College official as soon as possible.

### Vehicle Safety Tips

- Walk to your vehicle in pairs or in a group.
- Vary your routine; use a different route, different times. ● Follow a well-lit pathway or roadway.
- Be aware of your surroundings.
- Watch for suspicious people or activities.
- ●When you enter your vehicle, lock all doors and turn on headlights (at night).
- If you are unfamiliar with a parking lot, drive through it and check it first.
- If you don't feel safe, go elsewhere and wait for someone else to arrive.
- Have your keys in your hand so that you don't have to search for them when you reach your vehicle.
- When you know that you will be returning to your vehicle late at night, park in a well-lit area.
- Before getting into your vehicle, visually inspect the interior for anything suspicious.
- If you suspect that someone is following you, drive to the nearest open public place and call the Campus Safety or the local law enforcement.

- ●Request an escort to or from your car by calling campus safety at 478-960-7969 or 478757-5145.

### Safety Training

Multiple training opportunities are offered to the campus community throughout each academic year. All sessions are open to members of the campus community. Sessions may include:

- Personal Safety — Self-Defense
- Sexual Assault Preventions
- ●Fire Safety
- Active Shooter Response
- Alcohol/Drug Prevention
- CPR/First-Aid training

A complete listing of all trainings for the year is located in Appendix A.

### Timely Warnings (Clery Act Safety Alerts)

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, Wesleyan College Campus Safety, Communications, and the Office of Student Affairs, issues "Clery Act Safety Alerts," also known as Timely Warnings. They will generally be issued for the following crimes: arson, aggravated assault, criminal homicide, robbery, burglary, sexual assaults, and hate crimes. Communications will also issue campus-wide emails and post information on the college website.

The purpose of these Clery Act Safety Alerts is to notify the campus community of the incident and to provide information that may enable community members to protect themselves from similar incidents. The College will issue Clery Act Safety Alerts whenever the following criteria are met:

- A crime is committed;
- The perpetrator has not been apprehended;
- There is a substantial risk to the physical safety of other members of the campus community because of the crime.

Such crimes include, but are not limited to:

- Clery Act crimes that are reported to any Campus Security Authority or the local law enforcement,
- Crimes in which the College determines that the incident represents an ongoing threat to the campus community

If a robbery suspect has already been detained, the crime is not considered a threat to the community and no warning is sent. When issuing Clery Act Safety Alerts under the Clery Act, Wesleyan College reserves the right to withhold confidential information such as name(s) of victims. Clery Act Alerts shall



be decided on a case-by-case basis in light of all the facts surrounding the crime. Campus Safety may, in some circumstances, issue a Clery Act Safety Alert when there is a pattern of crimes against persons or property.

### Notification and Alerts

Wesleyan College will notify the community when an emergency arises. Notifications will go out via:

, SMS Text (WesALERT)

- Email (@wesleyancollege.edu)
- Wesleyan College Website Homepage Banner

The purpose of this policy is to provide timely, accurate information to the public during an emergency or disaster. Please keep in mind that power and communication line outages may prohibit our ability to post information on the website.

Warnings regarding emergencies such as hurricanes, tornadoes, other severe weather, terrorism, and civil disturbances are received from local and state emergency management agencies, and/or local media. Once in receipt of the information, Wesleyan College's Leadership Group will decide on the appropriate response.

NOTE: During a power outage or should an emergency arise that involves personal safety or danger, please use your cell phone and call Campus Safety at 478 960-7969 or 478-757-5145 first, if unable to reach, call 911 and DO NOT attempt to dial from a landline phone.

### WESLEYAN COLLEGE "HIGH ALERT" STATUS

Wesleyan College has created a "High Alert" status to inform and have ready key personnel in anticipation of any emergency, to rapidly and effectively coordinate essential assets for the purpose of preventing or minimizing the effects of emergencies, and to help protect the wellbeing of the College community. Depending upon the incident, all personnel will be notified via the WESLEYAN COLLEGE "WesALERT" EMERGENCY NOTIFICATION SYSTEMS. The "High Alert" system is also designed to help facilitate the dissemination of pertinent information, through the WesALERT Emergency Notification Systems, for the purpose of forewarning the College community and to protect personal life and property.

Examples of emergencies triggering the "High Alert" status may include, but are not limited to:

- Bomb Threat
- Hazardous Materials Spill
- Contaminated Water (Extended period of time) - Health Emergency
- Civil Unrest - Power Failure (extended)
- Fire - Death (Non-Accidental)
- Flood / Sewage Contamination - Gas Leak
- Structural Failure - Severe Weather Warning

## WEBSITE

When an incident occurs, the Wesleyan College Office of Communications may post updates of the situation via the homepage banner on the College website. This information can be viewed at [www.wesleyancollege.edu](http://www.wesleyancollege.edu).

## EMAIL

Wesleyan College emails are sent, when appropriate to announce emergencies, provide response instructions, and report updates. Examples of situations that may result in the distribution, are when a crime or incident occurs outside of the campus Clery geography or when an incident occurs that is not a Clery reportable crime but is nevertheless a safety concern.

## WesALERT System

WesALERT is an emergency messaging system that sends SMS text messages directly to your cell phone, as well as an email notification, in the event of an emergency. It will NOT be used for routine communications. All students, faculty, and staff members are STRONGLY ENCOURAGED to register with Wesleyan ALERT, the College's Emergency TEXT messaging service. In the event of an emergency a Text message will be sent by a College official directly to the cell phone registered with the service. Sign up Now: Wesleyan ALERT: The WesAlert System sends out test Alert message each month to your cell Phone.

## Campus Closure

If closure of the campus is warranted, either for the entire day or until a specific time, College officials will notify the following local area television and radio stations. The College cannot guarantee that the media will disseminate the information in a timely manner:

<u>Television Stations</u>	<u>Radio Stations</u>
13 WMAZ	WMAZ 940
41 NBC/WMGU	
Fox 24 WGXA	

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Wesleyan College publishes an Emergency Management plan that list the procedures that should be followed in the case of an emergency. This plan is located on the college [web page under student life, emergency procedures](#).

In the case of a pandemic, the College will follow the recommendations of the CDC and the local Health Department. Communication to students, faculty, and staff will be sent via email, college website and the text alert system.

## POLICIES

### Missing Person Notification Guideline

Wesleyan College follows the procedure outlined below whenever a student who resides in a campus residential facility is reported to be missing for 24 hours. If the circumstances of the disappearance are such that a student's well-being is possibly in jeopardy, a missing person's investigation can be commenced quicker than 24 hours.

Residential students are asked during the check in process or other designated time to indicate who to notify in case they go missing and grant permission for the college to contact the designated person, if necessary. This may be different from the normal emergency contact that a student may list. This information is kept in confidence and accessed only by authorized campus officials in the case of suspected missing person with the exception of law enforcement personnel in furtherance of a missing person's investigation.

If you suspect a student has gone missing

If you suspect a student has gone missing, you must immediately contact one of the following:

- Wesleyan college campus safety — 478- 960-7969
- Dean of student — 478 -757-5219
- ● Assistant Dean of Students for Equity and Inclusion —478-757-4028
  - Director of Residence Life 478-757 -5215
  - Resident Advisor on Duty -478 -461-7787 or 478-461-778

### College response

- Upon receiving notification, the Dean of Students, or designee, will go to the student's room to look for the student.
- The Dean of Students, or designee, will attempt to contact the student via the student's cellular phone (if the number was provided to the College) and other electronic means if possible.
- The Dean of Students, or designee, will notify Wesleyan College Campus Safety of the Status.

If over 24 Hours or student in Jeopardy

If Wesleyan College campus safety determines that the student has been missing for 24 hours. Or the circumstances indicated a student is in jeopardy even under that time frame, then within the next 24 hours they must collaborate with the Dean of Students to:

- Notify the individual identified by the student to be contacted in this circumstance
- If a student is under 18 years old and is not emancipated, their parent or guardian and any other designated contact person will be notified
- Notify the Bibb County Sheriff's Office regardless of whether the student has identified a contact person, is above the age 18 or is an emancipated minor

A reported missing individual will be considered missing until direct contact has been made with the Wesleyan College campus safety or the dean of students.

### Sexual Misconduct

Wesleyan College is committed to maintaining an environment that addresses and resolves any form of harassment, discrimination, and sexual misconduct, for its community members including students, faculty, staff, administrators, volunteers, vendors, contractors, visitors, and any individuals regularly or temporarily employed, conducting business, studying, living, or having any official capacity with the College or on its property. To that end, [a sexual misconduct policy](#) has been developed and is located on the college's web page. This policy outlines the policy and procedures around harassment, sexual assault, dating violence, stalking, and retaliation.

### Alcohol and Drug Use

#### Student Alcohol Policy

Wesleyan College seeks to ensure that any alcohol consumption that occurs on campus or at college-sponsored events is undertaken in an atmosphere that promotes social and legal responsibility. The goal of this and all Wesleyan policies is to insure that our students are provided with the tools and guidelines needed to become sound decision makers, responsible citizens, and key contributors to Wesleyan College and beyond. The full student alcohol policy is listed in the [Student Handbook](#) and on the [College web page](#). General provisions of the policy include:

- Students over the age of 21 are permitted to consume alcohol on the Wesleyan campus or at Wesleyan sponsored events.
- Any person purchasing, possessing or consuming alcohol on Wesleyan's campus and at college-sponsored events at which alcohol consumption is permitted must comply with applicable Georgia laws and Wesleyan College policies.
- Students must uphold the Honor Code at all times and are responsible for guests and guest behavior at all times.
- Disorderly conduct, reckless behavior, or any other disruption or disturbance to campus life due to intoxication is a violation of the College policy. Students may not drink alcoholic beverages in any area of the campus except in designated areas and during approved college sponsored events.
- Those who choose to consume alcohol must use it in a responsible manner that will not interfere with the rights of others or be detrimental to themselves, those around them, or Wesleyan as a whole.

#### Student Drug Policy

The illegal use or possession of any stimulant, depressant, narcotic, hallucinogen, illegal substances or similar agents or prescription drugs not prescribed specifically to that individual is strictly prohibited on the Wesleyan College campus. The production, selling, bartering, exchanging, or giving away of any drug is also prohibited. State and federal laws also govern the use of drugs. When off campus, students are responsible at all times for complying with state and federal laws governing possession and use of drugs.

The administration of the college has a no tolerance policy regarding the possession and use of illicit drugs or prescription drugs not prescribed for that student's use. A student found in violation of the Drug Policy will be subject to serious disciplinary action up to and including suspension from the College and will not be eligible for any refunds of costs or fees, and full payment is required. Possible criminal action may also be taken.

Wesleyan College operates no off-campus housing or off-campus student organization facilities. The Bibb County Sheriff's Officer have primary jurisdiction in all areas off campus. When a Wesleyan College student is involved in an off-campus offense, campus police may assist with the investigation in cooperation with local, state, or federal law enforcement.

### Substance Abuse Assistance for Students

Assistance is available for students with substance abuse problems, through the Wesleyan College Student Counseling Services Office and the Health Services Office.

The Counseling Office and Health Services Offices have experienced professional counselors and health care providers to assist students in need. Students can schedule individual appoints to see the counselor or the Director of Health Services.

### Employee Drug & Alcohol Policies

Wesleyan College is certified as a DRUG-FREE WORKPLACE by The State Board of Workers' Compensation. Wesleyan College is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Wesleyan College employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job.

Therefore, under authority of Georgia Law (O.C.G.A. 34-9-410) Wesleyan College has established the following policy:

- It is a violation, for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- It is a violation, for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount. ● It is a violation, for any employee to report to work under the influence of, or impaired by alcohol.
- It is a violation, for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.) Violations of this policy are subject to disciplinary action up to and including termination.

### Fire

*Every time* a fire alarm goes off, *all* building occupants must exit the building, unless they have been notified prior to the event that it is not necessary to evacuate (as in testing of the alarms, etc.).

Upon hearing the fire alarm:

Everyone will exit the building quickly and in an orderly fashion, assisting those who may need assistance. Whenever possible, employees will help maintain an approximate headcount of those from their offices, classrooms, or meeting place. Upon reaching the exterior gathering location, (*see list below*) employees will ensure that those under their jurisdiction or care do NOT re-enter the building until notified they may do so by emergency personnel. If there are injuries, Wesleyan College employees should notify Campus Safety as soon as possible after reaching the exterior gathering location. If an employee or student suspects that someone remains in the building, Campus Safety should be alerted to this fact immediately.

If you are unable to exit the building, go to the safest location of the building for fire (usually in a stairwell and identified as such by signage) and wait for emergency personnel to assist you in exiting the building.

*While exiting the building:*

- Do not use elevators.
- Attempt to maintain a calm and orderly exit.
- Do not prop doors open.

All incidents of fire MUST be reported to Campus Safety immediately, whether the response of the Fire Department is required or not. All Department heads, Building Safety Representatives, and supervisors will ensure that their employees are aware of the location of fire extinguishers and fire alarm pull boxes in their work area(s). All employees should be made aware of emergency evacuation routes for their work area(s), and the locations of fire exits and windows (if applicable). **DO NOT USE ELEVATORS** in the event of a fire.

See information about fire alarm activation below:

**What to do in case of a fire.**

ACTIVATE THE FIRE ALARM SYSTEM by pulling one of the pull stations located along exit routes, IF the alarm is not sounding.

FOLLOW YOUR EVACUATION ROUTE and evacuate the building through the nearest exit if the alarm is sounding.

DO NOT USE ELEVATORS. PROCEED to the predetermined outdoor assembly areas for the building.

NOTIFY Campus Safety at (478) 960-7969 or (478) 757-5145 to report the fire. In the event of an actual fire dial 911 first.

REMAIN OUTSIDE in the assembly area until the ALL CLEAR sounds and/or notice is given by emergency personnel and/or Campus Safety.

**Fire extinguishers**

Portable fire extinguishers are installed in every building. Familiarize yourself with the locations of the fire extinguishers and receive hands-on training. The Facilities Department will assist departments who request training for fire extinguishers. ABC fire extinguishers are used to fight Class "A", "B," and "C" fires:

- Class: (A) Fires caused by ordinary combustibles such as wood, paper or textiles

- Class:(B) Fire caused by flammable and combustible liquids such as cooking gasoline, and other solvents oil
- Class: (C) Fires caused by electrically energized equipment or appliances

### Using a portable fire extinguisher.

Attempt to use fire extinguishers ONLY if the following apply:

The fire is small and can be contained safely with a fire extinguisher.

The exit is clear and there is no imminent peril. The proper extinguisher is readily available.

### How to use a fire extinguisher:

To operate the extinguisher, remember the word **P.A.S.S.**

P – Pull the pin

A – Aim low

S – Squeeze

S – Sweep

The only persons authorized to CANCEL that alarm are:

- - Vice President for Finance and Administration
- - Dean of Students
- - Campus Safety Officer on Duty
- - Director of the Physical Plant

There are times when the Physical Plant staff performs maintenance and must put a particular building fire alarm system on “test” for a specified time frame. This staff member will remain on campus and monitor the building and fire panel during the test.

All personnel must notify Campus Police before placing a building in “test” mode.

### Campus Fire Safety Locations: Emergency Assembly Area

**Candler** – Flag Pole

**Olive Swann Porter** – Flag Pole

**Equestrian Center** – Parking Lot E

**Physical Plant** – Parking Lot B

**Huckabee** – Parking Lot B

**Porter Auditorium** – Flag Pole

**Library** – Flag Pole

**Porter Gym** – Flag Pole

**Mathews Fitness Center** – Parking Lot E

**Tate** – Flag Pole

**Munroe** – Flag Pole

**Taylor** – Flag Pole

**Murphy** – Parking Lot B

**Pierce Chapel** – Grassy area by Hightower Hall

### Residential Fire Safety Locations: Emergency Assembly Area

**Banks Hall:** Parking Lot B

**Hightower Hall:** Parking Lot B

**Jones Hall:** Parking Lot G

**Persons:** Flag Pole

**Wortham:** Parking Lot G

**Corn Hall/South Apartments:** Parking Lot A

### CHEMICAL SPILL OR CONTAMINATION

Upon notification that a chemical spill or contamination has occurred,

- Evacuate the building, following any specific information given by emergency personnel (such as avoiding an exit that may be blocked by the spill) and assisting disabled persons as necessary.
- Go to the outdoor gathering location (listed under fire) and remain there until given further instructions by emergency personnel.

If you are aware of anyone who is still in the building after the evacuation or been injured by the chemical, report it to the emergency personnel immediately.

### PROTEST

If a non-violent protest is occurring on or near campus, no action other than paying extra attention to your surroundings is necessary. If a protest on or near campus, starts to get violent, all persons nearby should enter a building and stay inside, away from windows, and remain inside until Bibb County Sheriff's Office and Campus Safety have resolved the situation.

### Medical Emergencies

Medical emergencies – heart attack, fractures, etc. – may arise at any time and without warning. In each incident, the primary emergency contact is 911; the secondary emergency contact is Campus Safety at (478) 960-7969 or (478) 757-5145.

Medical Emergency

- Call 911 Immediately.
- Notify Campus Safety as soon as possible at (478) 960-7969 or (478) 757-5145.
- Provide your name, location, number of people injured, and description of the medical emergency.
- Remain on the phone for instructions.
- Stay Calm and keep the injured person(s) calm as well.



### Explosion or Aircraft Crash

In the event of an explosion or aircraft crash on campus, all persons in the vicinity should evacuate the buildings and area near the explosion as quickly as possible and go to an area on the opposite end of campus to avoid any possible toxic fumes released by the explosion. Notify emergency personnel of any injuries or missing persons. Remain away from the site of the explosion until notified by emergency personnel that it is safe to return.

The College is in the direct flight path of Robins Air Force Base. A wide variety of military aircraft operate from this base. Explosion and fire as well as falling debris resulting from an aircraft crash pose a serious risk to individuals on the ground.

#### Aircraft crash:

- CONTACT Campus Safety at (478) 960-7969 or (478) 757-5145.
- MOVE AWAY from the crash site and seek shelter in a safe location. If it is not possible to move immediately, Drop, Cover and Hold to protect yourself against blast damage.
- If you are inside, and the building is not damaged, REMAIN INSIDE and stay away from windows. Faculty should try to keep their classes together as a unit.
- Provide care for the injured if you are trained in first aid provided it is safe to be the area.
- Untrained individuals should **NOT** enter the crash site. A well-intentioned, but untrained and ill-equipped person who enters the crash site risks serious injury.
- If you are aware of places where people may be trapped, inform the nearest emergency responder as quickly as possible so that trained and properly equipped personnel can affect a rescue effort.

### EARTHQUAKE

During an earthquake, remain calm and quickly follow the steps outlined below:

- If indoors, seek refuge in a doorway, or under a desk or table. Stay away from glass, windows, shelves, and heavy equipment.
- If outdoors, move quickly away from buildings, utility poles, and other structures. WARNING: Always avoid power or utility lines.
- If in an automobile, stop in the safest place available, preferably away from power lines and trees. Stop as quickly as safety permits, but stay in your vehicle for the shelter it offers.
- Evaluate situation after the initial shock and, if emergency help is necessary, call Campus Safety at (478) 960-7969 or (478) 757-5145. Damaged facilities should be reported to the Campus Safety. Protect yourself at all times and be prepared for aftershocks.

#### Tornado Notification and Warning:

When Campus Safety receive severe weather alerts from the National Weather Service and/or appropriate agencies, they will notify the Leadership Group. The Leadership Group will initiate notifications via WesALERT, email, and/or [www.wesleyancollege.edu](http://www.wesleyancollege.edu) website as necessary.

*Upon notification of a tornado warning:*

All persons will proceed to a tornado safety location inside their buildings, assisting those that need assistance, and ensuring that those under their jurisdiction also go to the safety location. Whenever possible, employees will maintain an approximate headcount of the persons from their areas. All building occupants are to remain in the safe location until the Tornado Warning has expired or until notified that the danger has passed.

When Campus Safety receive severe weather alerts from the National Weather Service and/or appropriate agencies, they will notify the Leadership Group. The Leadership Group will initiate notifications via WesALERT, email, and/or [www.wesleyancollege.edu](http://www.wesleyancollege.edu) website as necessary.

### INFORMATION ABOUT TORNADOES

- Georgia has two tornado seasons, one in spring and one in the fall.
- Land-falling tropical storms and hurricanes also generate tornadoes.
- Tornadoes can last from a few seconds to more than an hour.
- A tornado's path can be from 24 yards to over a mile. [L]  
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- The Fujita Scale (F-Scale) is used to measure wind speed, which is derived from actual damage caused by the storm.

### TORNADO WATCH

The National Weather Service issues a tornado watch when conditions are favorable for the development of tornadoes.

### DURING A TORNADO WATCH

When a tornado watch is issued by the National Weather Service, the Campus Police Department will initiate communication to the Leadership Group, who will then inform the community. Continue normal activities, but have a safety plan in mind, and be ready to implement it if a *warning* is issued. The Leadership Group should monitor their phones at all times until the watch is lifted.

### TORNADO WARNING

The National Weather Service issues a tornado warning when a tornado has been detected or sighted. The warning will tell you the location and movement of the severe weather along with an estimated time of expiration.

When a tornado warning is issued by the National Weather Service for areas affecting campus, the Leadership Group will notify the College community.

### DURING A TORNADO EMERGENCY

- Take cover: Instruct students, employees, and others in the immediate area to find a wall near the interior of the building, on the lowest level of the building, away from windows and exterior doors. Individuals should curl up in a "ball" or fetal position near the wall, place their hands over their heads and remain in that position until the severe weather passes.
- If outdoors, with no shelter available, lie flat in a nearby ditch and shield your head with your arms.

- For a LAST RESORT, consider using a vehicle as a shelter. DO NOT get into the vehicle, but rather crawl under the vehicle and shield your head with your arms.

#### **A Tornado Safety Location is one that:**

- Has no windows
- Is on the lowest possible floor of a building
- Has no exterior walls
- Outdoor flooding- Flash flooding occurs quickly and often without warning. Do not attempt to drive across flooded areas. Stay away from downed power lines.
- Indoor Flooding – If indoor flooding is detected, call Campus Police immediately at (478) 757-5145 or (478) 960-7969. Stay out of the water and, if safe to do so, unplug all electronics. Warn others to stay out of the water as well.

#### **CAMPUS TORNADO SAFETY LOCATION: EMERGENCY ASSEMBLY AREA**

- **Candler** – 1<sup>st</sup> floor hallway left of lobby (women’s bathroom side)
- **Equestrian Center** – Bathroom in the center of the building, with warning and advisement go to Mathew’s
- **Huckabee** – Behind front desk, close partition doors
- **Library** – Basement
- **Mathews Fitness Center** – In stairwells, stay on ground level
- **Munroe** – 1<sup>st</sup> floor hallway away from the lobby and stairwells, close the classroom door.
- **Murphy** – central hallways away from doors and windows.
- **Olive Swann Porter** – Trice Room
- **Physical Plant** – Murphy Building – central hallways away from doors and windows
- **Porter Auditorium** – Lower level of building in classrooms in center of building
- **Porter Gym** – Men’s locker room basement area, enter from Pioneer Lounge
- **Tate** – Hallway on lowest level of building away from stairwells, close classroom doors
- **Taylor** – Hallway on lowest level of building away from stairwells, close classroom doors
- **Pierce Chapel** - Lower level restrooms, out of the hallway
- **Residential Tornado Safety Locations: Emergency Assembly Area**
- **Banks** – Laundry room.
- **Corn Apartments** – 1<sup>st</sup> floor hallway away from the lobby and stairwells, close emergency doors at stairwells.
- **Hightower** – Basement level in middle of hallway away from stairwells and laundry room.
- **Jones** – Basement level in middle of hallway, away from stairwells and laundry room.
- **Persons** – 1<sup>st</sup> floor hallways away from stairwells, close all room doors.
- **Wortham** – Laundry room.

#### **POWER OUTAGE**

NOTE: In the event a power outage, use your cell phone to notify Campus Police.

In the event of an electrical or plumbing failure, flooding, water leak, natural gas or propane leak, call Physical Plant (478) 757-5140 from 8:00a.m. – 4:30p.m. Monday – Friday and Campus Safety at (478) 960-7969 or (478) 757-5145 after hours and on weekends. (**NOTE:** In the event of a gas or propane leak,

evacuate the immediate area and call Campus Safety from a safe distance to reduce risk of fire/explosion from electrical charge). Campus Safety will contact Facilities and other appropriate authorities as necessary.

During a power failure or serious danger to person or property:

- Campus Safety at (478) 960-7969 or (478) 757-5145.
- Evacuate the building.
- If safe to do so, gather essential personal items (ID, wallet, keys, etc.)
- NOTIFY others in the immediate area as you are exiting the building.

Building's power is off

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Notify Campus Safety at (478) 960-7969 or (478) 757-5145.

Wait for instructions.

When the electricity is off in a building, smoke detectors and fire alarm systems, smoke detectors and emergency lights will function for 30-60 minutes on reserve power.

During the smell of propane or natural gas:

- Do not pull the fire alarm
- leave the area immediately
- If safe to do so, gather essential personal items (ID, wallet, keys, etc.)
- Notify Campus Safety at (478) 960-7969 or (478) 757-5145 (**NOTE:** In the event of a gas or propane leak, evacuate the immediate area and call Campus Safety from a safe distance to reduce risk of fire/explosion from electrical charge).
- Keep others out of area.
- Evacuate the building.
- Notify others as you are exiting the building.

If the utility failure is widespread, Campus Safety or College administrators may order the building or area to be evacuated until the problem has been corrected.

#### **Notification Active Shooter or Criminal on or near Campus**

If the situation should arise that someone has entered the College area and brandished or fired a weapon, the following list of actions is recommended. Please note that these situations are highly unpredictable and that the following recommendations are based on past experiences with shooting incidents on College campuses. Alternative responses may be necessary, depending on the situation.

NOTE: Firearms are not allowed on campus.

More information on Wesleyan College's Weapon policy is available in the Student Handbook.

What to do if an armed assailant or shooting on campus:

- Exit the building\area immediately.
- Notify others in the area to flee the area immediately.

- Find a reasonably safe area and CONTACT Campus Safety at (478) 960-7969 or (478) 757-5145.

Give Campus Safety the following information:

- Your name
- Location of the incident (as specific as possible)
- Number of known shooters
- Identification of the shooter(s)
- Type of weapon(s) (handgun, rifle, etc.)
- Your current location
- Location(s) of known victim(s)

If you are unable to leave the building, it is recommended you SEEK SHELTER:

- Go to the nearest room, office, or closet.
- Close and lock the door, if possible.
- Cover the door or windows, if possible.
- Stay quiet and stay out of view.
- Do not answer the door.
- Notify Campus Safety at (478) 757-5145 or (478) 960-7969 or (478) 757-5145, **IF SAFE** to do so.
- Give Campus Safety the following information:

- Your name
- Location of the incident (as specific as possible)
- Number of known shooters
- Identification of the shooter(s)
- Type of weapon(s) (handgun, rifle, etc.)
- Your current location
- Location(s) of known victim(s)

WAIT for local police and/or emergency workers to assist you out of the building.

**Upon notification of an unstable person or hostage situation on campus:**

Wesleyan College is only as safe as the College Community allows it to be. Everyone is asked to assist in making the College safe by being alert to suspicious situations and promptly reporting them.

What to do if you observe or become a victim of a criminal act or violent behavior, or if you observe suspicious activity or person(s)

If you observe a criminal act or are a victim, immediately notify Campus Safety. Campus Safety are available 24 hours a day and can be reached by calling (478) 960-7969 or (478) 757-5145 for emergencies or (478)960-7969 for non-emergencies. The Campus Safety Office is located in Olive Swann Porter (OSP), on the third floor in the West Hallway floor at the top of the stairs.

Report Information to

- Nature of the incident
- Location of the incident

- Description of the person(s) involved
- Description of property involved

What to do when reporting suspicious activity, criminal act or violent behavior.

- If safe, stay on the phone with the Campus Safety Officer and keep a visual on the suspect as long as possible.
- When the officers arrive, assist them by supplying them with all additional information.

IF you are taken as a hostage and feel it is safest to cooperate and not fight back, the following is recommended:

- Follow instructions; be alert and be cooperative.
- Do not look the intruder in the eyes.
- Do not speak unless spoken to and then only when necessary.
- Do not talk down to the captor who may be in an agitated state. Avoid appearing hostile.
- Be observant. You may be released or escape. The personal safety of others may depend on your memory.
- Be prepared to answer police and/or other emergency personnel on the phone.

### **Bomb or Bomb Threat**

Bomb threats can be classified into two categories:

- The Hoax Caller: These threats are generally intended to create an atmosphere of panic and chaos. Generally, the motive of the caller(s) is to disrupt normal activities and operations at the location where the explosive device is allegedly placed.
- The Credible Caller: The caller believes or knows that an explosive device has been or will be placed in the location, and he/she wants to warn of the threat to minimize personal injuries or property damage. The caller may be the person responsible for the device or someone who has become aware of information they believe to be credible.

Most of the time, bomb threats occur over the phone, however threats can also be made via letters, email, and suspicious packages.

Telephone bomb threats are the most common. If you receive a bomb threat by phone, DO NOT DISCONNECT THE CALLER. Keep the caller on the line as long as possible and get as much information as possible. Once the call is finished, report the call and information to Campus Police.

Information you should attempt to obtain:

- When will the bomb explode?
- Where is the bomb located?
- What kind of bomb is it?
- Who is (are) the targets?
- Who is the caller and how can he or she be reached?
- Why was the bomb placed?

Bomb threats can be received via letter or in another form of writing. If you receive this correspondence, keep all materials and contact Campus Safety immediately at (478) 960-7969 or (478) 757-5145. The person opening the letter should handle the document as little as possible

Email is becoming a more and more frequent source of harassing communication. Although email is not very private, anyone can create email accounts under fictitious names and use public computers to send threats. A person receiving a bomb threat via email should contact Campus Safety immediately. Do not delete the message.

### Suspicious Parcel or Substance

The Suspicious Package, Letter or Other Item: Any unusual object or strange vehicle should be immediately reported to Campus Safety.

If you receive a bomb threat

- Keep calm and keep the caller on the line as long as possible.
- Ask the caller to repeat the message.
- Record as much of the spoken words made by the person making the call as possible.
- Ask the caller for the exact location and time of possible detonation.
- Pay particular attention to any noises, such as motors running, background music, etc. which might give even a remote clue as to the place from which the call is being made.
- Listen closely to the voice (male or female), quality of the voice (calm or excited), accents and speech impediments.
- Do not hang up the phone until the caller has disconnected.
- Notify Campus Safety at (478) 960-7969 or (478) 757-5145 immediately after the call has been completed, giving as much information as possible. Follow instructions given by Campus Safety or as directed by the ENS.
- IF instructed to evacuate, follow evacuation instructions Assemble at the assembly area designated for your building or other location as directed by Campus Safety.
- Preserve any written, electronic or recorded communications related to the bomb threat for investigation by Campus Safety / local law enforcement.

### Missing Person Notification Guideline

Wesleyan College follows the procedure outlined below whenever a student who resides in a campus residential facility is reported to be missing for 24 hours. If the circumstances of the disappearance are such that a student's well-being is possibly in jeopardy, a missing person's investigation can be commenced quicker than 24 hours.

The following information will be gathered from residential students during the check in process or other designated time. This may be different from the normal emergency contact that a student may list. This information is kept in confidence and accessed only by authorized campus officials in the case of suspected missing person with the exception of law enforcement personnel in furtherance of a missing person's investigation.

*In the event the College receives notification that I, \_\_\_\_\_, may be missing, please contact \_\_\_\_\_ (name) \_\_\_\_\_ (relationship) \_\_\_\_\_ (phone number). By providing this information I am granting permission for College officials to contact this (these) person(s) as needed.*

### **Reporting Missing Person**

- Wesleyan college campus safety – 478- 960 – 7969
  - Dean of student – 478 -757 – 5219
  - Assistant Dean of Students for Equity and Inclusion – 478 – 757 - 3775
  - Director of Residence Life 478 – 757 – 5215
  - Resident Advisor on Duty – 478 – 461- 7787
- Immediate Response by Dean of Students:
- Upon receiving notification, the Dean of Students, or designee, will go to the student’s room to look for the student.
  - The Dean of Students, or designee, will attempt to contact the student via the student’s cellular phone (if the number was provided to the College) and other electronic means if possible.
  - The Dean of Students, or designee, will notify Wesleyan College Campus Safety of the Status.

### **If over 24 Hours or student in Jeopardy**

If Wesleyan College campus safety determines that the student has been missing for 24 hours. Or the circumstances indicated a student is in jeopardy even under that time frame, then within the next 24 hours they must collaborate with the Dean of Students to:

- Notify the individual identified by the student to be contacted in this circumstance
- If a student is under 18 years old and is not emancipated, their parent or guardian and any other designated contact person will be notified
- Notify the Bibb County Sheriff’s Office regardless of whether the student has identified a contact person, is above the age 18 or is an emancipated minor

A reported missing individual will be considered missing until direct contact has been made with the Wesleyan College campus safety or the dean of students.

### **Pandemic**

In the case of a pandemic, the College will follow the recommendations of the CDC and the local Health Department.

Communication to students, faculty, and staff will be sent via email, college website and the text alert system.



## Evacuation

In the case of a building evacuation, please use the fire safety locations listed. Building evacuations require full cooperation of all building occupants. The decision to evacuate all or part of the College grounds will rest with the Leadership Group and will be announced via the Emergency Notification Systems (WesALERT). All persons are to immediately vacate the area in question and move to another part of the College grounds, local assembly area, or shelter as directed. Emergency personnel are responsible for aiding disabled persons.

### SECURITY OF AND ACCESS TO COLLEGE FACILITIES

All campus buildings are locked and secured by the Campus Safety officer on duty by 10:00 p.m. daily, except for the 24/7 area of the Library on the first floor. Access to the 24/7 first floor of the library is only available after hours via a Wesleyan College ID card enabled with the key access. Buildings are opened by the Campus Safety officer on duty beginning at 7:30 a.m. daily. When not on patrol of the campus, the officer on duty after 8:00 p.m. is stationed in the first floor 24/7 area of the Library, and the day officer is stationed in OSP Room 304.

Authorization from their supervisor. Employees must sign for each key they receive and must return keys upon termination of employment at Wesleyan. Record of key access is maintained in the Physical Plant Office.

### SEXUAL MISCONDUCT POLICY

Wesleyan College is committed to maintaining an environment that addresses and resolves any form of harassment, discrimination, and sexual misconduct, for its community members including students, faculty, staff, administrators, volunteers, vendors, contractors, visitors, and any individuals regularly or temporarily employed, conducting business, studying, living, or having any official capacity with the College or on its property. The College has enacted this Sexual Misconduct Policy ("this Policy") to reflect and maintain its institutional values and community expectations, to provide for fair and equitable procedures for determining when this Policy has been violated, and to provide recourse for individuals and the community in response to violations of this Policy.

This Policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct, including sexual assault, domestic violence, dating violence, and stalking. This Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in any matter related to this Policy. All of the foregoing conduct shall be referred to as "Prohibited Conduct."

Wesleyan does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

"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."

Sexual harassment is also prohibited under Title IX and Title VII of the Civil Rights Act of 1964, and other applicable statutes. This Policy prohibits sexual harassment against Wesleyan College community members of any sex in the context of education or employment. This Policy also prohibits gender-based harassment that does not involve conduct of a sexual nature. Upon receipt of a Formal Complaint, report, the College will take prompt and equitable action to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy its effects. In addition, the College will fulfill its obligations under the Violence Against Women Reauthorization Act of 2013 (“VAWA”) amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) in response to reported Prohibited Conduct. Students, employees, or third parties who are found to have violated this Policy may face disciplinary action up to and including expulsion (students) or termination of employment or contractual relationship (employees or third party contractors).

The College’s response to reports of violations of this Policy will be directed by the Designated Official with Authority, Tonya Parker, the campus Title IX Coordinator. She can be reached by telephone at (478) 757-3775 or by email at [kmalone@wesleyancollege.edu](mailto:kmalone@wesleyancollege.edu).

## II. Scope of Policy

This Policy applies to all reports of Prohibited Conduct occurring on or after the effective date of this Policy, August 14, 2020. The Grievance Process under this Policy and the Policy for Resolving Complaints of Sexual Misconduct will be used to investigate and resolve all reports made on or after the effective date of this Policy, regardless of when the incident(s) occurred.

When used in this Policy, “**Complainant**” refers to an individual who is alleged to be the victim of conduct that could constitute sexual harassment or any other form of prohibited conduct. “**Respondent**” refers to an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment for any form of prohibited conduct under this Policy. “**Third-Party**” refers to any other participant in the process, including a witness or an individual who makes a report on behalf of a Complainant.

The process begins with a **Formal Complaint** filed by a Complainant, followed by acknowledgment of receipt by the Title IX Coordinator, alleging sexual misconduct against a Respondent, requesting that the College investigate the allegation of sexual harassment. Receipt of a Formal Complaint by the Title IX Coordinator constitutes **Actual Knowledge** for the College. “Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any Official of the College who has authority to institute corrective measures on behalf of the Title IX Coordinator has been notified (§§106.30). The Actual Knowledge standard is not met when the only individual with “actual knowledge” is the Respondent.

The process could begin with an anonymous complaint; however, the ability of the College to process this complaint could be compromised.

Complainant must be participating in or attempting to participate in the education program or activity of the College at the time of filing a Formal Complaint.

Nothing in this Policy derogates the legal right of a parent or guardian acting on behalf of the Complainant, Respondent, or Third-Party, including, but not limited to filing a Formal Complaint.

A possible violation of the Sexual Misconduct Policy is handled through an administrative process. Some prohibited forms of conduct may also be crimes under Georgia law and be reported to local law enforcement agencies or the Wesleyan College Campus Safety at (478) 960-7969 or **(478) 757-5145**. A Complainant may also pursue criminal or civil legal recourse concurrently. The two processes are not dependent upon one another.

#### A. Persons Covered

This Policy applies to all Wesleyan College community members, including students, faculty, administrators, staff, volunteers, vendors, contractors, visitors, and individuals regularly or temporarily employed, conducting business, studying, living, visiting, or having any official capacity with the College or on its property. Situations in which either one or both parties are students will be resolved through the Title IX process. Situations involving employees will be addressed through the *Wesleyan College Process for Resolving Complaints of Sexual Misconduct* and in accordance with the Faculty Handbook, when applicable.

The College strongly encourages reports of Prohibited Conduct regardless of who engaged in the conduct. Even if the College does not have jurisdiction over the Respondent, the College will take prompt action to provide for the safety and well-being of the Complainant and the broader campus community. The College will provide supportive measures with or without a Formal Complaint.

#### B. Locations Covered

This Policy applies to the College's educational program or activity which includes locations, events or circumstances over which the College exercises substantial control over both the Complainant and Respondent and the context in which the sexual misconduct occurs. This Policy applies to all on-campus conduct. The College strongly encourages reports of Prohibited Conduct. Even if the Policy does not apply to the conduct because of its location, the College will take prompt action to provide for the safety and well-being of the individuals involved and the broader campus community under applicable College policies.

**On-Campus Conduct:** This Policy applies to conduct on-campus, including that which occurs on property owned or controlled, leased, or managed by the College.

**College Programs and Activities:** This Policy applies to conduct that occurs in the context of College employment or education programs or activities, including, but not limited to, internship programs or Athletic travel.

**Off-Campus Conduct:** Proceedings for student misconduct occurring off campus will be addressed according to the Student Handbook.

### III. Prohibited Conduct and Definitions

Wesleyan College prohibits the following forms of Sex or Gender-Based Discrimination and Sexual Misconduct:

**A. Sex or Gender-Based Discrimination**

Sex or gender-based discrimination refers to the disparate treatment of a person or group of people because of the person's or group's sex, sexual orientation, gender identity, or gender expression.

**B. Prohibited Misconduct\***

Sexual Misconduct is conduct of a sexual nature or conduct based on sex or gender that is nonconsensual or has the effect of threatening, intimidating, or coercing a person. The College prohibits the following conduct:

1. **Sexual or Gender-Based Harassment;**
2. **Sexual Assault;**
3. **Domestic Violence;**
4. **Dating Violence;**
5. **Stalking;**
6. **Retaliation**

\*Other conduct that may not be listed but includes elements of being based on sex or gender; is nonconsensual; or has the effect of threatening, intimidating, or coercing another person, will be treated as Prohibited Conduct. Prohibited conduct violations will be resolved through the *Wesleyan College Process for Resolving Complaints of Sexual Misconduct*, the Student Conduct process, or according to the Faculty or Employee Handbook as appropriate.

**1. Sexual Harassment and Gender-Based Harassment**

**A. Sexual harassment** is conduct on the basis of sex that satisfies one or more the following:

- (1) An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively reasonable that it effectively denies a person equal access to the College's education program or activity
- (3) Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as defined in this Policy

A single, isolated incident of sexual harassment alone may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.

**Sexual harassment** can take many forms which:

- may be blatant and intentional and involve an overt action, a threat of reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.
- may be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational, or employment relationships, harassment can occur in any context.
- may be committed by a stranger, an acquaintance, or someone with whom the individual alleging a violation of this Policy (Complainant) has an intimate or sexual relationship.
- may be committed by or against an individual or may be a result of the actions of an organization or group.
- may occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.
- may occur in the classroom, in the workplace, in residential settings, over electronic media (including the internet, telephone, text or any form of electronic media), or in any other setting.
- may be a one-time event or part of a pattern of behavior.
- may be committed in the presence of others or when the parties are alone.
- may affect the Complainant and/or third parties who witness or observe harassment type and severity. Key determining factors are that the behavior is unwelcome, is gender-based, and is reasonably perceived as offensive and objectionable under both a subjective and objective assessment of the conduct.

### **B. Gender-Based Harassment**

Harassment based on sex, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal, physical, graphic, or otherwise. To qualify as Gender-Based Harassment, the conduct need not involve conduct of a sexual nature.

**C. Harassment** under this Policy can be divided into two types of misconduct:

**1. Quid Pro Quo Harassment.** Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic standing, or participation in any aspect of a College program or activity or is used as the basis for the College's decisions affecting the individual.

**2. Hostile Environment.** A hostile environment exists when the conduct is sufficiently severe, pervasive, or persistent that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College's education or employment programs and/or activities. Whether conduct is sufficiently severe, pervasive, or persistent is determined both from a subjective and objective perspective.

Harassing conduct can take many forms. The determination of whether an environment is hostile is based on the totality of the circumstances, including but not limited to: (a) the frequency of the conduct; (b) the nature and severity of the conduct; (c) whether the conduct was physically threatening; (d) the effect of the conduct on the Complainant's mental or emotional state, with consideration of whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or College programs or activities; (e) whether the conduct was directed at more than one person; (f) whether the conduct arose in the context of other discriminatory conduct; and (g) whether the conduct implicates concerns related to academic freedom or protected speech.

A single isolated incident may create a hostile environment if the incident is sufficiently severe, particularly if the conduct is physical. A single incident of Sexual Assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression is typically not sufficient to constitute a hostile environment.

## 2. Sexual Assault

"Sexual Assault" means an offense classified as a forcible or non-forcible **sex offense** under the uniform crime reporting system of the Federal Bureau of Investigation, as defined in 20 U.S.C. 1092(f)(6)(A)(v).

### Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent:

A. Fondling - 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.

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

C. Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

(The crime definitions above are from the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program, located at

[https://www.law.cornell.edu/cfr/text/34/appendix-A to subpart D of part 668](https://www.law.cornell.edu/cfr/text/34/appendix-A%20to%20subpart%20D%20of%20part%20668))

## 3. Domestic Violence

The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. (<https://www.law.cornell.edu/uscode/text/34/12291> (34 USC 12291(a) (8))

#### 4. Dating Violence

“Dating Violence” is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to such violence. Whether there was such a relationship will be determined based on, among other factors, the Complainant’s and Respondent’s statements, and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the Parties involved in the relationship. A mutual, romantic relationship between two employees or two students can develop into sexual harassment.

The term “dating violence” means violence committed by a person—

- (A) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) Where the existence of such a relationship shall be determined based on a consideration of the following factors (<https://www.law.cornell.edu/uscode/text/34/12291> ) (34 USC 12291(a) (10):
  - (i) The length of the relationship;
  - ii) The type of relationship; and
  - (iii) The frequency of interaction between the persons involved in the relationship.

#### 5. Stalking

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) Fear for his or her safety or the safety of others; or
- (B) Suffer substantial emotional distress. 34 USC 12291(a) (30)

“Stalking” occurs when a person engages in a *course of conduct* directed at a specific person that would cause a *reasonable person* to fear for their safety or the safety of others or suffer substantial emotional distress.

A *course of conduct* consists of two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property.

*Reasonable person* means a reasonable person under similar circumstances and with similar identities to the Complainant.

*Substantial emotional* distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Cyber-stalking is a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

#### 6. Retaliation

“No recipient or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this part, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part.” (Sec. §106.71)

*Per se* Retaliation: “Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by title IX or this part, constitutes retaliation.” (Sec. §106.71)

The College will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate. Individuals reporting Prohibited Conduct are entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is not proven. Reports and complaints of Retaliation will be resolved under the Wesleyan College Non-Retaliation Policy and any appropriate policies or Handbooks referenced therein.

#### IV. Non-Consensual Sexual Contact

Wesleyan College acknowledges **Force** as the use or threat of intimidation or physical violence to overpower an individual’s freedom of will to choose whether or not to participate in any form of sexual activity. Expression of resistance in any manner is a clear demonstration of non-consent. If a person is unable to express consent, a sexual act with the person will be viewed as a clear demonstration of non-consent and will be addressed through the *Wesleyan College Process for Resolving Complaints of Sexual Misconduct*.

Consent is the agreement to engage in specific sexual contact, which may be given by verbal agreement or active and willing participation in the sexual activity. Any form of sexual contact that is not of mutual agreement lacks consent and will be considered non-consensual sexual contact. Consent to sexual contact or any specific sexual act cannot be given if an individual is incapacitated or impaired because of a physical or mental condition or the ingestion of drugs or alcohol, or under the age of 16 (Georgia age of consent).

Silence, previous sexual relationships, current relationships, or the use of alcohol and/or drugs are not indications of consent. The use of force, threat of force, threat of immediate or future harm, or use of physical intimidation to secure compliance with sexual activity is evidence of lack of consent.

Consent may be initially given, but can be revoked at any point, either verbally, through physical resistance, or by losing consciousness. Failure to cease sexual contact promptly in response to a withdrawal of consent constitutes non-consensual sexual contact. “No” or any other statements or acts/physical gestures supporting the desire to cease contact in response to sexual contact or an invitation to sexual contact will be regarded as a denial of consent to such sexual contact.



## V. Reporting

All community members, whether directly or indirectly connected to Wesleyan College, are encouraged to report sexual assault, harassment, discrimination or any prohibited conduct. The College will respond to any information it receives, whether from a Complainant, “an individual who is alleged to be the victim of conduct that could constitute sexual harassment,” third party, or anonymously against a named Respondent, i.e.,--“an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.” (Sec. §106.30)

The College is committed to providing a variety of accessible means of reporting sexual misconduct. The Title IX Coordinator is specifically charged with coordinating the initial assessment, initiating the investigation, and responding to allegations of sexual assault or harassment to stop the harassing conduct, address its effects, and prevent its recurrence.

Complainants have the right to pursue criminal action for incidents of sexual assault or harassment that may also be crimes under Georgia criminal statutes. Reports to law enforcement may be made to local law enforcement agencies or the Campus Police Department at (478) 757-5145 or (478) 960-7969.

Any individual may make an anonymous report concerning an act of sexual assault or harassment. An individual may report the incident without disclosing one’s name, identifying the Respondent, or requesting any action. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may affect the College’s ability to respond or take further action.

Individuals who wish to make a report of a violation of this Policy are encouraged to complete the Title IX Complaint form located on the [Compliance](#) page of the Wesleyan College website.

## VI. Privacy and Confidentiality

Privacy and confidentiality have distinct meanings under this Policy.

- A. **Privacy.** “Privacy” generally means that information related to a report and/or investigation of Prohibited Conduct will only be shared with a limited circle of individuals as they “need to know” in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be strongly encouraged to be discreet and respectful of the privacy of all individuals involved in the process to the extent permitted by law.
  
- B. **Confidentiality.** “Confidentiality” generally means that information shared by an individual with designated campus or community professionals will not be revealed to any other individual without the expressed permission of the individual. An individual who seeks confidential assistance may do so by speaking with professionals who hold legally protected confidentiality. \*

The confidential resources available to individuals on campus are:

Counselor/Director of Student Counseling Services

Myrana Craig

(478) 757-4024

[mcraig@wesleyancollege.edu](mailto:mcraig@wesleyancollege.edu)

**Nurse/Director of Health Services**

Kristen Hallett

(478) 757-4025

[healthservices@wesleyancollege.edu](mailto:healthservices@wesleyancollege.edu)

Chaplain/Director of Campus Ministry

Tyler Schwaller

(478) 757-2820

[tschwaller@wesleyancollege.edu](mailto:tschwaller@wesleyancollege.edu)

These confidential resources are not required to report claims of sexual misconduct to the Title IX Coordinator, but will report number of cases as required under the Clery Act.

\*Legal consent to sexual contact or any specific sexual act cannot be given if the person is under the age of 16, Georgia's age of consent.

VII. Designated Officials with Authority, Mandatory Reporters and Responsible Employees

“The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the recipient.” (NACUA §106.30)

Designated Officials with Authority

The Title IX Coordinator is designated to implement Corrective Measures under this Policy. The Title IX Coordinator may empower other Officials, the Deputy Coordinators, with the requisite authority to institute Corrective Measures on the Title IX Coordinator's behalf; notice to the Deputy Coordinators, who are also Designated Officials with Authority, constitutes the Title IX Coordinator's actual knowledge and triggers the College's response obligations.

### Mandatory Reporters

“Nothing in the proposed or final regulations prevents recipients from instituting their own policies to require professors, instructors, or all employees to report to the Title IX Coordinator every incident and report of sexual harassment.”

Wesleyan College recognizes all Faculty, Staff, Administrators, Adjuncts, and Resident Advisors (RAs) as Mandatory Reporters.

According to the *Title IX Final Regulations*, page 321, “Mandatory Reporter ≠ Employee with Authority to Implement Corrective Measures: [T]he mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the recipient.”

All **Mandatory Reporters** are required to be informed that they are Mandatory Reporters and must participate in Title IX Trainings provided by the College, either on-line or with the Title IX Coordinator or a Designated Official of the Title IX Coordinator. The Campus Counselor, Chaplain, and Health Services Directors will participate in Title IX Training, but are not required to report alleged sexual harassment or sexual assault to the Title IX Coordinator if the information is provided confidentially.

### VIII. Title IX Team Information

Wesleyan College has designated the following individuals to serve in official capacity regarding the Title IX process. All Title IX team members are Mandatory Reporters

#### **Wesleyan College Title IX Team**

Title IX Coordinator

Kathy Malone- OSP 204

478.757.3775

kmalone@wesleyancollege.edu

Title IX Deputy Coordinator

Julie Daniel –Tate

478.757.3803

jdaniel@wesleyancollege.edu

Title IX Investigator

Whitney Foster-Tate

478.757.5123

wfoster@wesleyancollege.edu

Title IX Investigator

Seth Berkebile- MAC  
478.757.2825  
sberkebile@wesleyancollege.edu

Title IX Investigator  
Kara Sowell- OSP  
478.757.5164  
ksowell@wesleyancollege.edu

2023-2024

Title IX Investigator  
Ken Blair- Tate  
478.757.5193  
kblair@wesleyancollege.edu

Title IX Investigator  
William Ayears- MAC  
478.757.3719  
wayears@wesleyancollege.edu

Advisors & Hearing Panel Members  
Jill Amos (advisor)  
Mariana Furlin (advisor)  
Helena Xia (advisor)  
Jessica Tucker (advisor)  
Kristina Peavy (dual)  
Holly Cole (dual)  
Virginia Wilcox (hearing panel member)  
Laura Strausberg (hearing panel member)  
Megan McMahon (hearing panel member)  
Nicholas Steneck (hearing panel member)  
Kara Kostiuik (hearing panel member)  
Deidra Donmoyer (hearing panel member)  
Malaeolevavau Fiaseu (hearing panel member)

Counselor/Director of Student Counseling Service

Myrana Craig 478-757-4024 [mcraig@wesleyancollege.edu](mailto:mcraig@wesleyancollege.edu)

Nurse/Director of Health Service

Kristen Hallett 478-757-4025 [kpaulhallett@wesleyancollege.edu](mailto:kpaulhallett@wesleyancollege.edu)

### Chaplain/Director of Campus Ministry

Rachel Paul Hartman 478-7575180 rhartman@wesleyancollege.edu

Title IX Coordinator: The Title IX Coordinator directs and manages compliance regarding Title IX related matters, including the investigation of complaints. Responsibilities include, but are not limited to:

- Manages all Title IX reports, complaints and grievance processes and assists the Human Resources Director with Title IX reports and grievances of Wesleyan employees
- Receives and assesses initial intake information
- Assigns investigators to each case
- Provides information about available resources to both the Complainant and Respondent
- Provides options for complaint resolutions
- Tracks, monitors and keeps records of incidents of sexual misconduct and sex discrimination
- Coordinates prevention and awareness initiatives and learning opportunities
- Report crimes to the Clery Administrator
- Ensures institutional Title IX compliance, including trainings for Title IX team members and informing Wesleyan employees of Title IX responsibilities

### Deputy Title IX Coordinators and Title IX Investigators

Deputy Title IX Coordinators and Investigators do the following, but not limited to:

- Support and assist the Title IX Coordinator in Title IX and compliance matters
- Knowledgeable of Title IX Policy and procedures
- Investigate complaints as assigned by Title IX Coordinator
- Provide information of available resources to both Complainant and Respondent
- Report any intake reports to Title IX Coordinator for assessment
- Serve as Hearing Panel Members if not investigating a case
- Deputy Title IX Coordinators are Designated Officials and can fulfill duties on the behalf of the Title IX Coordinator
- Report crimes to Clery Administrator

## IX. Grievance Process

The U.S. Department of Education Title IX Final Rule requires schools to investigate and adjudicate formal complaints of sexual harassment and misconduct “using a grievance process that incorporates due process principles, treats all parties fairly, and reaching reliable responsibility determination.”

Wesleyan College’s grievance process includes the following:

- Giving both the Complainant and Respondent written notice of the allegations, an equal opportunity to select an Advisor (who may be, but does not need to be an attorney), and an equal opportunity to submit and review evidence throughout the investigation;
- Using trained Title IX personnel to objectively evaluate all relevant evidence without prejudice of the facts and free from conflicts of interest or bias for or against either party;
- Protecting parties’ privacy by requiring a party’s written consent before using any kind of Informal Resolution process, such as mediation or restorative justice, and not use an information process where an employee allegedly sexually harassed a student;
- Applying the presumption that the Respondent is not responsible during the grievance process so the College, by way of the Title IX personnel, bears the burden of proof and the standard of evidence correctly applied, which for Wesleyan College is the Preponderance of the Evidence standard. The Preponderance of Evidence standard is used for formal complaints against students and employees;
- Two Title IX team members (Investigators and/or Deputy Investigators) serving as Investigators for each case and the Title IX Coordinator does not serve as an investigator for cases, but oversees and directs the process;
- Holding a Live Hearing and allowing cross-examination by the Complainant’s and Respondent’s Advisors, never by the Complainant and Respondent personally;
- Protecting all complainants from being asked inappropriate questions about prior sexual history (Rape Shield protections)
- Sending Complainant and Respondent written determination regarding responsibility that explains how and why the Decision-Maker reached the conclusion;
- Effectively implementing remedies for a Complainant if a Respondent is found responsible for sexual harassment or sexual misconduct;
- Offering both the Complainant and Respondent equal opportunities to appeal; and
- Protecting any individual (including complainants, respondents, and witnesses) from retaliation for reporting sexual misconduct or participating, or refusing to participate, in any Title IX grievance process.

## 1. Supportive Measures

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to both the Complainant or Respondent, before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. They are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening Complainant and Respondent, including measures designed to protect the safety of all Parties or the College's educational environment, or deter sexual harassment. (NACUA §106.30)

Upon receipt of a Formal Complaint the College will provide reasonable and appropriate supportive measures designed to eliminate any existing hostile environment and protect the Parties involved. The College will make reasonable efforts to communicate with the Parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Supportive measures may be imposed regardless of whether formal disciplinary action is sought by the Complainant or the College, and regardless of whether a crime is reported to Campus Police or local law enforcement.

A Complainant or Respondent may request a "No-Contact Order" or other protection, or the College may choose to impose a "No-Contact Order" at its discretion to ensure the safety of all Parties, the broader College community, and/or the integrity of the process.

The College will maintain the privacy of any supportive measures provided under this Policy to the extent practicable and will promptly address any violation of the measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented restriction if such restriction was violated.

Supportive measures for **Students** may include, but are not limited to the following list below and may continue after a case is resolved if it is in the best interest of the Complainant, Respondent, or the campus community.

- Imposition of campus "No-Contact Order";
- Rescheduling of exams and assignments;
- Providing alternative course completion options;
- Modification in class schedule;
- Modification in work schedule or job assignment;
- Modification in on-campus housing;
- Limit an individual or organization's access to certain College facilities or activities pending resolution of the matter;

- Campus escort services;
- and/or any other measure deemed necessary for the particular case as identified, acknowledge, and implemented by the Title IX Coordinator.

Supportive Measures for **Employees** include, but are not limited to:

- Modifications of work schedules;
- Mutual restrictions on contact between the parties;
- Changes in work or housing locations;
- Leaves of absence;
- Increased security and monitoring of certain areas of the campus;
- and/or any other appropriate Supportive Measures as identified, acknowledged and implemented by the Provost (pertaining to Faculty) and the Human Resources Director (includes involving Supervisor of employee if applicable).

## 2. Emergency Removal and Administrative Leave

Nothing in this Policy precludes the College from removing a Respondent from the College's education program or activity on an emergency basis, provided that the College undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### Administrative Leave

Nothing in this Policy precludes the College from placing a non-student employee Respondent on administrative leave during the pendency of this process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act. The Faculty or Staff Handbook will be referenced for Administrative Leave of an Employee.

## X. Process for Resolving Complaints of Sexual Misconduct

The grievance process and procedures for resolving complaints of sexual misconduct are located in the *Wesleyan College Process for Resolving Complaints of Sexual Misconduct* on the Wesleyan College website: [Process for Resolving Complaints of Sexual Misconduct](#) .



Contact the Title IX Coordinator with any questions concerning this Policy or the Resolution Process at (478) 757—3775 or [kmalone@wesleyancollege.edu](mailto:kmalone@wesleyancollege.edu)

## **PROCESS FOR RESOLVING COMPLAINTS OF SEXUAL MISCONDUCT**

### **A. Purpose and Scope**

Wesleyan College is committed to maintaining an environment that addresses and resolves any form of harassment, discrimination, and sexual misconduct, for its community members including students, faculty, staff, administrators, volunteers, vendors, contractors, visitors, and any individuals regularly or temporarily employed, conducting business, studying, living, or having any official capacity with the College or on its property. The College has enacted a Sexual Misconduct Policy to reflect and maintain its institutional values and community expectations, to provide for fair and equitable procedures for determining when the Title IX Policy has been violated, and to provide recourse for individuals and the community in response to violations of the Policy.

The Wesleyan College Sexual Misconduct Policy prohibits all forms of sexual harassment, gender-based discrimination and sexual assault, domestic violence, dating violence, and stalking. The Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in any matter related to the Title IX Policy.

Every member of the Wesleyan College community is expected to uphold the Policy as a matter of mutual respect and fundamental fairness in human relations. Every student has a responsibility to conduct themselves in accordance with the Policy as a condition of continued enrollment. Every employee has a responsibility to conduct themselves in accordance with the Policy as a condition of continued employment. No person shall be retaliated against for reporting violations or concerns about prohibited conduct through appropriate Wesleyan channels.

The Resolution Process begins with the acknowledgment of a Formal Complaint by the Title IX Coordinator or an authorized Designated Official. The College will adhere to the grievance process as stated in the U.S. Department of Education Title IX Final Rule of May 2020 and will investigate every Formal Complaint. If the alleged conduct does not fall under Title IX, the College will address the allegation under Wesleyan's Code of Conduct or the Faculty or Employee Handbook, where applicable, and provide supportive measures.

"If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in §106.30 even if proved, did not occur in the recipient's education program or activity, or did not occur against a person in the United States, then the recipient (*Title IX Coordinator*) must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX or this part; such a dismissal does not preclude action under another provision of (*Wesleyan College's*) code of conduct."

### **B. Reporting Complaints of Sexual Misconduct**

#### **1. Filing Complaints with the Title IX Coordinator**

Students, employees (“employees” includes Faculty and Staff), campus visitors, volunteers, mentors, contractors, persons participating in campus activities, programs or services, persons conducting business with the College, or any other Wesleyan Community members who wish to report a concern or Title IX complaint may do so by completing the Wesleyan College Discrimination, Harassment and Title IX Complaint Form located on the Wesleyan College website on the [Compliance Home Page](#). Reports may be made anonymously. Written complaints of sexual harassment and gender discrimination should be filed with:

Kathy Malone Title IV Coordinator 478-757-3775 [kmalone@wesleyancollege.edu](mailto:kmalone@wesleyancollege.edu)

For additional information on gender-based discrimination, sexual harassment, or sexual assault/violence please see the **Wesleyan College Sexual Misconduct Policy**.

## **2. Other Reporting Options.**

Employees with complaints of discrimination under this policy have the right to file a complaint with the Equal Employment Opportunity Commission (EEOC):

Sam Nunn

Atlanta Federal Center

100 Alabama Street, SW, Suite 4R30

Atlanta, Georgia 30303

Phone: 1-800-669-4000

Fax: 404-562-6909

TTY: 1-800-669-6820

Web: <http://www.eeoc.gov>

## **C. A Fair Grievance Process**

The U.S. Department of Education Title IX Final Rule requires schools to investigate and adjudicate formal complaints of sexual harassment and misconduct “using a grievance process that incorporates due process principles, treats all parties fairly, and reaching reliable responsibility determination.”

Wesleyan College's grievance process includes:

- Giving both the Complainant and Respondent written notice of the allegations, an equal opportunity to select an Advisor (who may be, but does not need to be an attorney), and an equal opportunity to submit and review evidence throughout the investigation;
- Using trained Title IX personnel to objectively evaluate all relevant evidence without prejudice of the facts and free from conflicts of interest or bias for or against either party;
- Protecting parties' privacy by requiring a party's written consent before using any kind of Informal Resolution process, such as mediation or restorative justice, and not use an Informal Resolution where an employee allegedly sexually harassed a student;
- Applying the presumption that the Respondent is not responsible during the grievance process so the College, by way of the Title IX personnel, bears the burden of proof and the standard of evidence correctly applied, which for Wesleyan College is the Preponderance of the Evidence standard. The Preponderance of Evidence standard is used for formal complaints against students and employees;
- Two Title IX team members (Investigators and/or Deputy Investigators) serving as Investigators for each case and the Title IX Coordinator does not serve as an investigator for cases, but oversees and directs the process;
- Holding a Live Hearing and allowing cross-examination by the Complainant's and Respondent's Advisors, never by the Complainant and Respondent personally;
- Protecting all complainants from being asked inappropriate questions about prior sexual history (Rape Shield protections)
- Sending Complainant and Respondent written determination regarding responsibility that explains how and why the Decision-Maker reached the conclusion;
- Effectively implementing remedies for a Complainant if a Respondent is found responsible for sexual harassment, sexual assault, domestic violence, dating violence, or stalking;
- Offering both the Complainant and Respondent equal opportunities to appeal;
- Protecting any individual (including complainants, respondents, and witnesses) from retaliation for reporting sexual misconduct or participating, or refusing to participate, in any Title IX grievance process;
- Making all materials used to train Title IX personnel publicly available on the College's website; and
- Documenting and keeping records of all sexual harassment and sexual misconduct reports and investigations.

#### D. Timeframe of Process

The College will seek to complete the Grievance and Resolution Process in a timely manner upon receipt of a Formal Complaint, as defined in the Wesleyan College Sexual Misconduct Policy. Investigations may take more time due to the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening College break or holiday, or other unforeseen circumstances. The College will notify the Complainant and Respondent of the expected time frames throughout the process. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

#### E. Retaliation is prohibited

Retaliation against any person for reporting sexual harassment or discrimination, assisting or participating in the investigation of a complaint, or enforcing College policies with respect to discrimination and/or harassment is strictly prohibited. Reports of Retaliation will be resolved under the Wesleyan College Non-Retaliation Policy and any policies or Handbooks referenced therein.

#### **F. Formal Complaint and Resolution Process**

A Formal Resolution process cannot begin unless a Formal Complaint is filed. A Formal Complaint is “a document filed by a complainant or signed by the Title IX Coordinator, alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment.” (Sec.106.30)

A Complainant must be participating in or attempting to participate in a Wesleyan College education program or activity at the time of filing a Formal Complaint. Notice of a Formal Complaint is actualized upon receipt by the Title IX Coordinator or a member of the Title IX team who then informs the Title IX Coordinator. The College encourages the submission of grievances in writing by email to the Title IX Coordinator or by any other means of written documentation. The *Wesleyan College Discrimination, Harassment and Sexual Misconduct Complaint Form* is also available for written grievances and is located on the Wesleyan College website: [Compliance/Non-Discrimination Statement/Title IX](#). Completion of the form is not required for reporting.

The Complaint should clearly and concisely describe the alleged incident, when and where it occurred, and the desired remedy sought. The grievance should be signed by the Complainant, or in the case of an email submission, signed electronically. While reports can be submitted anonymously, reporters are encouraged to share as much information as they feel comfortable as more information shared will aid the College in its investigation. Any supporting documentation and evidence should be referenced within the body of the Formal Complaint.

Additionally, the Complainant should submit any supporting materials in writing with the complaint or as quickly as possible after the complaint has been filed. The Complainant will be asked to meet with the Title IX Coordinator for intake information, which will include the option of an Informal Resolution Process to resolve the issue(s) with the individual involved. The Informal Resolution Process will be utilized only if voluntarily agreed upon in writing by both parties; otherwise the Formal Complaint Process will be followed.

In the Formal Complaint Process, the Title IX Coordinator will designate a Title IX Deputy and Title IX Investigator or two Title IX Investigators to conduct the investigation. The Title IX Coordinator will direct the investigation process and confer with appropriate individuals and offices to address any Supportive Measures for the Complainant and/or Respondent, or other necessary remedial short-term actions.

##### **1. Dismissal of Formal Complaint**

If the conduct alleged in the Formal Complaint would not constitute sexual harassment as defined in the Wesleyan College Sexual Misconduct Policy, even if proved, or did not occur in the College’s education program or activity, or did not occur in the United States, the College must dismiss the Formal Complaint

with regard to that conduct for purposes of sexual harassment under the Policy. However, such a dismissal does not preclude action under another provision of the College's Code of Conduct for students published in the Wesleyan College *Student Handbook* or the *Faculty Handbook* or *Employee Handbook* for faculty and staff.

The College may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

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

Upon dismissal of the Formal Complaint; either required or permitted, the Title IX Coordinator will promptly send written notice of the dismissal and reasons for the dismissal simultaneously to each Party through Wesleyan email, the College's official means of communication.

## 2. Supportive Measures

Supportive Measures are defined as "non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed," according to the Title IX Final Regulations of May 2020 and implemented by Wesleyan College.

Supportive Measures are designed to preserve or restore the Complainant and/or Respondent with equal access to Wesleyan's education program or activity without unreasonably burdening the other Party, including measures put in place to protect the safety of all parties and/or the Wesleyan campus community, or deter sexual misconduct.

The College will maintain the privacy of any Supportive Measures provided under the Title IX Policy to the extent practicable and will promptly address any violation of the measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by a Supportive Measure. The College will take immediate responsive action to enforce a previously implemented Supportive Measure if a violation occurs.

Supportive measures for **Students** may include, but are not limited to the following list below and may continue after a case is resolved if it is in the best interest of the Complainant, Respondent, and/or the campus community.

- Imposition of campus "No-Contact Order";
- Rescheduling of exams and assignments;
- Providing alternative course completion options;
- Modification in class schedule;
- Modification in work schedule or job assignment;
- Modification in on-campus housing;

- Limit an individual or organization's access to certain College facilities or activities pending resolution of the matter;
- Campus escort services;
- and/or any other measure deemed necessary for the particular case as identified, acknowledge, and implemented by the Title IX Coordinator.

Supportive Measures for **Employees** include, but are not limited to:

- Modifications of work schedules;
- Mutual restrictions of contact between the Parties;
- Changes in work or housing locations;
- Leave of absence;
- Increased security and monitoring of certain areas of the campus;
- and/or any other appropriate Supportive Measures as identified, acknowledged and implemented by the Human Resources Director according to the Faculty or Employee Handbook.

### 3. Advisors

The list of Wesleyan College employees trained as Title IX Advisors will be provided for both the Complainant and Respondent without fee or charge. The Parties may also choose their own Advisor (who is not trained in Title IX policy and procedures) who may, or may not, be an attorney. The Title IX Investigators will inform both parties of the people who have been trained and are recognized by the College as Title IX Advisors.

It is the responsibility of the Complainant and Respondent to communicate with the Advisor regarding allegations, times and dates of meetings, hearings, outcomes and any other information regarding the case. The Title IX team will not discuss the case with the Advisors, but will send information electronically where indicated throughout the Process.

Advisors:

- May attend any meetings with the respective Complainant or Respondent regarding the case, if invited by the respective Complainant or Respondent
- May provide advice and support for the respective Complainant or Respondent through quiet conversation or written notes in any meeting related to the case
- Must be present at the Live Hearing
- May change anytime during the process
- Will be provided by the College if a party does not have an Advisor present at the Live Hearing, without fee or charge to that party
- Conduct cross-examination of the Parties and witnesses on behalf of their respective Complainant or Respondent at the Live Hearing

### 4. Informal Resolution Process\*

The College does not require the Complainant and Respondent to participate in an Informal Resolution Process and will not offer an Informal Resolution option unless a Formal Complaint is filed. The Title IX Coordinator must provide the Complainant and Respondent with “written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.”

The Title IX Coordinator must receive voluntary, written consent from the Complainant and Respondent in order to proceed with an Informal Resolution. The Informal Resolution option involves the Title IX Coordinator and a member of the Title IX team meeting with the Complainant and Respondent individually or at the same time, in-person or virtually. Both the Complainant and Respondent will receive a written summary of information shared and the agreement made as the outcome of the mediation, which is to be signed by the Complainant and Respondent, as well as the Title IX Coordinator and the Deputy or Investigator involved.

The Informal Resolution concludes upon receipt of official notification via Wesleyan College email by the Complainant and Respondent. The Complainant and the Respondent will have 3 business days to disagree with the outcome of the mediation. If either the Complainant or Respondent changes their mind regarding the agreed upon resolution, they must do so in writing or email, and submit it to the Title IX Coordinator by 5:00 PM of the third business day beyond receipt of official notification from the College. The case would then proceed under the Formal Complaint procedures. Should the request not be received in writing or within three business days, the Informal Resolution outcome will be considered final concerning the case.

\*The Informal Resolution Process is never an option to resolve allegation that a Wesleyan employee sexually harassed a student. (Sec. 106.45 (b) (9))

### G. Investigation into a Formal Complaint

If the Title IX Coordinator determines that the Complainant’s report must proceed through Formal Resolution, the Coordinator will contact the Respondent promptly upon meeting with the Complainant to schedule an intake meeting with Respondent to discuss the allegation and explain the Title IX investigation process. Respondent is presumed not responsible for the alleged conduct and any determination regarding responsibility is made at the conclusion of the process.

#### *Consolidation of Formal Complaint (More than one Complainant or Respondent):*

The Title IX Coordinator will consolidate Formal Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

The Title IX Coordinator will send written notification through Wesleyan email to both the Complainant and the Respondent to inform them of the Title IX team members who will investigate the case and their Rights in the process.

**Rights of Respondent and Complainant** include, but are not limited to:

- Right to be informed of the process and all available options
- Right to be informed of resources
- Right to Supportive Measures
- Right to a timely investigation
- Right to an advisor of choice
- Right to review reports
- Right to appeal

The Title IX Coordinator will select trained internal investigators to conduct a reasonable, impartial, and prompt investigation. Investigators chosen will be based on several factors, including:

- Complexity and nature of the complaint,
- Parties involved to ensure no biases or conflict of interest, and
- Title IX Coordinator's confidence in a fair and equitable investigation for all Parties involved.

The Complainant and Respondent are encouraged to notify the Title IX Coordinator in writing if at any time, either feels that a fair investigation will not be conducted because of the Title IX Investigators managing the case. The Coordinator will evaluate whether the objection is substantiated. The Coordinator will remove and replace any Investigator should the Coordinator find an Investigator to have a bias or conflict with either the Complainant or Respondent. The Coordinator's decision is final.

The Investigators will commence the investigation after the Complainant and Respondent have been notified of their identity. If there is no objection to the identified Investigators, the Investigators, will proceed to meet with the Complainant to gather detailed information and begin the Investigation process.

### **1. Gathering the Facts**

The Investigators will interview Complaint first, followed in no particular order, by relevant witnesses, including fact and expert witnesses, and Respondent, to gather documentary evidence provided by both Parties and any identified witnesses. Inculpatory and exculpatory evidence are acceptable during the investigation. The burden of gathering sufficient evidence to reach a determination regarding responsibility rests on the College, not on the Complainant, and not on the Respondent.

The Investigators will prepare a summary of each interview, called an "Interview Summary." The Investigators will share the Interview Summary with the interviewee. The interviewee will have the opportunity to correct or comment on any statements made in the Interview Summary.



If the interviewee has no corrections or comments to add to the Interview Summary, the interviewee will sign an acknowledgement of review and agreement that the Interview Summary is accurate. Corrections or comments to the Interview Summary will be addressed during the time of the review. The Interview Summary will be included in the Investigative Title IX report and will be presumed to be accurate. In all instances in which the Investigators include the Interview Summary as an exhibit to a report, the Investigators will also include any response by the other party, if applicable.

Investigators may use all of the following, if available, but are not limited to:

- Police Reports
- Video or Audio recordings
- Witness statements
- Campus Reports (scan logs, campus business, required programs completed)
- Other appropriate reports, recordings, etc.

The College cannot access, consider, disclose, or otherwise use a participating Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the College obtains that Party's voluntary, written consent.

**No Gag Order.** Though Confidentiality is strongly encouraged, the College will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

## **2. Rebuttal Fact-Gathering**

The Investigators may conduct follow-up interviews with both Parties and witnesses based upon testimonial and documentary evidence gathered during Initial Fact-Gathering. The Parties and witnesses can expect the Investigators to seek more in-depth responses to specific questions or information in these follow-up interviews to gather additional evidence. Rebuttal Fact-Gathering may be repeated as necessary to ensure a complete gathering of evidence.

## **3. Preliminary Report**

The Investigators will prepare a written summary of the evidence gathered in the course of the Preliminary Investigation, known as the Preliminary Report. Specific factual findings will be stated in the Preliminary Report. This includes information such, "Complainant was incapacitated" or "Respondent believed that Complainant was not incapacitated." The Preponderance of Evidence standard is used in the College's investigations, meaning the evidence presented must be considered to be more likely than not to be factual.

The Investigators will not state ultimate findings as to whether the Respondent has or has not violated one or more of the College's policies, but can make recommended conclusions and recommended

findings of fact to the Title IX Coordinator. Responsibility is not presented at this point of the investigation.

The Investigators will include all Interview Summaries and attach any documentary evidence gathered as part of the investigation that is directly related to the allegations in the Formal Complaint, including any evidence upon which the College does not intend to rely on reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a Party or other source, as exhibits to the Preliminary Report.

The Investigators will submit the completed Preliminary Report to the Title IX Coordinator. The Coordinator may require the Investigators to conduct additional investigation. If this is the case, the Investigators will conduct additional investigation consistent with the aforementioned procedures.

#### **4. Notice of Findings and Report**

The Title IX Coordinator will send the Preliminary Report to the Complainant and Respondent and their Advisors, if any, for review, by way of Wesleyan email, upon conclusion that the Preliminary Report is complete. Each will be reminded of Confidentiality and neither the Complainant, nor the Respondent, nor their Advisors, including but not limited to family members, friends, and/or legal counsel, may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided.

**Non-Disclosure Agreement:** The College may require a non-disclosure agreement with the Complainant, Respondent, all witnesses, and Advisors, not to disseminate any of the evidence subject to inspection and review in the Preliminary Report and Final Report. Though Confidentiality is strongly encouraged, the College will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The Complainant and Respondent will have 10 consecutive days, upon date of receipt of the Preliminary Report, to submit any response of being notified of their opportunity to review the report. The Parties may respond in one or three of the following ways:

- A. The Parties may provide a written response stating that they received the Preliminary Report and all supporting documents, reviewed the content, and has nothing to add to the Report at this time.
- B. The Parties may provide a written response stating that they received the Preliminary Report and all supporting documents, reviewed the content, and would like to add or edit something therein, or request more information about specific content therein.
- C. The Parties may provide a written response stating that they received the Preliminary Report and all supporting documents, reviewed the content, and submit a request for additional investigation. Such requests may include, but are not limited to:
  - Request for follow-up interviews
  - Requests for interviews with new witnesses
  - Requests to consider new information

If neither Party requests additional investigation, the Investigators will prepare the Investigative Report. If either (or both) Parties request additional investigation, the Investigators will review the request(s) in consultation with the Coordinator. The Investigators will conduct the requested additional investigation if the Investigators, in consultation with the Title IX Coordinator, determine that the request(s) will assist the Investigators in conducting a more thorough investigation.

**Addendum:** The Investigators and Title IX Coordinator will assess whether investigation of the additional information requires a substantial deviation from the recommended timeframe for completion of the investigation. If this is the case, (a) the Coordinator will notify the Parties in writing of the anticipated revised timeframe, and (b) the Investigators will conduct further investigation and prepare an Addendum to the Preliminary Report to be submitted to the Title IX Coordinator.

- A. The Investigators will submit the Addendum to the Coordinator. The Coordinator may require the Investigators to conduct additional investigation before the Addendum is complete.
- B. The Coordinator will send the Addendum to the Parties and their Advisor, if applicable, via electronic mail upon its completion.
- C. The Parties will have an opportunity to respond to the Addendum within 3 business days upon receipt of the Addendum.

The Investigators will prepare the Investigative Report upon completion of the Investigation, including any and all Addenda.

## 5 Investigative Report

The Investigators will prepare the Investigative Report, which summarizes facts gathered and explanation of the process from receipt of the Formal Complaint by the Title IX Coordinator, including dates and all relevant evidence presented, the Preliminary Report and Addendum, if any, name of witnesses and information gathered from interviews, recommended findings, and any information that directly affects the outcome of the investigation, including time delays and reasons, and submit it to the Title IX Coordinator. The report does not include statement of Responsibility.

The Title IX Coordinator will send the Investigative Report to the Complainant and the Complainant's Advisor, if any, and to the Respondent and the Respondent's Advisor, if any, by way of Wesleyan College email. The Complainant and Respondent will have 10 days upon receipt of the Investigative Report to review and provide a written response of agreement or disagreement of accuracy of the information therein, to the Title IX Coordinator.

After 10 days, the Coordinator will schedule a meeting with the Complainant and Respondent individually and discuss the resolution options: (1) Informal Resolution or (2) Live Hearing. The parties must confirm their decision in writing.

1. **Informal Resolution:** In the case that the facts alleged in the Formal Complaint are not contested, or where the Respondent has admitted, or wishes to admit Responsibility, or where both Parties want to resolve the case without a completed investigation or adjudication, the Title IX Coordinator and a member of the Title IX team can facilitate an Informal Resolution of the Formal Complaint that does not necessitate adjudication. The Parties must agree to this Informal

Resolution in writing. If either of the Parties do not wish to participate in the Informal Resolution prior to an adjudication by the Hearing Panel, the Title IX Coordinator will schedule a Live Hearing for the case.

2. **Live Hearing:** The Live Hearing option will be offered to both Parties and will include the following:
  - A Decision-Maker who is not the Title IX Coordinator or a Title IX Investigator of the case
  - Preponderance of Evidence as the Standard of Evidence;
  - Conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other;
  - An audio or audiovisual recording, or transcript of any Live Hearing and make it available to the Parties for inspection and review;
  - Questioning of Parties and Witnesses (Cross-Examination) by Advisors: the Decision Maker must permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility, directly, orally and in real time;
  - Cross-Examination will never be conducted by the Complainant or the Respondent;
  - The Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant, before a Complainant, Respondent, or Witness answers a Cross-Examination or other question;
  - The College will provide an employee who is a Title IX trained Advisor to conduct Cross-Examination on behalf of the Complainant and/or the Respondent. If either or both of the Parties do not have an Advisor present at the Live Hearing, the Title IX Coordinator will need to be notified before the Live Hearing if an Advisor is needed;
  - Each Party will receive written notification of the outcome of the Live Hearing from the Title IX Coordinator. The notification will include the following:
    - Determination of responsibility, including identification of the allegations which constitute sexual harassment or sexual misconduct;
    - Procedural steps taken from the receipt of the Formal Complaint through the determination including notifications to the Parties, interviews with the Parties, witnesses, site visits, and methods used to gather information;
    - Findings of facts supporting the determination; and
  - Conclusions regarding the application of the College's Code of Conduct to the facts;
  - A statement of, and rationale for, the result as to each allegation, including a determination regarding Responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the Complainant.
  - Description of permissible procedures for appeal.

## [H. Appeals](#)

Both Parties will have the opportunity to submit a written Appeal from a determination regarding Responsibility, and concerning the College's dismissal of a Formal Complaint or any allegations therein. The Respondent or the Complainant may appeal the decision of the Hearing Panel within 5 (five) consecutive days of the receipt of the decision. Appeals must be in writing and based on one of the following grounds for appeal and specifically stated in the written appeal.

**Grounds for Appeals:** (A) Procedural irregularity that affected the outcome of the matter; (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and (C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

**Requirements of Appeals:** The Title IX Coordinator will

(A) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

(B) Ensure that the Decision-Maker for the Appeal is not the same person as the Decision-Maker that reached the determination regarding responsibility or dismissal, the investigators, or the Title IX Coordinator;

(C) Ensure that the Decision-Maker for the Appeal complies with the standards set forth for Appeals under the Title IX guidelines;

(D) Give both Parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

(E) Issue a written decision describing the result of the appeal and the rationale for the result; and

(F) Provide the written decision simultaneously to both parties by Wesleyan email.

**Appeals Board:** Appeals for cases arising under this Policy will be heard by an Appeals Board. The Title IX Coordinator will appoint an Appeals Board of not less than three College employees who have received Title IX training. These individuals will not have been previously associated with the investigation as witnesses, Advisors, Hearing Panel Members, or members of the Title IX team working on the case.

The Appeals Board will have access to all documents including, but not limited to: Recordings, both audio and video, communications, including electronic and non-electronic written documents, Preliminary Report, Investigative Report, responses to reports, Addenda, and any other documents associated with the case that are not made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the College obtains that Party's voluntary, written consent.

If the Appeals Board determines that a ground for appeal is substantiated, the case will be returned to the Coordinator. Otherwise, the decision of the Hearing Panel is final. When a case is returned to the Coordinator, the Coordinator may:

1. Decide to drop the case (e.g., based on insufficient information to believe that a Policy violation may have occurred), or
2. Send the case to the original Hearing Panel for reconsideration, or
3. Send the case to a new Hearing Panel with the same or different charges, and/or (re)implement any aspect of the disciplinary process. When a case is sent back for a new hearing, it is possible that a different decision (i.e., the decision of responsibility and/or sanctions) may subsequently result.

**Limitation on Grounds of Appeals:** The Complainant may appeal on the ground that the remedies are not designed to restore or preserve the Complainant's access to the College's education program or activity, but the Complainant is not entitled to a particular sanction against the Respondent. (Sec.106.45 (b) (5))

### Sanctions

The following are possible sanctions which may be assigned after a finding of Responsibility. This list not exhaustive and may be modified to meet the particular circumstances of any given case.

1. Expulsion- Permanent severance of the student's relationship with the College. This severance includes being barred from campus.
2. Suspension- Temporary severance of the student's relationship with the College for a specified period of time. A student may be denied certain privileges for a specified period of time. These privileges may include, but are not limited to, class attendance, housing, parking on campus, participation in extracurricular activities, ID card privileges, access to institutional facilities, and access to the campus. This may include being barred from campus during the suspension.
3. Disciplinary Probation- Notice to the student that any further, major disciplinary violation may result in suspension. Disciplinary probation might also include the setting of restrictions or the issuing of a reprimand.
4. Counseling- The committee may require that a Respondent participate in counseling with the campus counselor for issues including, but not limited to, anger management, substance abuse, and extenuating personal circumstances. The Counselor may confirm participation, but not the content of the meetings.
5. Change in regular Work or School assignment (Employee or Student)
6. Referral to Sanctions outlined in the Student Handbook for students
7. Referral to Human Resources and Employee or Faculty Handbook for employees

### J. Record Keeping

Title IX Records will be maintained for 7 (seven) years and in accordance with the College's Record Retention Policy. Title IX records include:

1. Investigations
2. Determinations
3. Recordings
4. Transcripts
5. Sanctions
6. Remedies
7. Appeals

## ALCOHOL AND DRUG POLICIES, AND EDUCATION

### STUDENT POLICY

#### ALCOHOL POLICY

Wesleyan College seeks to ensure that any alcohol consumption that occurs on campus or at college-sponsored events is undertaken in an atmosphere that promotes social and legal responsibility. The goal of this and all Wesleyan policies is to insure that our students are provided with the tools and guidelines needed to become sound decision makers, responsible citizens, and key contributors to Wesleyan College and beyond.

#### GENERAL PROVISIONS

Consistent with Georgia law, only those Wesleyan students and their guests who are 21 years of age or older are permitted to consume alcohol on the Wesleyan campus or at Wesleyan sponsored events.

Any person purchasing, possessing or consuming alcohol on Wesleyan's campus and at college-sponsored events at which alcohol consumption is permitted must comply with applicable Georgia laws and Wesleyan College policies.

Students must uphold the Honor Code at all times and are responsible for guests and guest behavior at all times.

Disorderly conduct, reckless behavior, or any other disruption or disturbance to campus life due to intoxication is a violation of the College policy. Students may not drink alcoholic beverages in any area of the campus except in designated areas and during approved college sponsored events.

Those who choose to consume alcohol must use it in a responsible manner that will not interfere with the rights of others or be detrimental to themselves, those around them, or Wesleyan as a whole.

Anyone who violates these policies is in violation of the Honor Code and subject to disciplinary action. The first offense will result in an automatic \$50 fine and may result in a referral to Honor Council. Any subsequent offense will be referred directly to Honor Council.

#### ON/OFF CAMPUS EVENT POLICIES

- In order for alcohol consumption at an event, either on or off campus, to be officially sanctioned by the College, an event registration form must be completed by the president of the organization desiring to have alcohol and submitted to the Director of the Lane Center for Service & Leadership later than two months prior to the date of the scheduled event for approval. Requests will be reviewed within one week of submission.
- Alcoholic beverages may only be served to students of legal age.

- Nonalcoholic beverages and food must be served at all events at which alcohol consumption is permitted.

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### ALCOHOL STORAGE, POSSESSION AND CONSUMPTION IN WESLEYAN COLLEGE RESIDENCE HALLS

The possession and consumption of alcohol in the Wesleyan College Residence Halls is permitted only as set forth below:

#### Designated Areas:

- Alcohol storage, possession and consumption is permitted in only those residence halls, or portions thereof, that are designated as such by the Wesleyan College Administration, which has the exclusive authority to make such designations and to prescribe rules regarding such storage, possession and consumption. The Administration also has the sole discretion to revoke or modify such designations.
- The Administration has designated the North and South Apartments as designated residence halls in which alcohol may be stored, possessed and/or consumed. With respect to this designation:
- Alcohol may not be stored, possessed or consumed in any apartment in which one or more of the apartment mates are under 21 years of age.
- Alcohol consumption is prohibited within the apartment public lounges or on the apartment porches.
- Guests, including other students, over the age of 21 are permitted to drink inside the common areas of the apartments or within personal rooms of the apartments after all other apartment mates have agreed to allow guests to drink in the apartment. This agreement will be stated in writing, signed by each apartment resident, and submitted to the Department of Residence Life. This agreement may be revoked at any time by the parties to the agreement and may be overridden by the Administration at any time. Should a conflict occur the apartment residents will be required to participate in a mediation process with a staff member in the Department of Residence Life.
- Residents are permitted to have no more than 3 guests per resident within a given apartment when alcohol is being consumed.
- Residents under the age of 21 may not have guests of legal age with alcoholic beverages in their residence hall or room.
- Unless the Administration determines otherwise, alcohol storage, possession and consumption is prohibited in Wortham, Persons, Hightower and Jones residence halls.

Students are prohibited from drinking alcohol in a designated area in the presence of any person under the age of 21.

Each resident is permitted to possess no more than 72 oz. in a designated area. Kegs are prohibited from designated areas.

The College reserves the right to search any designated area (including personal living areas) at any time to ensure resident safety and compliance with the alcohol policy and other college policies.

Alcohol containers are not permitted to be used for display purposes.



## **DRUG POLICY**

The illegal use or possession of any stimulant, depressant, narcotic, hallucinogen, illegal substances or similar agents or prescription drugs not prescribed specifically to that individual is strictly prohibited on the Wesleyan College campus. The production, selling, bartering, exchanging, or giving away of any drug is also prohibited. State and federal laws also govern the use of drugs. When off campus, students are responsible at all times for complying with state and federal laws governing possession and use of drugs. The administration of the college has a no tolerance policy regarding the possession and use of illicit drugs or prescription drugs not prescribed for that student's use. A student found in violation of the Drug Policy will be subject to serious disciplinary action up to and including suspension from the College and will not be eligible for any refunds of costs or fees, and full payment is required. Possible criminal action may also be taken.

## **Off Campus Events**

Wesleyan College operates no off-campus housing or off-campus student organization facilities. The Bibb County Sheriff's Officer have primary jurisdiction in all areas off campus. When a Wesleyan College student is involved in an Off- Campus offense, campus police may assist with the investigation in cooperation with local, state, or federal law enforcement.

## **SUBSTANCE ABUSE ASSISTANCE FOR STUDENTS**

Assistance is available for students with substance abuse problems, through the Wesleyan College Student Counseling Services Office and the Health Services Office.

The Counseling Office and Health Services Offices have experienced professional counselors and health care providers to assist students in need. Students can schedule individual appoints to see the counselor or the Director of Health Services.

## **EMPLOYEE POLICY**

### **Drug Free Workplace Policy**

Wesleyan College is certified as a DRUG-FREE WORKPLACE by The State Board of Workers' Compensation Wesleyan College is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Wesleyan College employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job.

Therefore, under authority of Georgia Law (O.C.G.A. 34-9-410) Wesleyan College has established the following policy: It is a violation, for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.

It is a violation, for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.

It is a violation, for any employee to report to work under the influence of, or impaired by alcohol.

It is a violation, for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.) Violations of this policy are subject to disciplinary action up to and including termination.

As a condition of employment, employees must abide by the terms of this policy and must notify Wesleyan College in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

### **EMPLOYEE ASSISTANCE**

Wesleyan College offers resource information on various means of employee assistance in our community, including but not limited to a list of names, addresses, and telephone numbers of employee assistance programs and local drug rehabilitation programs. Employees are encouraged to use this resource file, which is located in the Human Resource Director's office. In addition, we will also display this information on WesNet for employees for their confidential use.

### **GENERAL PROCEDURES**

An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next, the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative - depending on the determination of the observed impairment - and accompanied by the supervisor or another employee if necessary. A drug test may be in order. Refusal to test will be considered a positive test. An impaired employee will not be allowed to drive.

### **OPPORTUNITY TO CONTEST OR EXPLAIN TEST RESULTS**

Employees and job applicants who have a positive confirmed test result may explain or contest the result to Wesleyan College within five (5) working days after the College contacts the employee or job applicant and shows him/her the positive test result as it was received from the lab in writing

### **CONFIDENTIALITY**

The confidentiality of any information received by the company through a substance abuse testing program shall be maintained, except as otherwise provided by law.

### PRE-EMPLOYMENT DRUG TESTING

All job applicants at the College will undergo testing for the presence of illegal drugs as a condition of employment. Applicants will be required to submit voluntarily to a urinalysis test, and by signing a consent agreement will release Wesleyan College from liability. If the collector has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

Wesleyan College will not discriminate against applicants for employment because of a past history of drug abuse. It is the current abuse of drugs, preventing employees from performing their job properly that will not be tolerated. Individuals who have failed a pre-employment test may initiate another inquiry with Wesleyan College after a period of not shorter than six (6) months; but they must present themselves drug-free as demonstrated by urinalysis or other specimen test selected by the College.

employment. Any applicant with a confirmed positive test result will be denied

### EMPLOYEE TESTING

Wesleyan Colleges adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

**A.** When there is reasonable suspicion to believe that an employee is using illegal drugs or abusing alcohol? "Reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:

- Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- A report of substance abuse provided by a reliable and credible source.
- Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer.
- Information that an employee has caused or contributed to an accident while at work
- Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

**B.** When employees have caused or contributed to an on-the-job injury that resulted in a loss of work time, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. Wesleyan College may also send employees for a substance abuse test if they are involved in on-the-job accidents where personal injury or damage to College property occurs.

C. As part of a follow-up program to treatment for drug abuse when an employee has *involuntarily* entered a rehabilitation program because of a positive confirmed test result. The frequency of such testing shall be a minimum of at least once a year for a two year period after completion of the rehabilitation program. Advance notice of testing shall not be given to the employee.

D. When a substance abuse test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group. If the physician or collectors have reasonable suspicion to believe that the employee has tampered with the specimen, the employee is subject to disciplinary action up to and including termination.

### ALCOHOL ABUSE

The College prohibits employees from reporting to work or performing work for the college while impaired by, or under the influence of alcohol. Employees who violate this policy shall be guilty of misconduct and will be subject to disciplinary procedures up to and including termination.

An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of alcohol, or if the employee has a breath alcohol level of 0.08 or higher. Failure to submit to a substance abuse test is also misconduct and shall be subject to termination.

The College also recognizes that, throughout the year, alcohol may be served at various College events such as receptions, social gatherings or holiday functions. Such events must have an identified host who is responsible for the following:

- Ensures no noticeably intoxicated person is served alcohol,
- In the event an individual overindulges, the host ensures alternative transportation is available for the individual,
- If the event is scheduled to last more than 2 hours, serving alcoholic beverages must stop at least 45 minutes before the scheduled end time,
- Food must be available, and non-alcoholic beverages should be continuously available in equal or greater quantity.

It is the responsibility of the College's supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that illegal use of drugs and the abuse of alcohol are incompatible with employment at Wesleyan College.

## WEAPONS

Wesleyan College is a weapon free campus. The term “weapon” is defined as any object or substance designed to inflict a wound, cause injury or incapacitate, and may include, but is not limited to all firearms, pellet guns, paintball guns, crossbows, bows, and arrows, martial arts devices, switchblade knives or knives with a blade two (2) inches or longer, and clubs. The possession of ammunition is also prohibited.

## Employee Assistance

Wesleyan College offers resource information on various means of employee assistance in our community, including but not limited to a list of names, addresses, and telephone numbers of employee assistance programs and local drug rehabilitation programs. Employees are encouraged to use this resource file, which is located in the Human Resource Director's office. In addition, we will also display this information on WesNet for employees for their confidential use.

## ANNUAL DISCLOSURE OF CRIME STATISTICS

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that was known as the Campus Security Act, which requires colleges and universities across the United States to disclose information about crime on and around their campuses.

This report covers the reported crimes for the calendar year of 2019 - 2021 (January 1 — December 31). It is our intention to make the campus as safe and conducive to an atmosphere that encourages and promotes a positive learning environment.

<b>Criminal Offenses Reporting Table</b>					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON CAMPUS PROPERTY	ON CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER NON- NEGLIGENT MANSLUGHTER	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
MURDER BY NEGLIGENCE	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

RAPE	2020	0	0	0	0
	2021	1	1	0	0
	2022	0	0	0	0
FONDLING	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
INCEST	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
STATUTORY RAPE	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
ROBBERY	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
ADRAVATED ASSAULT	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
BURGLARY	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
MOTOR VEHICLE THEFT	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

AWA Offenses Reporting Table

GEOGRAPHIC LOCATION

OFFENSE	YEAR	ON CAMPUS PROPERTY	ON CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARSON	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
DATING VIOLENCE	2020	0	0	0	0
	2021	1	1	0	0
	2022	0	0	0	0
DOMESTIC VIOLENCE	2020	1	0	0	0
	2021	2	2	0	0
	2022	0	0	0	0
STALKING	2020	0	0	0	0
	2021	2	1	0	0
	2022	0	0	1	0
ARREST WEAPONS, CARRYING POSSESSING, ECT.	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS,CARRYING POSSESSING, ETC.	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
ARRESTS: DRUG ABUSEVIOLATIONS	2020	0	0	0	0
	2021	2	0	0	0
	2022	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATION	2020	0	0	0	0
	2021	1	0	0	0
	2022	0	0	0	0
ARREST: LIQUOR LAW VIOLATION	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATION	2020	4	3	0	0
	2021	0	1	0	0
	2022	0	0	0	0

**Clery Act Definitions: Definitions for Reportable Crimes**

- Criminal Homicide - (Manslaughter by Negligence) the killing of another person through gross negligence. (Attempts are classified as aggravated assaults)
- Criminal Homicide - (Murder and Non-negligent Manslaughter) the willful (non-negligent) killing of a human being by another. (Attempts are classified as aggravated assaults)
- Sex Offense (Rape) Any sexual act directed against another person without their consent or against an incapacitated person (Includes attempts) o 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.
- Incest - (sexual intercourse between persons who are related to on another within the degrees wherein marriage is prohibited) o Statutory rape - (consensual intercourse with a person who is under the age of consent - 18yrs.
- Sexual Battery (Fondling) (the touching of the intimate parts: sexual organ, anus, groin, or the breast of a female)
- Robbery - the taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of violence and/or fear
- Aggravated Assault - an unlawful attack of another for the purpose of inflicting severe or aggravated bodily injury accomplished by the use of a weapon or means likely to produce death or great bodily harm. It is not necessary that an injury results when a gun, knife or other weapon was used but which could have resulted in serious injury. (Includes attempts) ● Burglary - the unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony. (Includes attempts, but excludes vehicle burglary.)
- Motor Vehicle Theft - taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle. (Includes attempts and joyriding)
- Arson - the willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling house, public building, motor vehicle or aircraft, or personal property of another, etc. (Includes attempts)
- ● Domestic Violence (sec. 40002(a), VAWA (42 USC 13925(a)(8)) Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with the victim 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 receiving



grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- Dating Violence (Sec. 40002(a), VAWA (42 USC 13925(a)(10)) - The term "dating violence" means violence committed by a person:
  - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    - o Where the existence of such a relationship shall be determined based on a consideration of the following:
      - Length of the relationship,
        - Type of relationship
        - Frequency of interaction between the persons involved in the relationship.
      - Stalking (Sec. 40002(a), VAWA (42 USC 13925(a)(30)) -The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
        - Fear for his/her safety or the safety of others; or
        - o Suffer substantial emotional distress
      - Hate Crime - A criminal act involving one/more of the previous or below listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons because of race, religion, gender, gender identity, sexual orientation, disability, national origin or ethnicity of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.
      - Larceny -Theft (Except Motor Vehicle Theft) The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
      - 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 of Property 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.

Source: Uniform Crime Reporting Handbook, 2004; U.S. Department of Justice

Appendix A