

CHARLESTON  

---

S C H O O L O F L A W  

---

**2017 Annual  
Campus Security  
Report**

Introduction.....3

Threats, Violence and Weapons.....3

Timely Warning Notice Procedure .....5

Emergency Response Procedures .....7

    Evacuation Plan .....10

Preparation, Collection and Disclosure of Crime Statistics.....12

Security and Access Policy .....13

Security Personnel and Jurisdiction.....14

Crime Prevention and Security Awareness Education.....14

Substance Abuse/Drug Free Workplace Policy .....15

Substance Abuse Information and Resources .....17

Drug and Alcohol Laws.....18

Sexual Assault Policies .....19

Title IX.....20

Community Services and Emergency Numbers .....21

Sex Offender Registration .....22

The Daily Crime Log.....22

## **Introduction**

Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“*Clery Act*”)<sup>1</sup>, the Charleston School of Law (School of Law) is mandated to issue an Annual Campus Security Report outlining School of Law security policies and reporting campus crime statistics. This report is compiled by the Associate Dean of Students in conjunction with the Director of Security and other School of Law Security Authorities. Additional copies of the Annual Campus Security Report are available from the Associate Dean of Students, Student Affairs Department, Charleston School of Law, 385 Meeting Street (2nd Floor), P.O. Box 535, Charleston, SC 29402.

## **Threats, Violence and Weapons**

The School of Law is committed to the safety and security of all persons. To ensure a safe place of work and study and to reduce the risk of violence, all employees and students should review and understand all provisions of the threats, violence, and weapons policy.

The School of Law will not tolerate any threats, threatening behavior, or acts of violence committed by or against employees and students or on School of Law property. Violations of this policy will lead to appropriate disciplinary measures and students may be subject to sanctions under the School of Law Code of Conduct.

No person shall possess any firearms or other dangerous weapons on School of Law property with the exception of police officers, transfer agents licensed to carry weapons, and persons using any such weapons for class instruction when authorized by the Dean of the School of Law. The School of Law will not tolerate and will take appropriate action to correct violations of this policy including disciplinary measures and students may be subject to sanctions under the School of Law Code of Conduct.

### ***Enforcement and Discipline of Threats, Violence & Weapons Policy***

Upon notification to the police, the Dean of the School of Law or the Associate Dean of Students; the person making threats, exhibiting threatening conduct, carrying a weapon, or committing any other acts of aggression or violence on School of Law property shall be removed from the School of Law property as quickly as safety permits and shall remain off School of Law property pending investigation. The School of Law will not tolerate and will take appropriate action to correct violations of this policy including disciplinary measures pursuant to the School of Law Student Code of Conduct against any student or employee determined to have planned, conspired to commit, aided, or

---

<sup>1</sup> *The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* or “Clery Act” is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 CFR 668.46. Under the Clery Act, all colleges and universities that participate in federal financial aid programs are required to keep and disclose information about crime on and near their respective campuses.

committed such acts. Individuals not associated with the School of Law engaged in violent acts on School of Law property will be reported to the proper authorities and fully prosecuted.

## **Reporting Procedures**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to the Director of Security in a timely manner. The Director of Security can be reached at (843) 377-4911. Anyone with information about crime on the School of Law campus is encouraged to notify the Director of Security or other US Security Associates security officers at (843) 377-4911. US Security Associates security officers have arrest powers on School of Law property and will exercise them in cases which may involve imminent harm. In response to reported crimes, the Director of Security will coordinate with the Dean of the School of Law to document the incident and if deemed appropriate contact the City of Charleston Police Department.

If you become aware of a serious crime at the School of Law, you should dial 911. The School of Law has a verbal agreement with the City of Charleston Police Department to immediately exchange information of criminal activity in the area of the School of Law.

All reported incidents will be investigated by the School of Law. There are no procedures regarding confidential reporting by pastoral or professional counselors. However, if you are the victim of a crime and do not want to pursue action within the School of Law disciplinary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Associate Dean of Students/Judicial Affairs Officer or his/her designee can file a report on the details of the incident without revealing your identity with the exception of certain Title IX reports, which do not allow reporting, or identities to be kept confidential. The purpose of the report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the School of Law can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to the potential danger. Reports filed in this manner will be counted and disclosed in the annual crime statistics for the institution as required.

Students and employees who have obtained restraining orders or personal protection orders, which include the School of Law campus as a protected area, should immediately provide a copy of the order to the police, the Director of Security, the Dean of the School of Law, the Associate Dean for Academic Affairs, and the Associate Dean of Students.

## Timely Warning Notice Procedure

In an effort to notify the School of Law community of serious or ongoing crime, timely warning notices will be disseminated to alert individuals and aid in the prevention of similar crimes. The School of Law community will be notified of crimes that represent a serious or continuing threat to the School of Law community. The crimes may stem from reports to the Director of Security, other state or local agencies, or campus security authorities. Those incidents which could prompt a timely warning notice include, but are not limited to:

- Murder
- Non-negligent manslaughter
- Forcible sexual offenses
- Robbery
- Aggravated assault
- Arson
- Motor vehicle theft

All of these types of incidents will be evaluated on a case-by-case basis to determine if a serious, ongoing threat to the community exists. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other School of Law community members and a Timely Warning Notice would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. Sex offenses will be considered on a case by case basis depending on when and where the incident occurred, when it was reported, and the amount information known by the Director of Security.

Timely warning notices are typically written by the Director of Security or the Associate Dean of Students. Some or all of the methods below may be used to disseminate a timely warning notice to the School of Law community.

- e2Campus Text Alerts (you must register at <http://e2campus.com/my/charlestonlaw/signup.htm>);
- E-mail alerts to the School of Law community;
- The Charleston School of Law website (<http://www.charlestonlaw.edu/>);
- An announcement under the *CSOL Announcements from the Administration, Faculty & Staff* link on the School of Law TWEN site (<http://lawschool.westlaw.com>);
- Warning posters placed on the front doors or bulletin boards of School of Law facilities;

- The School of Law Emergency Hotline at telephone number (843) 329-1000; and
- Message Boards and The Charleston School of Law Facebook and Twitter pages.

<b>System to Use</b>	<b>Primary Message Creator</b>	<b>Backup Message Creator</b>	<b>Authority For Approving &amp; Sending Messages</b>
<b>PRIMARY</b>			
Email and E2Campus	Director of Security	Associate Dean of Students, Director of IT	Dean, Associate Dean of Students, Director of IT
<b>SECONDARY</b>			
Signs, Social Media, Telephone, Website, TWEN and other methods	Director of Security	Associate Dean of Students, Director of IT	Dean, Associate Dean of Students, Director of IT

School of Law security personnel or any of the following security authorities (or their designees) should be notified, as they may immediately issue a timely warning notice.

Director of Security

Grady Mason  
392 Meeting Street, 1<sup>st</sup> Floor  
Tel: 843.377.4911

Dean of the School of Law

Andy Abrams  
385 Meeting Street, 3<sup>rd</sup> Floor  
Tel: 843.377.2145

Associate Dean for Academic Affairs

Margaret Lawton  
385 Meeting Street, 3<sup>rd</sup> Floor

Associate Dean of Students/

Judicial Affairs Officer  
Brett Barker

Tel: 843.377.2423

385 Meeting Street, 2<sup>nd</sup> Floor

Tel: 843.377.2149

Assistant Dean of Career Services

Mark S. Moore

385 Meeting Street, 2<sup>nd</sup> Floor

Tel: 843.377.4907

## **Emergency Response Procedures**

The School of Law's Emergency Preparedness Plan includes information about Incident Teams; The School of Law's operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. The School of Law has developed contingency plans and continuity of operations plans for their staff and areas of responsibility.

Security officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Charleston School of Law Security Officers, Charleston Police Department and the Charleston Fire and Emergency Medical Services Department, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other School of Law departments and other local or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for the School of Law are publicized each year as part of the institution's Clery Act compliance efforts, and that information is available on the School of Law website. Detailed information and updates to the School of Law's Emergency Preparedness Plan is available from the Director of Security.

## **Immediate Notification Procedures**

In the event that a situation occurs on or off campus which poses a threat to the School of Law community, a notice shall be issued to the members of School of Law community. Notices may take the form of an emergency notification when there is an immediate threat to the health or safety of students or employees on campus. Depending on the significance of the emergency, notices of threats may be issued using some of all of the systems listed below:

- e2Campus Text Alerts (you must register at <http://e2campus.com/my/charlestonlaw/signup.htm>);
- E-mail alerts to the School of Law community;
- The Charleston School of Law website (<http://www.charlestonlaw.edu/>);
- An announcement under the *CSOL Announcements from the Administration, Faculty & Staff* link on the School of Law TWEN site (<http://lawschool.westlaw.com>);
- Warning posters placed on the front doors of School of Law facilities;
- The School of Law Emergency Hotline at telephone number (843) 329-1000; and
- Message Boards and Charleston School of Law Facebook and Twitter pages.

<b>System to Use</b>	<b>Primary Message Creator</b>	<b>Backup Message Creator</b>	<b>Authority for Approving &amp; Sending Messages</b>
<b>PRIMARY</b>			
Email and E2Campus	Director of Security	Associate Dean of Students, Director of IT	Dean, Associate Dean of Students, Director of IT
<b>SECONDARY</b>			
Signs, Social Media, Telephone, Website, TWEN and other methods	Director of Security	Associate Dean of Students, Director of IT	Dean, Associate Dean of Students, Director of IT

Most emergency notifications will be issued through text alerts but, due to limitations on message length, may be supplemented through other notification methods listed above. Notices will be issued to all members of the School of Law community unless there is a targeted threat which warrants a more narrow scope of notification. The Director of Security or her designee shall notify the local police department of the emergency, to ensure notification to the larger community and coordinate efforts to alleviate the threat.



The larger community, including parents or other interested parties, can access information regarding an emergency on campus via the website, social media, emergency telephone or local/national media.

The Department of Security is responsible for confirming an emergency, with the assistance of administrators of the School of Law, local law enforcement and fire officials, and the national weather service. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring on campus, the School of Law will immediately notify the campus community unless issuing a notification will compromise efforts to contain the emergency. Notifications will be issued involving one of the methods listed above or a combination of those resources. The School of Law tests its emergency notification systems at the beginning of each school year. The School of Law will use some or all of the above listed systems to provide follow-up information to the community as deemed necessary.

If you become aware of a serious and immediate threat to the School of Law community, you should dial 911. The School of Law has a verbal agreement with the City of Charleston Police Department to immediately exchange information of criminal activity in the area of the School of Law.

When possible, the Director of Security or his/her designee should consult with the local police department(s) and with other campus authorities in making the determination on a case-by-case basis of when an emergency or dangerous situation threatens the School of Law community and whether to issue a notice. However, in emergency situations, School of Law security personnel or any of the following security authorities (or their designees) should be notified, as they may immediately issue an emergency notification to the School of Law community:

Director of Security

Grady Mason  
392 Meeting Street, 1<sup>st</sup> Floor  
Tel: 843.377.4911

Dean of the School of Law

Andy Abrams  
385 Meeting Street, 3<sup>rd</sup> Floor  
Tel: 843.377.2145

Associate Dean for Academic Affairs

Margaret Lawton  
385 Meeting Street, 3<sup>rd</sup> Floor  
Tel: 843.377.2423

Associate Dean of Students/

Judicial Affairs Officer  
Brett Barker  
385 Meeting Street, 2<sup>nd</sup> Floor  
Tel: 843.377.2149

Assistant Dean of Career Services

Mark S. Moore  
385 Meeting Street, 2<sup>nd</sup> Floor  
Tel: 843.377.4907

## **Evacuation Plan**

In certain emergencies, it is necessary that students, faculty and staff vacate School of Law facilities. In order to ensure an orderly and safe evacuation for the School of Law community, all members of our community should be familiar with these guidelines.

### ***Static Evacuation***

In some instances it may be necessary to remain inside facilities due to outside threats. Examples of these threats may include tornadoes, civil disturbances, chemical or biological attacks, snipers or active shooters. In such instances, it is recommended to remain inside the building. The Facilities Department should be responsible for shutdown of HVAC units as necessary and to the extent possible. In appropriate situations, it may be necessary to relocate within buildings to safe areas of refuge and wait for instructions to evacuate the premises.

In the event of snipers or active shooters, seek cover immediately. Cover includes materials which may stop small arms fire such as concrete walls, brick fences, large trees, etc. If cover is not available, seek concealment from view. If a shooter cannot see you, they often cannot get to you.

### ***Building Evacuations (Fire, Bomb Threats, Earthquake, etc.)***

Familiarize yourself with the locations of fire alarm pull stations in the buildings you frequent. If you discover a fire or similar immediate threat, activate the nearest fire alarm pull station if this can be done safely. Contain fires by closing doors behind you and exit the building using the nearest safe exit. **DO NOT USE ELEVATORS.** Notify the proper authorities (dial 911) with any useful information in combating the hazard, particularly if you are aware of anyone in need of assistance. Individuals should assist people who have disabilities exit the building. No reentry into the building will be permitted until the proper authorities (CCFD, CPD, etc.) declare the area safe.

In cases of fire danger, stay low and crawl out of the building as quickly as possible. Cover your nose and mouth with a wet cloth if possible. If you come to a door that is closed, use the palm of your hand and your forearm to feel the door. Touch the lower, middle and upper parts of the door. If it is not hot, lean against the door and open it slowly. If there is no fire, proceed. If the door is hot when you touch it, do not open it. Look for another way to exit the building. Smoke and gas rise to the ceiling first. Stay below the smoke at all times.

### ***Campus-Wide and Advance Evacuations***

In some cases it may be necessary to evacuate the entire School of Law community from the campus or city. In the event of a weather emergency or other advance evacuation, internal operations will follow the established protocol set forth in the School of Law Emergency Plan. Students, faculty, and staff shall maintain updated records with the School of Law for emergency contact information. The School of Law may use this information to contact individuals in the event of an evacuation. The School of Law will use available communication systems, including the School of Law website and email, e2Campus, TWEN message boards, and the School of Law Emergency Hotline to provide pertinent information throughout the evacuation and reentry process.

### ***Procedures for Evacuating Mobility Impaired Individuals***

Students with mobility impairments should notify the Director of Security, in order to make necessary arrangements for safe evacuation in advance of an emergency. The Director of Security will coordinate with Student Affairs, Academic Affairs and School of Law security personnel to devise a plan to ensure that students with mobility impairments have a safe means of evacuation in case of an emergency. Likewise, staff or faculty with mobility impairments should notify and coordinate a plan for safe evacuation with their supervisor.

In all cases, individuals with mobility impairments should notify School of Law security personnel of their class schedules and presence on campus so that they may be accounted for in an emergency. Additionally, individuals with mobility impairments may be assigned classmates or co-workers willing to assist in an evacuation of the mobility impaired individual, notify emergency response personnel of individuals needing assistance, or otherwise help account for that individual's safety in an emergency.

### ***Floor Captains in Evacuations***

In situations which necessitate evacuations from School of Law facilities, floor captains will be predetermined to ensure that everyone in their designated area has evacuated that area. In most departments, floor captains should be those individuals who are most likely to remain in the area at all times during the day. For example, in faculty areas administrative assistants would be strong candidates for floor captains. When an emergency occurs during class, professors should ensure that all students have evacuated the classroom. Department heads should inform security of the identities of their respective floor captains.

In an emergency, floor captains are expected to check throughout their designated area and ensure that everyone in that area has safely evacuated. They may mark doors of offices with sticky notes to indicate those offices are empty. When possible, floor

captains should notify security that their designated area has been safely evacuated. However, floor captains should never remain in a situation when it may jeopardize their personal safety. The Director of Security has designated the following individuals as floor captains:

**385 Meeting 3<sup>rd</sup> floor**

Diane Rexroad  
Missy Huff  
Michael Banks

**81 Mary 1<sup>st</sup> and 2<sup>nd</sup> floors**

Jamie Heirs  
Chris Cornell

**392/394 Meeting 1<sup>st</sup> and 2<sup>nd</sup> floor**

Anita Elliot  
Pat Chisom

**385 Meeting 2<sup>nd</sup> floor**

Mark Moore  
Brett Barker  
Jennifer Summers

***Annual Review and Test of Response Systems***

These emergency response and evacuation plans shall be reviewed on a recurring basis no less than annually. Alarm systems are tested annually by the fire marshal and the School of Law tests its emergency notification systems at the beginning of each school year. Additionally, floor captains shall be reviewed regularly to ensure proper coverage for all facilities.

**Preparation, Collection and Disclosure of Crime Statistics**

The Charleston School of Law (School of Law) prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our campus. Each entity provides updated information on their educational efforts and programs to comply with the Act. Campus crime, arrest and referral statistics include those reported to the contract security personnel, designated campus security authorities, and local law enforcement agencies.

Statistics will be collected from the City of Charleston Police Department on an ongoing basis. A designated representative from the Student Affairs Department in conjunction with the Director of Security will coordinate the effort to gather statistical data from the City of Charleston Police Department. The statistical data will pertain to all buildings

owned or controlled by the School of Law and used for educational purposes as well as any reportable public property areas in which the School of Law operates as mandated by the *Clery Act* and appropriate statistics shall be included in the Annual Security Report. Students and employees are encouraged to report all criminal offenses to the Director of Security at (843) 377-4911 for inclusion in the Annual Security Report as well as for assessment for a potential timely warning notice.

The Annual Campus Security Report will be posted online [at http://charlestonlaw.edu/current-students/annual-security-report](http://charlestonlaw.edu/current-students/annual-security-report) annually by October 1. Each year, all enrolled students and employees will receive notification via email providing the web site to access this report. Paper copies of the report may also be obtained at the Department of Student Affairs on the 2<sup>nd</sup> Floor of 385 Meeting Street or by contacting the Student Affairs Department at (843) 329-2149.

## **Security and Access Policy**

During business hours (8:30 a.m. – 5:00 p.m.), the Charleston School of Law will be open to students, parents, employees, contractors, guests, and invitees. Physical access to the buildings at 81 Mary Street, 392/394 Meeting Street, and 385 Meeting Street, is limited at all times and those wishing to enter must have an access card or be granted access by School of Law personnel. During non-business hours access to all School of Law facilities is by access card or key, if issued, or by admittance via School of Law personnel or on-duty security. The School of Law does not have campus residences.

Some facilities may have individual hours, which may vary at different times of the year. The Library is an example. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules.

Security officers conduct routine patrols of the School of Law buildings to provide a security presence and observe any security related concerns. The Security office is located in the library at 81 Mary Street and in the lobby of 385 Meeting Street. The Director of Security's office is located on the first floor of 392 Meeting Street.

Charleston School of Law areas are routinely examined for safety and security issues such as landscaping, locks, alarms, lighting, and communications. The Director of Security and administrators from the Dean's Office, Student Affairs, Facilities Management and other concerned areas review these results and meet regularly during the course of the semester to discuss issues of security and safety. Anyone who has concerns about the safety and security of the School of Law facilities is encouraged to contact the Director of Security, Dean of the School of Law or Associate Dean of Students.

## **Security Personnel and Jurisdiction**

The Charleston School of Law has a Director of Security and security personnel supplied through an independent contractor, US Security Associates Security Services. Additionally, the Charleston School of Law hires members of the Charleston Police Department to monitor the areas near School of Law facilities during early morning and evening hours. The School of Law has a verbal agreement with the City of Charleston Police Department to immediately exchange information of criminal activity in the area of the School of Law, consistent with similar arrangements between the City of Charleston Police Department and other area schools. The School of Law does not currently have an MOU with the City of Charleston Police Department regarding the investigation of criminal incidents.

Criminal incidents reported to School of Law officials and US Security Associates personnel may be referred to the City of Charleston police who have jurisdiction on the campus and the authority to make arrests. US Security Associates security officials have arrest powers on School of Law property and will exercise them in cases, which may involve imminent harm. US Security Associates security officials will enforce all municipal, State and Federal laws on campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to on-duty security personnel, designated School of Law officials and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

The Charleston School of Law does not have any off-campus student organizations and US Security Associates security personnel's jurisdiction is limited to School of Law property. City of Charleston Police have primary jurisdiction in all areas in the vicinity of the School of Law.

## **Crime Prevention and Security Awareness Education**

The School of Law offers crime awareness and prevention training sessions for students and employees on an annual basis. Community members are provided with crime prevention programs which include; personal safety tips, alcohol and drug abuse prevention, sexual assault prevention. Students and employees may also attend annual Rape Aggression Defense System ("R.A.D.") classes at the College of Charleston. The Rape Aggression Defense System is a program of self-defense tactics and techniques. The R.A.D. System is a comprehensive course for women, which begins with awareness, prevention, risk reduction and avoidance while progressing on to the basics of hands-on defense training. R.A.D. is not a martial arts program. The courses are taught by certified R.A.D. instructors and provide you with a workbook/reference manual. For R.A.D. class dates and times, please call the College of Charleston Public Safety at (843) 953-7840

The Director of Security and the Student Affairs office conducts safety crime prevention and security awareness program each year. Students and employees are encouraged to follow these practices and are encouraged to be responsible for their safety and the safety of other School of Law community members.

Important tips to remember are:

- Avoid walking alone. If you would like a security officer to escort you to your vehicle, please contact the on-duty security officer at (843) 377-4911.
- Have your keys ready when walking to your vehicle.
- Be aware of your surroundings.
- Do not loan your ID or keys to anyone.
- Report anyone who is loitering around Charleston School of Law buildings, entryways, or parking areas to the on-duty security officer. Preventable thefts have occurred when no one reported loiterers. Please be vigilant in this matter.
- Do not let anyone inside any Charleston School of Law building unless you personally know they are a School of Law student, faculty, or staff member. Refer everyone else to the reception desk at 385 Meeting Street or the door intercom at the library at 81 Mary Street. Preventable thefts have occurred because unauthorized individuals were permitted entry into School of Law facilities.
- Everyone should have their School of Law identification card in their possession while on School of Law property. ***Immediately report loss of your School of Law identification card to security.***

Please report suspicious individuals or activities to the Director of Security, US Security Associates security personnel, School of Law Administrators, or the City of Charleston Police Department if it is after hours.

Members of the School of Law community are encouraged to attend crime prevention and awareness sessions at the School of Law. Additionally, School of Law security and crime awareness policies are published annually in the Academic Catalog and Academic Catalog and Academic Catalog and Student Handbook.

## **Substance Abuse/Drug Free Workplace Policy**

Charleston School of Law has a vital interest in maintaining a safe, healthy, and efficient environment for its employees, staff, faculty and students. Being under the influence of drugs or alcohol poses serious safety and health risks, not only to the user, but to all those who work or come in contact with the user. The possession, use, distribution or sale on School of Law property, or as part of any of the School of Law's activities, of an illegal drug, alcohol or prescription drugs (without a current lawful prescription) will not be tolerated. US Security Associates security officers enforce local ordinances on campus. The School's objective is to have all employees, staff, faculty and students report to work or school drug free and sober and to maintain that status while on the job or in school. US Security Associates security officers also enforce Federal and State drug laws on campus.

Employees, staff, faculty and students should conduct themselves at all times as an ambassador of the School of Law and not engage in any conduct which would cause unfavorable publicity to the School of Law, impair its credibility or otherwise reflect adversely on the School of Law. Engaging in immoral or indecent conduct, being charged with a crime, or engaging in activity which may not be chargeable, arguably violates this policy, such as engaging in substance abuse, abuse of alcohol, or being involved with illegal drugs, may result in disciplinary action up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct required by this policy. Under no circumstances will alcohol be used, possessed, distributed or served to any person under twenty-one (21) years of age. A student may be disqualified for federal financial aid if the student violates this policy or is convicted of a federal or state drug offense that occurs during a period of enrollment for which the student was receiving financial aid.

All employees, staff, faculty and students should consider it their responsibility to assist the School of Law in the enforcement of this policy by their own compliance and by notifying management or school security of any known or suspected drug, alcohol or other related situations which may violate this policy. The Dean or the President shall have the final determination as to whether or not an individual item is prohibited by this policy. If you have any questions, please contact your supervisor, the Dean, the President, Associate Dean of Students or the Director of Human Resources. You are responsible for making sure that any item you possess on School property is not prohibited by this policy.

The School of Law reserves the right to conduct searches of School of Law property and personal property in order to enforce this policy. Pursuant to this provision, the School of Law shall search such property in its discretion, including but not limited to: lockers, desks, purses, briefcases, baggage, toolboxes, lunch bags, backpacks, and any other location in which illegal drugs or alcohol may be hidden while in or on School of Law property. The School of Law is also authorized to search any vehicle on School of Law property or any vehicle being used to conduct business on behalf of the School of Law (whether or not such vehicle is located on School of Law property). Searches may be conducted by School of Law officials, campus security, by local, state or federal law



enforcement or by private corporations that specialize in the use of “drug-sniffing” dogs. Searches may be conducted whether or not the individual is present during the search. If the School of Law requests a search and an individual refuses, such individual will be denied access to or removed from School of Law property for violation of this policy. Anyone who is in violation of this policy may be subject to disciplinary action up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct required by this policy.

## **Substance Abuse Information and Resources**

Employees, staff, faculty and students are encouraged to seek medical care or relevant treatment for any substance abuse related issues. Students are strongly encouraged to contact the Associate Dean of Students and employees should contact the Director of Human Resources for assistance or concerns relating to substance abuse. However, participation in an assistance program does not excuse employees, staff, faculty and students from complying with this policy. In accordance with the federal Drug-Free Workplace Act of 1988, the federal Drug-Free Schools and Communities Act (DFSCA) of 1989 and the state Policy on Alcohol and Other Drugs, the School of Law prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession or use of alcohol and other drugs by employees and students in the workplace, on School of Law property or as part of any campus activity.

The following resources are available to employees, staff, faculty and students to address difficulties associated with alcohol or substance abuse:

**MUSC Counseling Services for  
Charleston School of Law Students and  
Staff**

843.792.2848

**Charleston Center of Charleston  
County Substance Abuse Services**

Provides addiction assistance to adults, as  
well as detoxification facilities.

843.958.3300

843.722.0100 (24-Hour Helpline)

[https://www.charlestoncounty.org/  
departments/charleston-center/index.php](https://www.charlestoncounty.org/departments/charleston-center/index.php)

**Narconon**  
800.775.8750

[www.narconon.org](http://www.narconon.org)

**National Drug and Alcohol Abuse  
Helpline**

877.882.9275

[www.drug-rehabs.org](http://www.drug-rehabs.org)

**The National Alcohol & Drug Addiction  
Treatment Information Center**

800.784.6776

[www.addictioncareoptions.com](http://www.addictioncareoptions.com)

**National Drug Information Treatment  
and Referral Hotline**

800.662.HELP (4357)

[www.samhsa.gov/treatment/index.aspx](http://www.samhsa.gov/treatment/index.aspx)

**South Carolina Vocational  
Rehabilitation Office**  
800.832.7526

<https://scvrd.net/substance-abuse-treatment>

**United Way Hotline**  
1.866.887.3331  
[www.211us.org](http://www.211us.org)

**Suicide Prevention Hotline**  
800.273.TALK (8255)  
[www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

**Carolina Region of Narcotics  
Anonymous**  
843.852.3001  
[www.crna.org](http://www.crna.org)

**South Carolina Al-Anon Family Groups  
Information Service**  
843.762.6999  
[www.al-anon-sc.org](http://www.al-anon-sc.org)

**Charleston and Dorchester Community  
Mental Health**  
843.852.4100  
843.414.2350 (emergencies)

[www.charlestandorchestertermhc.org](http://www.charlestandorchestertermhc.org)

**Berkeley Community Mental Health**  
843.761.8282

[www.berkeleymentalhealth.org](http://www.berkeleymentalhealth.org)

**Depression & Bipolar Support Alliance**  
800.826.3632

[www.dbsalliance.org](http://www.dbsalliance.org)

**Mobile Crisis**  
843.414.2350

**Poison Control Center**  
800. 222.1222

[www.aapcc.org](http://www.aapcc.org)

**Coastal Crisis Chaplaincy**  
843.724.1212

[www.coastalcrisischaplain.org](http://www.coastalcrisischaplain.org)

## **Drug and Alcohol Laws**

In addition to Charleston School of Law policies regarding the use of drugs and alcohol, there are numerous federal, state and local laws governing their distribution, possession, and consumption. Examples of violations of the law include, but are not limited to:

- Purchase, possess or consume any alcoholic beverage if you are under the age of 21;
- Provide any alcoholic beverage to a person under the age of 21 by transfer, gift or sale;
- Misrepresent your age for the purpose of procuring alcoholic beverages;

- Drive under the influence (regardless of age);
- Have a blood alcohol level of 0.02 or higher while driving a vehicle if you are under the age of 21 or 0.08 or higher while driving a vehicle if you are 21 years of age or older;
- Have an open container of alcoholic beverage in a moving vehicle (regardless of age);
- Be intoxicated in public (regardless of age);
- Manufacture, distribute, possess or use illegal drugs (regardless of age);
- Possess or use drug paraphernalia (regardless of age).

More detailed information about laws restricting the use of drugs and alcohol can be located at the following websites:

**United States Code:**

<http://www.law.cornell.edu/uscode/>

<http://www.gpo.gov/fdsys/browse/collectionUScode.action?collectionCode=USCODE>

**Code of Federal Regulations:**

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>

**South Carolina Code of Laws:**

<http://www.scstatehouse.gov/code/statmast.php>

**City of Charleston Municipal Code:**

<http://www.municode.com/resources/gateway.asp?sid=40&pid=10245>

## **Sexual Assault Policies**

Sexual assault is a crime that will not be tolerated on or off of the School of Law campus. Sexual assault is defined as any unwanted sexual contact. It may include, but not be limited to the following:

- inappropriate touching;
- vaginal, anal, or oral penetration;
- sexual intercourse to which you say no;
- rape; and
- attempted rape.

The School of Law offers programs and services to promote the awareness of types of sexual assaults including; rape, acquaintance rape and other forcible and non-forcible sex offenses. These topics are addressed during crime prevention sessions, additionally self-defense trainings are offered through the Rape Aggression Defense program.

If you are a victim of sexual assault:

1. Go to a safe place;
2. Report the crime to the City of Charleston police by dialing 911 and the Security Department at (843) 377-4911.
- 3.
4. The Dean of the School of Law or the Associate Dean of Students is a resource for students. . Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis;
5. You will not be judged for becoming a victim of sexual assault. The reporting of this crime is held with the utmost confidentiality. School of Law authorities will assist you in contacting the appropriate authorities if you request;
6. Preserve any physical evidence. You should not shower, urinate, bathe, eat, drink, smoke, or change clothes. Physical evidence can be obtained up to seventy-two (72) hours after an assault. After that time the quality of the evidence decreases;
7. It is very important that you receive the appropriate medical and psychological care immediately following the assault.

Please remember just because the crime has been reported does not mean the case will be prosecuted. The victim may make these decisions at a later date.

## **Title IX**

Individuals may also report a sex offense to the institutions Title IX Coordinator. The Department of Student Affairs is responsible for coordinating the institution's compliance with Title IX. The Title IX Coordinator is the Director of Human Resources, Shera Silvis. Her office is located at 394 Meeting Street, 2<sup>nd</sup> Floor and her phone number is 843-377-4904. The institution's sexual harassment policy, including a description of the grievance procedures can be found in the Academic Catalog and Student Handbook published each year and available online at <http://charlestonlaw.edu/academics/academic-catalog/> .

The School of Law will, at your request, make any reasonable changes to your academic situation if you have become a victim of a sexual assault. In the discretion of the Associate Dean for Academic Affairs, accommodations may be made to allow you to change course sections or withdraw from classes when circumstances exist which warrant such action, particularly in situations where the accused may be associated with the

School of Law. In addition, should you be a victim of a crime, the school will make reasonable allowances for excused absences so that you may attend criminal proceedings, medical examinations, counseling, or other related matters when schedules may conflict. The Associate Dean of Students will also help identify providers, including medical and counseling services, to victims who require these services.

When allegations of a sex offense result in campus disciplinary action, the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary hearing and both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense (specifically, the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused). Potential sanctions are set forth in the Sexual Misconduct Policy. Following the final determination of a campus disciplinary hearing the School of Law may impose these sanctions: warnings, suspensions, and expulsion.

Additional Information and Resources can be found in the **SEXUAL MISCONDUCT POLICY GOVERNING EMPLOYEES AND STUDENTS** found on page 25.

## **Community Services and Emergency Numbers**

These services and numbers are available to anyone who has been a victim of sexual assault:

**Police**  
911

**PAR (People Against Rape)**  
Provides support and assistance to those affected by rape or sexual assault.  
843.745.0144 or 800.241.RAPE (7273)  
[www.peopleagainstrape.org](http://www.peopleagainstrape.org)

**MUSC Counseling Services for Charleston School of Law Students and Employees**  
Offers victim support and information for School of Law students and employees. 843.792.2848.

**The Ninth Circuit Victim Witness Program**

The Ninth Circuit Solicitor's Office developed this program for crime victims with criminal charges pending against their offenders.  
843.958.1900  
[www.scsolicitor9.org/victim-witness.php](http://www.scsolicitor9.org/victim-witness.php)

**RAINN (Rape, Abuse, and Incest National Network)**

Helps route you to a rape crisis center in your area.  
800.656.HOPE (4673)  
[www.rainn.org](http://www.rainn.org)

**National Center for Victims of Crime Helpline**

This helpline is available all hours of the day for victims of crime.

202.467.8700

TDD: Telecommunication Device for Deaf

[www.victimsofcrime.org](http://www.victimsofcrime.org)

**South Carolina Coalition Against Domestic Violence & Sexual Assault**

State wide coalition of all domestic violence shelters and rape crisis centers in South Carolina.

803.256.2900

National Domestic Violence Hotline:

800.799.SAFE (7233)

National Sexual Assault Hotline:

800.656.HOPE (4673)

[www.sccadvasa.org](http://www.sccadvasa.org)

**My Sister’s House**

843.744.3242 or 1.800.273.HOPE

[www.mysistershouse.org](http://www.mysistershouse.org)

**Center for Women**

843.763.7333

[www.c4women.org](http://www.c4women.org)

**Charleston School of Law**

**Andy Abrams, Dean**

843.377.2145

**Brett Barker, Acting Associate Dean of Students**

843.377.2149

**Shera Silvis, Title IX Coordinator**

843.377.4904

**Sex Offender Registration**

The School of Law is required to inform the campus community where the South Carolina Sex Offender Registry may be accessed. This site will provide you with the most updated information concerning registered sex offenders in the state of South Carolina. The Sex Offender Registry is located on the South Carolina Law Enforcement Division (SLED) website (<http://www.sled.sc.gov/>). The URL address to link directly to the database is <http://services.sled.sc.gov/sor/>.

**The Daily Crime Log**

The daily crime log is maintained by contract security officers under the direction of the Director of Security and can be found at 385 Meeting Street, 2<sup>nd</sup> Floor in the Department of Student Affairs. The crime log includes: (1) the nature of the crime; (2) the date the crime was reported and the date the crime occurred; (3) the general location of the crime; and (4) the disposition of the complaint (if known). Portions of the daily crime log for the most recent 60-day period will be made available to public inspection during normal business hours. Portions older than 60 days will be made available within two business days of request for inspection.

## Crime Statistics for 2013-2015

Offense	On Campus			Residential Facilities	NonCampus Facilities <sup>2</sup>	Public Property		
	2014	2015	2016			2014	2015	2016
Murder/Non-negligent Manslaughter	0	0	0	n/a	n/a	1	0	0
Negligent Manslaughter	0	0	0	n/a	n/a	0	0	0
Sex Offenses, Forcible	0	0	1	n/a	n/a	2	1	5
Sex Offense, Non-Forcible	0	0	0	n/a	n/a	0	0	0
Robbery	0	0	0	n/a	n/a	0	0	0
Aggravated Assault	0	0	0	n/a	n/a	2	2	2
Burglary	1	1	6	n/a	n/a	0	1	4
Motor Vehicle Theft	0	0	0	n/a	n/a	3	4	1
Arson	0	0	0	n/a	n/a	0	0	0

### Violence Against Women Act (VAWA Offences)

Domestic Violence	0	0	0	n/a	n/a	0	0	0
Dating Violence	0	0	0	n/a	n/a	0	0	0
Stalking	0	0	0	n/a	n/a	0	0	0

### Crime Statistics for 2013-2015 (cont.)

Offense	On Campus			Residential Halls	Non-Campus Facilities	Public Property		
	2014	2015	2016			2014	2015	2016
Liquor Law Arrests	0	0	0	n/a	n/a	4	1	7
Liquor Law Violations Referred for Disciplinary Action	0	0	0	n/a	n/a	0	0	0
Drug Law Arrests	0	0	0	n/a	n/a	3	9	6
Drug Law Violations Referred for Disciplinary Action	0	0	0	n/a	n/a	0	0	0
Illegal Weapons Possession Arrests	0	0	0	n/a	n/a	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	1	0	0	n/a	n/a	0	0	0
Hate Offenses	0	0	0	n/a	n/a	0	0	0
<b>Total</b>	<b>2</b>	<b>1</b>	<b>7</b>	<b>n/a</b>	<b>n/a</b>	<b>15</b>	<b>18</b>	<b>25</b>



# **SEXUAL MISCONDUCT POLICY GOVERNING EMPLOYEES AND STUDENTS**

## **SEX-BASED DISCRIMINATION & HARASSMENT**

As reflected in our Mission Statement and Commitment to Excellence, the School of Law strives to make this a special place to work and learn with an atmosphere of mutual respect and professionalism. As employees and students of the Law School, we all have a responsibility to live up to our values by creating an atmosphere every day in which each person knows that he/she is valued as an individual and treated with respect and professionalism. This policy is a reflection of our vision and our commitment to complying with all laws governing discrimination and harassment.

### **I. DISCRIMINATION**

Discrimination is defined as the unfair treatment of a person or group based on perceived or real characteristics. The School of Law is committed to an environment that encourages the fair, humane, and beneficial treatment of all persons. The School of Law is committed to equal opportunity in the application, admission, participation, operation, and treatment of employees, students and guests, and prohibits discrimination based on race, color, sex, age, religion, national origin, height, weight, marital status, sexual orientation, handicap unrelated to ability to perform one's job, military status, or any other classes protected by law. Additionally, it is the policy of the School of Law to provide an environment for prospective employees and students and other third parties, to include contract employees, free of harassment and discrimination. It is expected that all members of the School of Law community will consider themselves responsible for proper observance of this policy. Harassment is a *form of discrimination* and is any action that may reasonably be expected to threaten, coerce or intimidate an individual or class of people.

Further, the School of Law does not condone and will not tolerate sexual misconduct or sexually exploitative or harassing behavior of any kind. Our community is committed to creating and maintaining an environment that is not only free of sexual misconduct, but which promotes a healthy spirit of responsibility, dignity and respect in matters of sexual conduct. Charleston School of Law employees and students share an ethical tradition of abiding by the highest moral standards, taking responsibility for their actions, and treating people with integrity and respect.

### **II. COORDINATION WITH THE ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY AND FULL-TIME FACULTY HANDBOOK**

The School of Law has created this campus wide policy specifically to address sex-based discrimination impacting students, employees and third parties and to provide equity in process to complainants and respondents.

The School of Law recognizes that harassment related to an individual's sex, sexual orientation, and gender expression may also be tied to other forms of harassment and discrimination and may

also be directed at the individual based on their age, ethnicity, religion or other protected status. This policy does not supersede the School of Law's Anti-Harassment and Discrimination policy or Faculty Handbook, but rather supports them. When discrimination is alleged that is directed at an individual based on both their sex and another protected class, resolution of the complaint will include a coordinated effort in investigation and resolution between the policies.

The procedures outlined in this policy for resolution of complaints of sexual misconduct apply to investigation and adjudication of student and employee sexual misconduct complaints. All other complaints of student or employee misconduct not meeting the definitions described in this policy will follow the procedures outlined in the Law Student Handbook's Code of Conduct or the respective employee handbook. All complainants and respondents, regardless of their status as students, faculty or staff, will be informed simultaneously and in writing of the outcome of the complaint (to include the rationale for the finding and the associated sanction or employee action taken because of a finding of responsibility under this policy) and will be afforded the opportunity to appeal, if appellate criteria are met, as outlined in this policy.

### **III. STATEMENT OF PROHIBITION AND JURISDICTION**

As a recipient of federal funds, the School of Law is required to comply with Title IX of the Education Amendments of 1972, U.S.C. § 1681 et seq. ("Title IX") which prohibits discrimination on the basis of sex in educational programs or activities. Sexual Misconduct, as defined herein, is a form of discrimination prohibited by Title IX. The School of Law has updated this policy (February 1, 2017) to reflect the changes to the Clery Act as amended by the 2013 Reauthorization of the Violence Against Women Act and the 2013 South Carolina Campus Sexual Assault Information Act as we currently understand them.

This Policy applies to all on-campus conduct and some off-campus conduct, described below. The School of Law strongly encourages reports of sexual misconduct regardless of location and regardless of when the misconduct is reported to have occurred. Even if the policy does not apply to the conduct because of its location, the School of Law will take prompt action to provide for the safety and well-being of the Complainant and the broader campus community.

*On-Campus Conduct.* This policy applies to conduct that occurs on-campus, including conduct which occurs on property owned or controlled by CSOL.

*School of Law Programs.* This policy applies to conduct that occurs in the context of Law School employment or education programs or activities.

*Off-Campus Conduct.* This policy applies to conduct that occurs off-campus and has continuing adverse effects on, or creates a hostile environment for, any member of the Law School community on-campus or in any Law School employment or education program or activity.

## IV. DEFINITIONS

There are many terms used in this policy, which are defined in this section.

A “complainant” is someone who is alleging being harmed by an act of Sexual Misconduct. The terms accuser, victim and survivor are used interchangeably in this policy to refer to the complainant based on what is being discussed.

A “respondent” is the person who is alleged to have engaged in the harming conduct. The terms offender and accused are also used interchangeably in this policy to refer to the respondent depending on what is being discussed.

“Parties” is a term used to collectively refer to complainants and respondents.

A “party” is the complainant or respondent.

A “student” is a person who is enrolled in courses at the School of Law.

A “witness” is a person who is believed to have knowledge of the misconduct.

“Sexual Misconduct” is an umbrella term used to refer to a variety of prohibited acts and includes the following specific forms as defined in this section:

1. Sexual Harassment and Gender-Based Harassment
2. Sexual Assault
  - a. Non-Consensual Sexual Contact (or attempts to commit same)
  - b. Non-Consensual Sexual Penetration (or attempts to commit same)
3. Sexual Exploitation
4. Stalking
5. Intimate Partner Violence
  - a. Dating Violence
  - b. Domestic Violence

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

As used in this policy, **sexual harassment** includes unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature.

Generally speaking, harassment can be divided into two types of conduct:

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 School of Law program or activity or is used as the basis for 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 CSOL'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: (1) the frequency of the conduct; (2) the nature and severity of the conduct; (3) whether the conduct was physically threatening; (4) 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 School of Law programs or activities; (5) whether the conduct was directed at more than one person; (6) whether the conduct arose in the context of other discriminatory conduct; and (7) 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, which is the most egregious form of sexual harassment, 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.

"Gender-Based Harassment" is harassment based on sex, sexual orientation, 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.

### **Sexual and Gender-Based Harassment:**

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- 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 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, sexual orientation, gender identity, or gender expression.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May be a one-time event or can be 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 and are affected by it.

Examples of conduct that may constitute Sexual Harassment as defined above may include a severe, persistent or pervasive pattern of unwelcome conduct that includes one or more of the following:

- **Physical conduct**, including unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements, or unwanted sexual advances
- **Verbal conduct**, including making or using derogatory comments, epithets, slurs or humor; verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations; or objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes
- **Visual conduct**, including leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons, or posters in a public space or forum; or severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate.
- **Written conduct**, including letters, notes or electronic communications containing comments, words, or images described above
- **Quid pro quo conduct**, including direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists; offering educational or employment benefits in exchange for sexual favors; making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for

sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose; or making or threatening reprisals after a negative response to sexual advances

*Academic Freedom and Sexual Harassment provision:* This policy is consistent with the School of Law's commitment to academic freedom and free speech. This commitment requires that the Law School not abridge community members' expression of ideas in their teaching, learning, and research, including advocacy that may be controversial, provocative, or unpopular. This protection extends to the expression of ideas, however controversial, in the classroom and other campus-related activities. It must be recognized, however, that this protection has its limits. This policy defines those limits, and conduct which is found to be "harassing" is not consistent with the Law School's commitment to academic freedom and free speech. No member of the community may escape responsibility for engaging in harassing conduct merely by labeling the conduct as "speech" or other expressive activity.

## **2. Sexual Assault**

Sexual assault is sexual harassment of a physical nature. One single incident of sexual assault is sufficiently serious to warrant investigation and resolution if it is deemed to create a continuing hostile environment on campus or in the programs or activities associated with the School of Law. Sexual Assault is broken down into two subsets of non-consensual sexual contact (or attempts to commit same) and non-consensual sexual penetration (or attempts to commit same) as further defined below.

### **a. Non-Consensual Sexual Contact (or attempts to commit same)**

Non-Consensual Sexual Contact means any intentional sexual touching or contact, without consent, of the breasts, groin, buttocks or genitals of another, no matter how slight, regardless of the relationship of the parties.

Non-Consensual Sexual Contact includes a variety of behaviors that create a hostile environment. It includes acts like some of the following if unwelcome:

- Hugging, kissing, groping, stroking someone, or the like
- Touching someone's intimate parts, to include breasts, buttocks, groin area or genitals
- Placing your intimate parts on any part of another person's body or causing that person to put their intimate parts on you, or directing a third party to do so

### **b. Non-Consensual Sexual Penetration (or attempts to commit same)**

Non-Consensual Sexual Penetration means vaginal or anal penetration by a penis or object, no matter how slight, or mouth to genital contact that is by force or threat of force, without consent, with a person who is under the statutory age of consent as defined in South Carolina law, or occurs when an individual is incapacitated and could not have provided consent.

### **3. Sexual Exploitation**

Sexual Exploitation occurs when one person takes a non-consensual or abusive sexual advantage of another for his or her own benefit and the behavior does not fit into one of the previously mentioned categories.

Examples of sexual exploitation include:

- Prostituting another person
- Recording or subsequently disseminating audio, video or photographic images of nudity or sexual acts without the consent of the other party
- Exposing of the genitals in non-consensual circumstances
- Inducing incapacitation for the purposes of making another person vulnerable to non-consensual sexual contact or penetration
- Knowingly transmitting HIV or a sexually transmitted infection (STI) to another person

### **4. Stalking**

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.

*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.

Examples of stalking include:

- Repeated, unwanted, and/or intrusive communications from the offender via telephone, text, email or in-person
- Gathering of information about a person from family, friends, co-workers, and/or classmates
- Following or lying in wait for a person at home, school, work, or other locations frequented by the person
- Posting information or spreading rumors about a person on the internet (social media, postings, instant messages, or by postings of pictures or other information onto websites), in a public place, or by word of mouth
- Damaging or threatening to damage a person's property
- Repeatedly sending flowers or other unwanted gifts to a person

## **5. Intimate Partner Violence:**

Intimate Partner Violence includes any act of violence or threatened act of violence against a person who is, or has been involved in a sexual, dating, spousal, domestic, or other intimate relationship with the respondent. The School of Law will not tolerate Intimate Partner Violence of any form.

Intimate Partner Violence is often referred to as dating violence, domestic violence, or relationship violence. Intimate Partner Violence can encompass a broad range of behavior including, but not limited to, physical violence, sexual violence, psychological and/or emotional violence, and economic abuse. It may involve one act or an ongoing pattern of behavior. Intimate Partner Violence may take the form of threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner, to pets, or to the family members or friends of the sexual or romantic partner. Intimate Partner Violence often includes offenses defined in this policy as sexual assault or stalking, which occur in concert with other forms of psychological, economic or other abuse. Intimate Partner Violence affects individuals of both sexes, sexual orientations, gender identities, gender expressions, races and social and economic backgrounds.

### **a. Dating Violence**

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. Whether such a relationship exists or existed will be determined based on a consideration of the following factors:

- a. The length of the relationship.
- b. The type of relationship.
- c. The frequency of interaction between the persons involved in the relationship.

Examples of dating violence include behaviors that intimidate, frighten, isolate, or injure if committed by someone in a romantic or intimate relationship.



## **b. Domestic Violence**

Domestic Violence includes violence or threats of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, 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.

Other key terms used in this policy include the following:

**“Consent”** means words or actions that communicate approval of sexual activity taking place between the parties. Consent to one activity does not automatically imply consent to other forms of sexual activity and must be made in the absence of coercion, intimidation or physical force (threatened, actual or implied) of any kind. Silence in and of itself cannot be interpreted as consent. In addition, persons who are incapacitated due to alcohol or drugs cannot give consent. Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant. Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

Of important note, an individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given as does “accepting” consent from someone you know, or reasonably should know, is not capable of providing consent due to their age or their level of intoxication.

**Consent may be withdrawn by any party at any time.** Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be an expressed “no” or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain, or is no longer a mutual participant (someone who is not actively reciprocating sexual activity.) Once consent is withdrawn, the sexual activity must cease immediately and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity (less duress, coercion or force as previously mentioned.)

**“Force”** is the use or threat of physical violence to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent obtained by force is not valid.

For the use of force to be demonstrated, there is no requirement that a complainant resist the sexual advance or request. However, evidence of resistance by the complainant will be viewed as a clear demonstration of a lack of consent.

**“Intimidation”** is the use of implied threats to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent obtained by intimidation is not valid.

**“Coercion”** is the improper use of pressure to compel another individual to initiate or continue sexual activity against that individual’s will. Consent obtained through coercion is not valid.

Coercion can include a wide range of behaviors, including manipulation, threats, and blackmail. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to “out” someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity. When someone indicates, verbally or physically, that they do not want to engage in a particular sexual activity, that they want to stop a particular activity, or that they do not want to go past a certain point of sexual interaction, continued activity or pressure to continue beyond that point can be coercive. The School of Law will evaluate the following in determining whether coercion was used: (a) the frequency of the application of pressure, (b) the intensity of the pressure, (c) the degree of isolation of the person being pressured, and (4) the duration of the pressure.

**“Incapacitation”** is a state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. For example, an individual is incapacitated, and therefore unable to give consent, if the individual is asleep, unconscious, or otherwise unaware that sexual activity is occurring. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to a mental or physical condition, no matter temporary or permanent. Incapacitation may result from the use of alcohol, drugs, or other medication. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual’s: (1) decision-making ability; (2) awareness of consequences; (3) ability to make informed judgments; or (4) capacity to appreciate the nature and scope of the act.

It shall not be a valid excuse that the respondent believed that the complainant consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances: (a) the complainant was asleep or unconscious; (b) the complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity; (c) the complainant was unable to communicate due to a mental or physical condition.

Whether the respondent reasonably should have known that the complainant was incapacitated will be evaluated using an objective reasonable person standard. The fact that the respondent was unaware of the complainant's incapacity is irrelevant to this analysis, particularly where the respondent's failure to appreciate the complainant's incapacitation resulted from the respondent's failure to take reasonable steps to determine the complainant's incapacitation or where the respondent's own use of alcohol or drugs caused the respondent to misjudge the complainant's incapacity.

It is the responsibility of each party to be aware of the intoxication level of the other before engaging in sexual activity. In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity. Being intoxicated by drugs or alcohol is no defense to any violation of this policy and does not diminish one's responsibility to obtain consent.

## **V. RETALIATION**

The School of Law prohibits retaliation against any individual who, in good faith, complains of a violation of the School of Law's Sexual Misconduct Policy or assists by providing information about an allegation of discrimination, including a complaint of sexual misconduct. The School of Law considers an act of retaliation against a complainant or witness a separate violation of this policy and will be adjudicated as such.

## **VI. POLICY ON CONSENSUAL RELATIONS BETWEEN FACULTY AND STUDENTS AND EMPLOYEES AND SUBORDINATES**

The School of Law has no formal policy on consensual relationships between faculty and students; however, romantic or intimate relationships between employees and students and between supervisors and their subordinates with whom they have an academic or supervisory relationship with are fraught with the potential for abuse and are discouraged. Similarly, romantic or intimate relationships between an employee and his or her subordinate compromises the School of Law's ability to enforce its policy protecting persons from sexual harassment. There are power differentials that exist between faculty and their students and employees and their bosses. Thus, relationships that begin as consensual can later be determined to be non-consensual. Consequently, the School of Law does not wish to interfere with private choices

regarding personal relationships, but strongly discourages employees and students from engaging in consensual intimate and/or sexual relationships and retains the right to take necessary action should it find evidence of an abuse of power.

**VII. HOW TO REPORT A COMPLAINT OF SEXUAL MISCONDUCT**

Members of the School of Law are strongly encouraged to promptly report all incidents of discrimination and harassment, to include sexual misconduct, whether experienced personally or observed. Delayed reporting significantly inhibits the School of Law in being able to respond to harassment and discrimination. The School of Law also accepts reports from third parties.

A complainant need not supply a written statement, although it is preferable. A “report” is made when the School of Law knows or reasonably should know based on the statements of a Complainant or third party that sexual misconduct is being alleged. Actual notice, which consists of direct statements from a complainant of sexual misconduct, are desirable, although the School of Law accepts verbal or written statements from any party who has knowledge of an incident occurring either on or off campus that has the propensity to interfere with the mission of the Charleston School of Law. Employees who directly observe sexual harassment shall attempt to immediately stop the harassment occurring in their presence and shall promptly report such incidents to the respective Coordinator below.

If the person causing the sexual misconduct is a:

Staff member, vendor or other third party: Report to Shera Silvis, Human Resources, Title IX Coordinator

Student: Report to Brett Barker, Student Affairs, Deputy Title IX Coordinator

Faculty member: Margaret Lawton, Academic Affairs, Deputy Title IX Coordinator

If you are uncertain the status of the person, report to Shera Silvis, Title IX Coordinator.

<b>Name</b>	<b>Address</b>	<b>Telephone &amp; Email</b>
Title IX Coordinator & Director of Human Resources, <i>Shera Silvis</i>	392 Meeting Street, Second Floor	843.377.4904 <a href="mailto:ssilvis@charlestonlaw.edu">ssilvis@charlestonlaw.edu</a>
Deputy Title IX Coordinator & Associate Dean of Students, <i>Brett Barker</i>	385 Meeting Street, Second Floor	843.377.2149 <a href="mailto:bbarker@charlestonlaw.edu">bbarker@charlestonlaw.edu</a>
Deputy Title IX Coordinator & Associate Dean for Academic Affairs, <i>Margaret Lawton</i>	385 Meeting Street, Third Floor	843.377.2423 <a href="mailto:mLawton@charlestonlaw.edu">mLawton@charlestonlaw.edu</a>

Campus Security	394 Meeting Street, First Floor	843.377.4911 csolsecurity@charlestonlaw.edu
(City of) Charleston Police Department	180 Lockwood Blvd. Charleston, SC 29403	9.1.1 or 843.577.7434

Anonymous reports are also accepted and should be directed to the Title IX Coordinator and Director of Human Resources, Shera Silvis via email at [ssilvis@charlestonlaw.edu](mailto:ssilvis@charlestonlaw.edu) or via mail using the contact information previously provided, but the supplier of the anonymous report should be mindful that failure to disclose personally identifying information about the accused party, the victim of the misconduct, or the facts and circumstances regarding the misconduct severely limit the School of Law’s ability to respond to, address, and remedy the effects of sexual misconduct.

Also, for purposes of this policy, the School of Law has designated all faculty members, administrative staff in the Associate Dean of Students’ Office, supervisors and members of Campus Security as “responsible employees.” A “responsible employee” is someone a student or employee believes has authority or a duty to stop the harassment. Consequently, if a responsible employee learns of a possible violation of this policy then he/she has a duty to report the information to the Title IX Coordinator, to include the personally identifiable information regarding the parties. The School of Law has no on site medical or counseling facilities, hence no “confidential” reporting office exists. No matter to whom the report is made, the School of Law will keep information regarding a complaint as private as possible only sharing information with those offices that have a need to know.

### **VIII. INVESTIGATION, RESOLUTION PROCESS AND RIGHT TO APPEAL**

The Title IX Coordinator, Deputy Title IX Coordinators, and Investigators are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and instructed on how to conduct effective investigations and administer a conduct process that protects the safety of victims and promotes accountability. In proceedings under this policy, the standard of proof used to determine whether or not a violation of this policy has occurred is a preponderance of evidence, which means it is more likely than not the misconduct occurred.

The School of Law reserves the right to bring reports forward against a student or employee and to act as the complainant for purposes of this policy. In addition, an individual does not have to be a member of the School of Law community to file a report under this policy. The School of Law reserves the right to outsource investigations to qualified third parties in its’ sole discretion. The parties may request an alternate investigator upon written notice of an allegation of bias and supporting rationale to the Title IX.

1. Upon receiving a report (either verbally or in writing), the Title IX Coordinator will assess the report to ensure this policy has appropriate jurisdiction (and will refer out to the appropriate individual or office if what is being alleged is outside the scope of this policy.)
2. If the report and/or intakes appear upon initial assessment to be a possible violation of the Sexual Misconduct Policy, the Title IX Coordinator will assign the case for investigation within 72 hours and will provide written notice to the parties. If an employee is the respondent, confidential information may also be disclosed with appropriate personnel by the Title IX Coordinator.
3. The Investigator will conduct a prompt, thorough, and impartial investigation into the facts of the case and will interview the complainant, respondent, witnesses or others who may have relevant information, and collect any other evidence deemed relevant to the case from the parties and witnesses.
4. At the conclusion of the investigation which normally does not exceed 45 days, the Investigator will deliver the report to the Title IX Coordinator, and the respective Deputy Title IX Coordinator, who will contact the parties and provide both with separate access to the investigative findings. The purpose of this is to allow the parties an opportunity to correct any item that they state is factually inaccurate and to provide anything additional that they would like considered prior to a formal finding being issued. The parties will have two business days once invited to review the report to provide their written request for changes or corrections to the report to the Title IX Coordinator.
5. The Title IX Coordinator, and respective Deputy Title IX Coordinator, will provide said written feedback to the Investigator and the three will determine if the information put forward requires the report to be changed in any way. If changes are warranted (something was factually inaccurate and/or new evidence was discovered that substantially changes the outcome of the investigation) then the Investigator will make those changes and finalize the report to include a recommendation as to whether or not, using the preponderance of the evidence standard, misconduct (as defined in this policy) occurred.
6. The Title IX Coordinator, in concert with the appropriate Deputy Coordinator, will review the findings and agree with the findings or direct the Investigator to conduct further investigation.
7. The Title IX Coordinator, in concert with the appropriate Deputy Coordinator, will review the case and determine any sanctions as outlined below. Both parties have the right to request an alternate Coordinator fulfill the two decider quorum upon written notice with rationale. If the Coordinators cannot agree on the outcome or the associated sanction, the School of Law retains the right to have a neutral third party firm review the investigative findings and render an independent decision.
8. The outcome of the investigation, the reasons for the findings, and any sanction(s) imposed shall be conveyed to the Complainant and Respondent simultaneously and in writing by U.S. Mail.
9. The complainant and the respondent have the right to appeal determinations regarding responsibility to the Dean of the School of Law. Appeals are discussed below.

The Complainant and the Respondent each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing in which the complainant or the respondent is required to be present. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting nor may the advisor direct questions to any administrator, party, or witness in the process.

Typically, the investigation, resolution, and any appeal under this policy will not exceed 60 days although the School of Law reserves the right to exceed this timeframe in order to conduct a thorough investigation or other appropriate proceedings. If the investigation does or is anticipated to exceed 60 days, the School of Law will notify the complainant and respondent in writing and will advise them of the reason for the delay and the anticipated timeframe for the completion of the investigation and/or resolution.

## **APPEAL**

Both the complainant and the respondent have a right to appeal the finding of responsibility. Appealing the finding of responsibility must be based on an alleged procedural error, (i.e., not merely that the party does not agree that the finding or sanction is appropriate) or the discovery of new evidence. Both parties will have **five (5) business days from notification** of the outcome (as dated on the US Mail post stamp) to appeal in writing to the Dean at the following address:

**Dean Andy Abrams**  
**385 Meeting Street, Third Floor**  
**843.377.2145**  
[aabrams@charlestonlaw.edu](mailto:aabrams@charlestonlaw.edu)

The decision of the Dean on any appeal will be final. Both individuals will be informed simultaneously in writing of the outcome of any appeal and any change(s) to the results that occur prior to the time that such results become final and when such results become final. The complainant will be notified of any sanction(s)/outcome(s) that are specific to the complainant (e.g., respondent has interim suspension and is ordered by the institution to have no contact with the complainant.)

## **INFORMAL RESOLUTION**

When appropriate, certain student-on-student or employee-on-employee complaints may be resolved by the Title IX Coordinator without a formal resolution. Informal resolutions are only possible when the violations do not involve sexual assault and/or may not meet the criteria for classification as a crime. Either party may elect to go through the formal process at any point prior to the resolution. The Title IX Coordinator will facilitate the resolution and give final

sanction(s) as deemed suitable and provide written notice to the parties simultaneously to the parties.

## **SANCTIONS**

For accused individuals who are students, the possible outcomes for violations of this policy include:

- Expulsion
- Interim Suspension
- Suspension
- A letter of reprimand to be made a permanent part of the students file

For accused individuals who are faculty or staff members, the possible outcomes include:

- Separation from the School of Law.
- Demotion
- Suspension
- Transfer
- A letter of reprimand to be made a permanent part of the employees file (Faculty members should review the Faculty Handbook for further information)

## **IX. WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED**

Sexual assault is not only a violation of Title IX, but a crime that will not be tolerated on or off the School of Law campus. Sexual assault is defined in this policy as Non-Consensual Sexual Penetration or Non-Consensual Sexual Contact.

If you are a victim of sexual assault:

1. Go to a safe place.
2. Go to the hospital and request a Sexual Assault Nurse Examiner (SANE.) In South Carolina, a victim of sexual assault who is over 18 years of age can request that evidence be collected without the involvement of law enforcement, if the victim so desires. The SANE nurse will complete evidence collection so evidence of a crime can be preserved in the event that the victim decides then or at a later time to initiate a report to local police.
3. Contact the police or the School of Law's Title IX Coordinator and Director of Human Resources, Shera Silvis, immediately. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis.
4. You will not be judged because you have become a victim of sexual assault. The reporting of this crime is held with the utmost discretion. Confidentiality cannot be promised, however the matter will be kept as private as possible. School of Law authorities will assist you in contacting the appropriate authorities if you request.



5. Preserve any physical evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order. You should not shower, urinate, bathe, eat, drink, smoke, or change clothes. Physical evidence can be obtained up to several days after a sexual assault or act of physical dating or domestic violence. After that time the quality of the evidence decreases.
6. It is very important that you receive the appropriate medical and psychological care immediately following the assault.

Victims of domestic violence, stalking, and dating violence are encouraged to seek medical attention when necessary and to preserve evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order. Victims are also encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to the School of Law grievance procedures, School of Law investigators or police.

Victim complainants have the right to report the crime to police as well as the right to decline to do so. Just because a report has been made to the police does not mean the case will be prosecuted. The prosecutor will review the case and determine the appropriate charges based on the evidence. The School of Law encourages all victims of sexual assault to go to the hospital and have evidence collected that may be proof of criminal activity even if they are not sure what direction they want to take regarding prosecution.

The School of Law will, at your request, make any reasonable changes to your academic, work, or transportation situation if you have become a victim of a sexual assault (or other forms of misconduct as outlined in this policy.) In the discretion of the Associate Dean for Academic Affairs, Margaret Lawton, accommodations may be made to allow you to change course sections, withdraw from classes when circumstances exist which warrant such action, and/or initiate other academic remedies as deemed appropriate, particularly in situations where the accused may be associated with the School of Law. Should you be a victim of a crime, the school will make reasonable allowances for excused absences so that you may attend criminal proceedings, medical examinations, counseling, or other related matters when schedules may conflict. The Associate Dean of Students will also help identify providers, including medical and counseling services, for victims who require these services.

## **X. HOW TO BE AN ACTIVE BYSTANDER**

Bystanders play a critical role in the prevention of sexual and relationship violence. Bystanders are persons who observe red-flag behavior and have the opportunity to intervene to prevent the sexual misconduct from occurring. “Red flag” behavior includes things like seeing a person who is too drunk to provide self-care being isolated by a person. A bystander can intervene to stop the potential offender from taking the incapacitated person away by interrupting, calling for help, calling a friend of the person to come get them, or distracting the potential offender by speaking

up and calling out the behavior. Not allowing the isolation stops the sexual assault from being able to occur. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. If you see sexual misconduct in any form and do not feel safe to intervene to stop it, call 911. Further information regarding bystander intervention is provided in CSOL's training programs and may be found by contacting Shera Silvis.

## **XI. RISK REDUCTION**

It is important to remember that sexual misconduct is never the victim's fault and only the person causing the harm is responsible for it. Nevertheless, it is important to understand what risks we each may have and to take steps to try to reduce our risk. The following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)). CSOL offers these with no intention of blaming victims for sexual misconduct perpetrated against them and encourages all victim complainants to come forward to CSOL officials and/or the police.

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## **XII. SEX OFFENDER REGISTRATION**

The School of Law is required to inform the campus community where the South Carolina Sex Offender Registry may be accessed. This site will provide you with the most updated information concerning registered sex offenders in the state of South Carolina. The Sex Offender Registry is located on the South Carolina Law Enforcement Division (SLED) website (<http://www.sled.sc.gov/>). The URL address to link directly to the database is: <http://services.sled.sc.gov/sor/>.

## **XIII. SECURITY**

The Charleston School of Law has a Director of Security and security officers supplied through an independent contractor, AlliedBarton. Additionally, the Charleston School of Law hires off-duty City of Charleston Police Department Officers to monitor the areas near School of Law

facilities during early morning and evening hours. The School of Law has a verbal agreement with the City of Charleston Police Department to immediately exchange information of criminal activity in the area of the School of Law, consistent with similar arrangements between the City of Charleston Police Department and other area schools.

Criminal incidents reported to School of Law officials and AlliedBarton personnel may be referred to the City of Charleston police who have jurisdiction on the campus and the authority to make arrests. AlliedBarton security officers have arrest powers on School of Law property and will exercise them in cases which may involve imminent harm. All crime victims and witnesses are strongly encouraged to immediately report a crime to on-duty security personnel, designated School of Law officials and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

The Charleston School of Law does not have any off-campus student organizations. AlliedBarton security officer's jurisdiction is limited to School of Law property. City of Charleston Police have primary jurisdiction in all areas in the vicinity of the School of Law.

#### **XIV. REPORTING A COMPLAINT OF SEXUAL MISCONDUCT DIRECTLY TO LOCAL POLICE**

##### **Criminal Investigation and Charges**

If you choose to pursue criminal charges in your case, the City of Charleston Police Department will be notified and generate their own report, which will be forwarded to a detective in the Special Victims Unit. The Charleston Police Department works in concert with the Solicitor for the Ninth Judicial Circuit, who houses the Victim and Witness Assistance Program. This program has trained professional staff who will help you understand and navigate the criminal justice process. The School of Law strongly encourages any complainant of sexual misconduct to report the incident to the local police when the incident may constitute a crime. The School of Law, upon a complainant's request, will assist the victim in contacting the City of Charleston Police Department. A complainant also has the right to decline to notify local police (unless they are under the age of 18.)

#### **SOUTH CAROLINA VICTIM'S RIGHTS INFORMATION**

An amendment to the South Carolina Constitution was passed on January 22, 1998. Specifically, **Article I, Section 24(A)** states: To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion, or economic status, victims of crime have the right to:

- be treated with fairness, respect, and dignity, and to be free from intimidation harassment, or abuse, throughout the criminal and juvenile justice process, and informed of the victim's constitutional rights, provided by statute;
- be reasonably informed when the accused or convicted is arrested, released from custody, or has escaped;
- be informed of and present at any criminal proceedings which are held to decide the final outcome of a court case where the defendant has the right to be present;

- be reasonably informed of an allowed to submit either a written or oral statement at all hearings affecting bond or bail; be heard at any proceeding involving a post-arrest release decision, a plea, or sentencing;
- be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process;
- confer with the prosecution, after the crime against the victim has been charged, before the trial or before any disposition and informed of the disposition;
- have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial;
- receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury, including both adult and juvenile offenders;
- be informed of any proceeding when any post-conviction action is being considered, and be present at any post-conviction hearing involving a post-conviction release decision;
- a reasonable disposition and prompt and final conclusion of the case;
- have all rules governing criminal procedure and admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

Nothing in this section creates a civil cause of action on behalf of any person against any public employee, public agency, the State, or any agency responsible for the enforcement of rights and provision of services contained in this section. The rights created in this section may be subject to a writ of mandamus, to be issued by any justice of the Supreme Court or circuit court judge to require compliance by any public employee, public agency, the State, or any agency responsible for the enforcement of the rights and provisions of these services contained in this section, and a willful failure to comply with a writ of mandamus is punishable as contempt.

## **XV. CONCURRENT LAW ENFORCEMENT AND ADMINISTRATIVE TITLE IX INVESTIGATIONS**

This shall serve as notice that the School of Law fully supports a complainant's desire to pursue separate law enforcement action on a complaint of sexual misconduct which also is determined by the City of Charleston Police to be a violation of South Carolina State Law. If the Charleston Police Department is investigating such a complaint, the Title IX or Deputy Title IX Coordinator will cooperate fully with the local police; however, no mutual aid agreement currently exists to share information between the local police and the School of Law in a formalized manner.

To contact the City of Charleston Police Department directly, dial 9-1-1 or 843-577-7434 from any telephone or in person at 80 Broad Street Charleston, SC 29401-0304. It is important to note that Title IX does not allow the School of Law to wait for the completion of a criminal investigation to undertake its' responsibilities with regard to stopping sex-based harassment/discrimination, preventing its' recurrence and addressing its effects. Consequently, if law enforcement is investigating, the CSOL will yield to police for up to 10 days to allow law

enforcement to conduct preliminary fact-finding into the matter. After that timeframe, the School of Law must proceed with its own fact finding into the matter. The School of Law will not share a student's FERPA protected information with law enforcement without due process (i.e., subpoena, search warrant, bench order, etc. must be presented for the School of Law to release this information unless a health or safety exception exists that would permit such a release.)

## **XVI. EDUCATION AND PREVENTION PROGRAMS**

The School of Law engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking
- Defines what behavior and actions constitute consent to sexual activity in the State of South Carolina
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander
- Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks
- Provides an overview of information contained in the Annual Security Report and in this Sexual Misconduct Policy in compliance with the Clery Act.

The School of Law has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the spring and fall faculty orientation program; presenting programs throughout the year.

## **XVII. HOW TO CONTACT THE DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS**

To file a complaint directly with the U.S. Department of Education's Office for Civil Rights, use the following contact information.

U.S. Department of Education  
Office for Civil Rights

Lyndon Baines Johnson Department of Education Bldg.  
 400 Maryland Avenue, SW  
 Washington, DC 20202-1100

Telephone: 800.421.3481  
 FAX: 202.453.6012; TDD: 800.877.8339  
 Email: [OCR@ed.gov](mailto:OCR@ed.gov)

**Appendix A:**

**RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE,  
 SEXUAL ASSAULT & STALKING**

**On-Campus**

<b>Name</b>	<b>Address</b>	<b>Telephone &amp; Email</b>
Title IX Coordinator & Director of Human Resources, <i>Shera Silvis</i>	392 Meeting Street, Second Floor	8 4 3 . 3 7 7 . 4 9 0 4 <a href="mailto:ssilvis@charlestonlaw.edu">ssilvis@charlestonlaw.edu</a>
Deputy Title IX Coordinator & Associate Dean for Academic Affairs, <i>Margaret Lawton</i>	385 Meeting Street, Third Floor	843.377.2423 <a href="mailto:mlawton@charlestonlaw.edu">mlawton@charlestonlaw.edu</a>
Campus Security	394 Meeting Street, First Floor	843.377.4911 <a href="mailto:csolsecurity@charlestonlaw.edu">csolsecurity@charlestonlaw.edu</a>
Financial Aid Assistance, Office of Financial Aid, Anita Elliott	394 Meeting Street, First Floor	843.377.4901 <a href="mailto:aelliott@charlestonlaw.edu">aelliott@charlestonlaw.edu</a>

**CSOL has no on campus health, mental health, counseling, victim advocacy, legal assistance or visa/immigration assistance available. These resources must be obtained from the City of Charleston or the State of South Carolina. See “In the City” below for these resources.**

**In the City Area**

<b><u>Local Police</u></b>	<b><u>911</u></b>
<b><u>Hospital</u></b>	<p><b>Bon Secours St. Francis Hospital (West Ashley)</b>            2095 Henry Tecklenburg Drive            Charleston, SC 29414            843.402.1000</p> <p><b>East Cooper Regional Medical Center</b>            2000 Hospital Dr,            Mt Pleasant, SC 29464            843.881.0100</p> <p><b>Medical University of South Carolina (Forensic Collection available)</b>             171 Ashley Avenue            Charleston SC 29425            843.792.2300</p> <p><b>Roper/St. Francis Hospital</b>            316 Calhoun St.,            Charleston, SC 29401            843.724.2000</p> <p><b>Trident Medical Center</b>            9330 Medical Plaza Dr            North Charleston, SC 29406            843.797.7000</p> <p><b>Trident Summerville Medical Center</b>            295 Midland Pkwy            Summerville, SC 29485            843.832.5000</p>



<p><b><u>Mental Health</u></b></p>	<p><b>Charleston and Dorchester Community Mental Health</b>  843.852.4100  843.414.2350 (emergencies)  <a href="http://www.cdcmh.org">www.cdcmh.org</a></p> <p><b>Berkeley Community Mental Health</b>  843.761.8282  <a href="http://www.bcmhc.org">www.bcmhc.org</a></p>
<p><b><u>Victim Advocacy</u></b></p>	<p><b>Victim Services Unit</b>  843.856.2189  100 Ann Edwards Lane  Mt. Pleasant, SC 29464</p>
<p><b><u>Legal Assistance</u></b></p>	<p>Downtown Location: 843.853.6456  North Charleston Location: 843.720.7044</p>
<p><b><u>Visa &amp; Immigration Assistance</u></b></p>	<p><b>USCIS Local Office</b>  1821 Sam Rittenberg Boulevard  Charleston, SC 29407  <a href="http://www.us-immigration.com/uscis.html">www.us-immigration.com/uscis.html</a></p>
<p><b><u>Battered Women’s Shelter</u></b></p>	<p><b>My Sister’s House</b>  843.744.3242  <a href="http://mysistershouse.org/">http://mysistershouse.org/</a></p> <p><b>Center for Women</b>  843.763.7333  <a href="http://www.c4women.org/">http://www.c4women.org/</a></p>
<p><b><u>Rape Crisis Center</u></b></p>	<p><b>People Against Rape (PAR)</b>  843.745.0144  198 Rutledge Avenue  Charleston, SC 29403  <a href="http://www.peopleagainstrape.org/">http://www.peopleagainstrape.org/</a></p>
<p><b><u>LGBTQ Alliance</u></b></p>	<p><b>Alliance for Full Acceptance (AFFA)</b>  843.883.0343  3623 Old Charleston Road  Johns Island, SC 29455  <a href="http://affa-sc.org/">http://affa-sc.org/</a></p>
<p><b><u>Magistrate</u></b></p>	<p><b>Charleston County Magistrate</b>  843.795.1140  615 Riverland Drive  Charleston, SC 29412</p>

<b><u>Local County Courthouse</u></b>	<b>Charleston County Courthouse</b> 843.958.5000 100 Broad Street, Suite 106 Charleston, South Carolina 29401-2258
---------------------------------------	---

# **ADDENDUM 1**

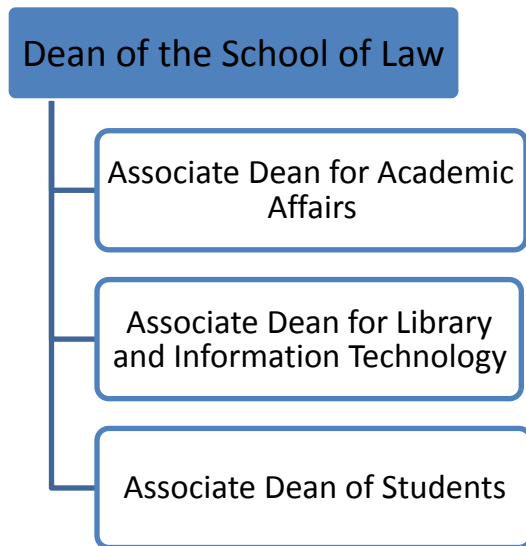
## Student Emergency Preparedness Plan

The Emergency Preparedness Plan identifies a series of recommended steps and measures designed to protect the students, Faculty and staff of the Charleston School of Law. Depending on the severity of the emergency, these recommended procedures are subject to change at any time.

### DECISION-MAKING IN CASES OF EMERGENCY

#### **Chain of Command**

Once the Charleston School of Law receives notice of a severe weather advisory or of any pending emergency situation potentially impacting the health and safety of the School, the Dean or, if unavailable, the next available Associate Dean will be immediately notified. In the event of any emergency, the decisions regarding the status of the School of Law will be made according to the following decision tree:



### COMMUNICATION

#### **Notifications**

Emergency notifications and school closures are disseminated through the following internal and external communication channels:

- **e2Campus Text Alerts.** Urgent notifications sent via text message to Faculty, staff and student cell phones will appear from “CSOL Alert.” To opt-in for this service visit [www.e2campus.com/my/charlestonlaw/](http://www.e2campus.com/my/charlestonlaw/).

- **Website.** Visit <http://www.charlestonlaw.edu> for updates.
- **Emergency Hotline.** Emergency or weather-related information will be recorded on the voicemail of the School’s Hotline, 866.599.4299.
- **Email Notifications.** An email with further instructions will be issued to the internal community via the “CSOL Alert” distribution list.
- **Social Media.** The official Charleston School of Law [Facebook](#) and [Twitter](#) pages will publish emergency information via status updates.
- **TWEN.** Information will be posted on School of Law community accounts under the “Announcements from Administration” folder.
- **Message Boards.** Internal message boards will alert students in the event of an emergency.
- **News Media.** Check local news outlets for updates on closures and delays.

These emergency notifications and updates will be drafted and published by a member of the Emergency Preparedness Team.

### **External Communications**

The School of Law’s Public Relations Consultant, Andy Brack, will act as spokesperson and serve as liaison between the School of Law and media in the event of an emergency.

### **ANNUAL REVIEW AND TEST OF RESPONSE SYSTEMS**

The emergency notification systems, emergency response and evacuation plans shall be reviewed on a recurring basis and at least once annually. The Maintenance Supervisor and Fire Marshal test the alarm systems annually. Additionally, the Director of Security will review the names of floor captains regularly to ensure proper coverage for all facilities.

### **CHARLESTON SCHOOL OF LAW CLOSURE**

The Dean of the School of Law will call for a closure when necessary. He will instruct all students, faculty and staff to secure their work areas if safety is not an issue. This includes but is not limited to the following: unplugging all equipment, moving all equipment to a higher ground if flooding is a concern and covering all furniture, books and computers. Upon completion of these tasks, the staff and Faculty will be asked to leave.

Once the School of Law is closed, the Dean will instruct students and non-emergency personnel to leave the School of Law and seek shelter outside of the Charleston area. The Charleston School of Law is not to be used as an emergency shelter.

### **STUDENT EVACUATION**

If an emergency alert is declared and the Dean of the School of Law issues a mandate for the closure of the School, students may be advised to leave the campus and seek shelter inland. **The**

first priority is student safety. Students are responsible for their own travel and lodging arrangements in the event of inclement weather conditions and evacuations. Campus buildings will be closed.

## **REMOTE CLASSROOMS, RESEARCH AND TECHNOLOGY SUPPORT**

If the Charleston School of Law must physically close its facilities for an extended period of time due to an emergency, classes will continue remotely. Faculty will record the class lectures using Audacity and then upload their lecture to Classcasters. The Associate Dean for Library and Information Technology will provide training to the Faculty. Librarians and IT staff will establish hours and an off-site phone line and email address for IT and research support. School of Law patrons will be able to access primary sources of American law as well as secondary sources electronically. Other materials can also be obtained by the library in electronic format and submitted as requested.

## **FLOOR CAPTAINS**

Floor Captains utilize the “last person out” procedure. This means that they ensure everyone is out of each room, and off of each floor prior to their departure of the floor and building.

## **TYPES OF EMERGENCIES**

### **I. SEVERE STORMS AND HURRICANES**

#### **A. Before the Storm**

Understanding the differences between a weather watch and a weather warning is important for being prepared for severe weather conditions. The terms below are defined by the [National Hurricane Center](#):

- **Tropical Storm Watch**
- **Hurricane Watch**

***\*\*Watches are issued 48 hours in advance of the anticipated onset of tropical-storm-force winds.***

- **Tropical Storm Warning**
- **Hurricane Warning**

***\*\*Warnings are issued 36 hours in advance of the anticipated onset of tropical-storm-force winds.***

The Charleston School of Law will operate under four modes of preparation: ***Preparation, Threat, Watch and Warning***. The School of Law Community will be kept apprised of any important information or potential closings via the aforementioned communication channels.

## **B. After the Storm**

The timeline to return to campus and/or reopen after a weather emergency will vary depending on the severity of the storm damage sustained. The Dean will determine and direct all recovery actions to include when the School of Law will reopen. Normal campus activities will resume once it is safe.

### **1. Students After the Storm**

In the event of a School of Law closure, the following procedures will be used to disseminate information to students after the storm. Students should check all available communication channels and visit the School of Law's website so that they will be aware of all decisions regarding continued closings, projected openings and other pertinent information.

The Charleston School of Law will contact students via the emergency contact information provided on CSOL Access.

### **2. Employees After the Storm**

In the event of a School of Law closure, the following procedures will be used to reach employees after the Storm:

- Employees will be required to check in with their immediate supervisor following the storm via telephone.
- If an employee is unable to reach their supervisor, he/she should check all available communication channels and visit the School of Law's website so that they will be aware of all decisions regarding continued closings, projected openings and other pertinent information.
- The Charleston School of Law may try to contact employees via email should systems allow them to do so.
- Employees will be required to return to work at the direction of the Dean of the School of Law. During the recovery period, employees may be asked to perform duties that are not included in their normal job descriptions.

## **C. Resources**

To track the storm or find preparedness checklists and information please visit the following websites:

1. National Weather Service <http://www.weather.gov>
2. National Hurricane Center <http://www.nhc.noaa.gov/>
3. FEMA <http://www.fema.gov/hazard/hurricane/index.shtm>
4. Basic Disaster Supplies Kit <http://www.ready.gov/basic-disaster-supplies-kit>
5. National Hurricane Center <http://www.nhc.noaa.gov/prepare/ready.php>

## **II. TORNADO**

During a tornado warning:

1. All School of Law students and personnel should disconnect electrical equipment and appliances.
2. Seek shelter in the lowest level of the building. Interior hallways or rooms are preferable, away from windows.
3. Take a flashlight, if available.
4. Assume a seated position on the floor with your head down and hands locked over your head. Stay close to the floor to avoid flying objects.

After the tornado has passed, evaluate the situation and if emergency help is necessary, contact School of Law Security at 4911, 843.377.4911, or call 911. Be aware at all times of the dangerous structural conditions around you.

### **III. WINTER WEATHER**

In the event of inclement winter weather, the Dean will determine and direct all actions regarding closures.

1. The Dean or his designee will coordinate internal communications for the Charleston School of Law community regarding the potential for hazardous conditions and remind everyone to monitor the communication channels for more information.
2. All employees will take laptops offsite. Non-laptop users need to take copies of any critical data files with them.
3. Department heads and their staff members will secure all office equipment and furniture.
4. All students and non-essential personnel will evacuate.
5. Students, faculty and staff should check all available communication channels and visit the School of Law's website so that they will be aware of all decisions regarding continued closings, projected openings and other pertinent information.

### **IV. FLASH FLOOD**

Should a flood emergency occur, the Dean will determine and direct all actions regarding closures.

1. All students and employees should check the communication channels for important information and possible closures.
2. The Dean or his designee will coordinate internal communications for the Charleston School of Law community regarding the potential for hazardous weather conditions and remind everyone to monitor the communication channels for more information.



3. All employees will take laptops offsite. Non-laptop users need to take copies of any critical data files with them.
4. Department heads and their staff members will secure all office equipment and furniture.
5. All students and non-essential personnel will evacuate.
6. Students, faculty and staff should check all available communication channels and visit the School of Law's website so that they will be aware of all decisions regarding continued closings, projected openings and other pertinent information.

## **V. EARTHQUAKES**

Earthquakes occur without warning, therefore it is important to take steps now to prepare, so that one knows how to respond.

1. If indoors, seek refuge in a doorway or under a desk or table. Stay away from glass windows, shelves and heavy equipment. Exit the building only after the shaking has stopped. Do not use the elevators.
2. After the initial shock, evaluate the situation and if emergency help is necessary, contact School of Law Security at 4911, 843.377.4911, or call 911. Protect yourself at all times and be prepared for aftershocks immediately afterwards.
3. Assist people, especially those with disabilities, to evacuate the building.
4. Once outside, move to a clear area away from buildings, utility poles, power lines or other structures.
5. After the earthquake is over, evaluate the situation and if emergency help is necessary, contact School of Law Security at 4911, 843.377.4911, or call 911. Be aware at all times of the dangerous structural conditions around you.

### **Resources:**

1. Ready.Gov <http://www.ready.gov/earthquakes>
2. The National Earthquake Hazards Reduction Program <http://www.fema.gov/hazards/earthquakes/nehrrp/>
3. U.S. Geological Survey <http://earthquake.usgs.gov/>

## **VI. FIRE**

**If signs of smoke, flames and fire are detected in the building, take the following actions:**

1. Pull the building fire alarm. The Charleston Fire Department has the primary responsibility of responding.
2. If a phone is available, dial 911 and give your location, name and reason you are calling.
3. Evacuate the building in a calm and orderly fashion, closing office and classroom doors as you exit.
4. Individuals should assist people who have disabilities to exit the building.
5. Once outside, walk quickly to designated evacuation areas. Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews.
6. Notify an emergency official if someone is believed to be inside the building.  
**DO NOT RE-ENTER THE BUILDING.**
7. No entry into the building will be permitted until the Fire Department declares the area safe.

**If there is a fire near you:**

1. Stay low to the floor and crawl out of the building as quickly as possible.
2. Cover your nose and mouth with a wet cloth
3. If you come to a door that is closed, use the palm of your hand and your forearm to feel the door. Touch the lower, middle and upper parts of the door. If it is not hot, lean against the door and open it slowly. If there is no fire, proceed. If a door is hot when you touch it, do not open it. Look for another way to get out.
4. Smoke and gas rise to the ceiling first. Stay below the smoke at all times.

**VII. HAZARDOUS MATERIAL INCIDENT**

A message will be sent through a communication channel if a hazardous material release (asbestos, chemical agents, chemical weapons or biological weapons, etc.) occurs outside or near the School. If conditions require an immediate evacuation from the building, directions will be sent. If conditions require everyone to remain inside the building you should:

1. Close and seal all exterior doors and windows.
2. Shut off any personal outside air system such as a window air conditioner.

3. Remain in the building until advised of further action by the School of Law, City of Charleston Police Department, Charleston Fire Department or HAZMAT personnel.

### **VIII. ACTIVE SHOOTER**

A message will be sent through a communication channel if an active shooter is on campus. In the event of a sniper or an active shooter, seek cover immediately. If you are able, exit the building. Wait for authorities to advise if and when it is safe to re-enter the building. If cover is not available, seek concealment. If conditions require everyone to remain inside the building you should:

1. Contact School of Law Security at 4911, 843.377.4911, or call 911.
2. Barricade the door and turn out the lights.
3. If outside, cover with material or objects that stop small arms fire. For example, concrete walls, brick fences, big trees, etc.
4. Conceal behind objects that obscure you from view. If a shooter cannot see you, they cannot hit you. For example, behind bushes, lying down inside a vehicle, etc.

### **IX. BOMB THREAT**

The information the caller gives provides the information needed to evaluate the threat. If an office receives a bomb threat, the recipient of the call should:

1. Remain calm. Do not hang up on the caller until all vital information is obtained. Listen and do not interrupt the caller, and try to get a person close by to call 911 and initiate a trace without alerting the caller. Respond in a matter-of-fact manner, asking the caller to repeat what he has said to you. Gather as much information as possible. Remember all details of the conversation.
2. Contact School of Law Security at 4911, 843.377.4911, or call 911.
3. DO NOT activate the fire alarm yourself. The device could be wired into the fire alarm. The decision to activate the alarm will be made by School of Law Security. The School of Law Security shift supervisor will contact the City of Charleston Police Department and School of Law administrators.
4. Officers at the bomb threat site will prepare the building for evacuation. Once the order to evacuate is given, evacuate immediately and take all of your belongings with you unless instructed otherwise. Floor Captains should ensure that everyone in their area has evacuated.
5. City of Charleston Police Department will conduct a building search for the bomb.
6. NO access to the building will be granted until the search has been completed, the suspicious package or device has been removed or deactivated and CCPD clears the building for reentry.



