

CHARLESTON

S C H O O L O F L A W

**2018 Annual
Campus Security
Report**

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Introduction

Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“*Clery Act*”)¹, 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

¹ *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 AlliedBarton security officers at (843) 377-4911. AlliedBarton 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.

- OmniAlert Text Alerts (you must register at <https://charlestonlaw.omnilert.net/subscriber.php>);
- 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.

System to Use	Primary Message Creator	Backup Message Creator	Authority For Approving & Sending Messages
PRIMARY			
Email and Omnilert	Director of Security	Associate Dean of Students, Director of IT	Dean, Associate Dean of Students, Director of IT
SECONDARY			
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
 385 Meeting Street, 2nd Floor
 Tel: 843.377.4911

Dean of the School of Law
 Andy Abrams
 385 Meeting Street, 3rd Floor
 Tel: 843.377.2145

Associate Dean for Academic Affairs
 Margaret Lawton
 385 Meeting Street, 3rd Floor

Associate Dean of Students/
 Judicial Affairs Officer
 Brett Barker

Tel: 843.377.2423

385 Meeting Street, 2nd Floor

Tel: 843.377.2149

Assistant Dean of Career Services

Nick Sanders

385 Meeting Street, 2nd 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:

- Omnilert Text Alerts (you must register at <https://charlestonlaw.omnilert.net/subscriber.php>);
- 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;
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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
385 Meeting Street, 2nd Floor
Tel: 843.377.4911

Dean of the School of Law

Andy Abrams
385 Meeting Street, 3rd Floor
Tel: 843.377.2145

Associate Dean for Academic Affairs

Margaret Lawton
385 Meeting Street, 3rd Floor
Tel: 843.377.2423

Associate Dean of Students/

Judicial Affairs Officer
Brett Barker
385 Meeting Street, 2nd Floor
Tel: 843.377.2149

Assistant Dean of Career Services

Nick Sanders
385 Meeting Street, 2nd 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 3rd floor

Diane Rexroad

Sasha Mirabal

81 Mary 1st and 2nd floors

Katie Brown

Chris Cornell

385 Meeting 2nd floor

Nick Sanders

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/> 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 2nd Floor of 385 Meeting Street or by contacting the Student Affairs Department at (843) 329-1000.

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 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.

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. 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 security personnel may be referred to the City of Charleston police who have jurisdiction on the campus and the authority to make arrests. Security officials have arrest powers on School of Law property and will exercise them in cases, which may involve imminent harm. 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 the 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, AlliedBarton 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 Law 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. AlliedBarton 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. AlliedBarton 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)
[www.charlestoncounty.org/departments/
daodas](http://www.charlestoncounty.org/departments/daodas)

Narconon
800.775.8750
www.narconon.org

**National Drug and Alcohol Abuse
Helpline**
855.424.5433
www.drug-rehabs.org

**The National Alcohol & Drug Addiction
Treatment Information Center**
800.784.6776
www.addictioncareoptions.com

**National Drug Information Treatment
and Referral Hotline**
800.662.HELP (4357)
www.samhsa.gov/treatment/index.aspx

**South Carolina Vocational
Rehabilitation Office**
800.832.7526
www.scvrd.net/i_substance.html

United Way Hotline
1.866.887.3331
www.211us.org

Suicide Prevention Hotline
800.273.TALK (8255)
www.suicidepreventionlifeline.org

**Carolina Region of Narcotics
Anonymous**

843.852.3001

www.crna.org

**South Carolina Al-Anon Family Groups
Information Service**

843.762.6999

www.al-anon-sc.org

**Charleston and Dorchester Community
Mental Health**

843.852.4100

843.414.2350 (emergencies)

www.cdcmhc.org

Berkeley Community Mental Health

843.761.8282

www.bcmhc.org

Depression & Bipolar Support Alliance

800.826.3632

www.dbsalliance.org

Mobile Crisis

843.414.2350

Poison Control Center

800. 222.1222

www.aapcc.org

Coastal Crisis Chaplaincy

843.724.1212

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, 2nd 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 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.

The School of Law will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

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

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.scsolitor9.org/victim.htm

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

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

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

www.mysistershouse.org

My Sister's House
843.744.3242 or 1.800.273.HOPE

Center for Women
843.763.7333
www.c4women.org

Charleston School of Law

Andy Abrams, Dean	843.377.2145
Brett Barker, 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, 2nd 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 2015-2017

Offense	On Campus			Residential Facilities	NonCampus Facilities ²	Public Property		
	2015	2016	2017			2015	2016	2017
Murder/Non-negligent Manslaughter	0	0	0	n/a	n/a	0	0	0
Negligent Manslaughter	0	0	0	n/a	n/a	0	0	0
Sex Offenses, Forcible	0	1	1	n/a	n/a	2	5	2
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	1
Burglary	1	6	0	n/a	n/a	1	4	3
Motor Vehicle Theft	0	0	1	n/a	n/a	4	1	9
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 2015-2017 (cont.)

Offense	On Campus			Residential Halls	Non-Campus Facilities	Public Property		
	2015	2016	2017			2015	2016	2017
Liquor Law Arrests	0	0	0	n/a	n/a	1	7	1
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	9	6	10
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	1
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	n/a	n/a	0	0	0
Hate Offenses	0	0	0	n/a	n/a	0	0	0
Total	1	7	2	n/a	n/a	18	25	27

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.

Information Contained Within This Policy

- I. DISCRIMINATION**
- II. COORDINATION WITH THE ANTI-HARASSMENT AND NON DISCRIMINATION POLICY AND FULL-TIME FACULTY HANDBOOK**
- III. SEXUAL MISCONDUCT**
- IV. DEFINITIONS**
- V. SOUTH CAROLINA CRIMINAL STATUTES**
- VI. HOW TO REPORT A VIOLATION OF SEXUAL MISCONDUCT**
- VII. RETALIATION**
- VIII. POLICY ON CONSENSUAL RELATIONS BETWEEN FACULTY AND STUDENTS AND EMPLOYEES AND SUBORDINATES**
- IX. INSTITUTIONAL PROCEDURES TO BE TAKEN WHEN REPORT MADE**
- X. ONCE A COMPLAINT IS RECEIVED REGARDING VIOLATION OF THE SEXUAL MISCONDUCT POLICY BY A STUDENT**
- XI. WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED**
- XII. HOW TO BE AN ACTIVE BYSTANDER**
- XIII. RISK REDUCTION**
- XIV. SEX OFFENDER REGISTRATION**
- XV. SECURITY**
- XVI. SOUTH CAROLINA VICTIM'S RIGHTS INFORMATION**
- XVII. CONCURRENT LAW ENFORCEMENT AND ADMINISTRATIVE TITLE IX INVESTIGATIONS**
- XVIII. EDUCATION & PREVENTION PROGRAMS**
- XIX. RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT & STALKING**
- XX. HOW TO CONTACT THE DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS**

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 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. This policy includes the procedures utilized in a grievance process in compliance with guidance from the Department of Education's Office of Civil Rights. 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 adjudication of student misconduct complaints. All other complaints of student misconduct will follow the procedures outlined in the Law Student Handbook's Code of Conduct. Faculty and Staff who are accused of sexual misconduct have separate procedures as outlined in their respective handbooks. All complainants, regardless of their status as students, faculty or staff, will be informed of the outcome of the complaint (to include the sanction or employee action

taken as a result of a finding of responsibility under this policy) and will be afforded the opportunity to appeal, as outlined in this policy.

III. SEXUAL MISCONDUCT

As a recipient of federal funds, the School of Law is required to comply with Title IX of the Higher 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 (March 12, 2014) 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.

It is the policy of the School of Law that no member of the institution may engage in sexual misconduct; any form of sexual misconduct is prohibited.

Sexual Misconduct includes the following:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Non-Consensual Sexual Intercourse (or attempts to commit same); Sexual Assault
4. Sexual Exploitation
5. Stalking
6. Dating Violence
7. Domestic Violence

1. Sexual Harassment

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

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic evaluation;
2. Submission to or rejection of such conduct by an individual is used as a factor in employment or academic decisions affecting the individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual’s academic or professional performance or creating an intimidating, hostile, offensive or demeaning employment or educational environment.

Sexual harassment includes a variety of behaviors, spoken or unspoken, that create a hostile environment. It includes acts like some of the following if unwelcome:

- Whistling or making cat calls at someone;
- Making sexual comments about a person’s clothing or body;

- Turning work or class discussions to sexual topics;
- Repeatedly “asking out” a person who is not interested;
- Giving personal gifts of a sexual nature;
- Looking down someone’s blouse or touching their clothes or hair;
- Displaying sexually suggestive visuals in workspaces, like calendars, screen savers, jokes, or on bulletin boards.

2. **Non-Consensual Sexual Contact**

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, 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.

3. **Non-Consensual Sexual Intercourse**

Non-Consensual Sexual Intercourse means vaginal or anal penetration by a penis or object, no matter how slight, or mouth to genital contact that is unwanted. Some people refer to this behavior as “sexual assault. “The term “sexual assault” means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

4. **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 sexual acts without the consent of the other party;
- Sexually based stalking;
- Exposing of the genitals in non-consensual circumstances;
- Knowingly transmitting HIV or a sexually transmitted infection (STI) to another person.

5. **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.

Examples of stalking include:

- Repeated, unwanted, and/or intrusive communications from the offender via telephone, text, email or in-person;
- Following or lying in wait for a person at home, school, work, etc.
- Posting information or spreading rumors about a person on the internet, 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.

6. 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, injure, or frighten, if committed by someone in a romantic or intimate relationship.

7. Domestic Violence/Intimate Partner Violence (IPV)

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

IV. DEFINITIONS

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. Use of drugs or alcohol does not relieve the accused person of responsibility for sexual misconduct.

V. SOUTH CAROLINA CRIMINAL STATUTES

The South Carolina criminal statutes also define sexual assault, domestic violence, and stalking. South Carolina criminal law does not define dating violence or consent at this time.

Sexual Assault

SECTION 16-3-651. Criminal sexual conduct: definitions.

For the purposes of Sections 16-3-651 to 16-3-659.1:

- (a) "Actor" means a person accused of criminal sexual conduct.
- (b) "Aggravated coercion" means that the actor threatens to use force or violence of a high and aggravated nature to overcome the victim or another person, if the victim reasonably believes that the actor has the present ability to carry out the threat, or threatens to retaliate in the future by the infliction of physical

harm, kidnapping or extortion, under circumstances of aggravation, against the victim or any other person.

(c) "Aggravated force" means that the actor uses physical force or physical violence of a high and aggravated nature to overcome the victim or includes the threat of the use of a deadly weapon.

(d) "Intimate parts" includes the primary genital area, anus, groin, inner thighs, or buttocks of a male or female human being and the breasts of a female human being.

(e) "Mentally defective" means that a person suffers from a mental disease or defect which renders the person temporarily or permanently incapable of appraising the nature of his or her conduct.

(f) "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his or her conduct whether this condition is produced by illness, defect, the influence of a substance or from some other cause.

(g) "Physically helpless" means that a person is unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.

(h) "Sexual battery" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, except when such intrusion is accomplished for medically recognized treatment or diagnostic purposes.

(i) "Victim" means the person alleging to have been subjected to criminal sexual conduct.

SECTION 16-3-652. Criminal sexual conduct in the first degree.

(1) A person is guilty of criminal sexual conduct in the first degree if the actor engages in sexual battery with the victim and if any one or more of the following circumstances are proven:

(a) The actor uses aggravated force to accomplish sexual battery.

(b) The victim submits to sexual battery by the actor under circumstances where the victim is also the victim of forcible confinement, kidnapping, trafficking in persons, robbery, extortion, burglary, housebreaking, or any other similar offense or act.

(c) The actor causes the victim, without the victim's consent, to become mentally incapacitated or physically helpless by administering, distributing, dispensing, delivering, or causing to be administered, distributed, dispensed, or delivered a controlled substance, a controlled substance analogue, or any intoxicating substance.

(2) Criminal sexual conduct in the first degree is a felony punishable by imprisonment for not more than thirty years, according to the discretion of the court.

SECTION 16-3-653. Criminal sexual conduct in the second degree.

(1) A person is guilty of criminal sexual conduct in the second degree if the actor uses aggravated coercion to accomplish sexual battery.

(2) Criminal sexual conduct in the second degree is a felony punishable by imprisonment for not more than twenty years according to the discretion of the court.

SECTION 16-3-654. Criminal sexual conduct in the third degree.

(1) A person is guilty of criminal sexual conduct in the third degree if the actor engages in sexual battery with the victim and if any one or more of the following circumstances are proven:

(a) The actor uses force or coercion to accomplish the sexual battery in the absence of aggravating circumstances.

(b) The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless and aggravated force or aggravated coercion was not used to accomplish sexual battery.

(2) Criminal sexual conduct in the third degree is a felony punishable by imprisonment for not more than ten years, according to the discretion of the court.

SECTION 16-3-655. Criminal sexual conduct with a minor; aggravating and mitigating circumstances; penalties; repeat offenders.

(A) A person is guilty of criminal sexual conduct with a minor in the first degree if:

(1) the actor engages in sexual battery with a victim who is less than eleven years of age; or

(2) the actor engages in sexual battery with a victim who is less than sixteen years of age and the actor has previously been convicted of, pled guilty or nolo contendere to, or adjudicated delinquent for an offense listed in Section 23-3-430(C) or has been ordered to be included in the sex offender registry pursuant to Section 23-3-430(D).

(B) A person is guilty of criminal sexual conduct with a minor in the second degree if:

(1) the actor engages in sexual battery with a victim who is fourteen years of age or less but who is at least eleven years of age; or

(2) the actor engages in sexual battery with a victim who is at least fourteen years of age but who is less than sixteen years of age and the actor is in a position of familial, custodial, or official authority to coerce the victim to submit or is older than the victim. However, a person may not be convicted of a violation of the provisions of this item if he is eighteen years of age or less when he engages in consensual sexual conduct with another person who is at least fourteen years of age.

(C) A person is guilty of criminal sexual conduct with a minor in the third degree if the actor is over fourteen years of age and the actor willfully and lewdly commits or attempts to commit a lewd or lascivious act upon or with the body, or its parts, of a child under sixteen years of age, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of the actor or the child. However, a person may not be convicted of a violation of the provisions of this subsection if the person is eighteen years of age or less when the person engages in consensual lewd or lascivious conduct with another person who is at least fourteen years of age.

Domestic Violence

SECTION 162510. "Household member" defined.

As used in this article, "household member" means:

- (1) a spouse;
- (2) a former spouse;
- (3) persons who have a child in common; or

(4) a male and female who are cohabiting or formerly have cohabited.

SECTION 162520. Acts prohibited; penalties; criminal domestic violence conviction in another state as prior offense.

(A) It is unlawful to:

(1) cause physical harm or injury to a person's own household member; or

(2) offer or attempt to cause physical harm or injury to a person's own household member with apparent present ability under circumstances reasonably creating fear of imminent peril.

Stalking

S.C. Code Ann. § 16-3-1730 . Penalties for conviction of stalking. (2006)

(A) A person who engages in stalking is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, imprisoned not more than five years, or both.

(B) A person who engages in stalking when an injunction or restraining order is in effect prohibiting this conduct is guilty of a felony and, upon conviction, must be fined not more than seven thousand dollars, imprisoned not more than ten years, or both.

(C) A person who engages in stalking and who has a prior conviction of harassment or stalking within the preceding ten years is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars, imprisoned not more than fifteen years, or both.

VI. HOW TO REPORT A VIOLATION 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.

If the person causing the sexual misconduct is a:

Student, staff member, vendor or other third party: Report to Shera Silvis, Human Resources, 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.

Name	Address	Telephone & Email
Title IX Coordinator & Director of Human Resources, <i>Shera Silvis</i>	394 Meeting Street, Second Floor	843.377.4904 ssilvis@charlestonlaw.edu
Deputy Title IX Coordinator & Associate Dean for Academic Affairs, <i>Margaret Lawton</i>	385 Meeting Street, Third Floor	843.377.2423 mLawton@charlestonlaw.edu
Campus Security, <i>Donielle Haynes</i>	392 Meeting Street, First Floor	843.377.4911 dhaynes@charlestonlaw.edu

(City of) Charleston Police Department	180 Lockwood Blvd. Charleston, SC 29403	9.1.1 or 843.577.7434
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Also, for purposes of this policy, the School of Law has designated all faculty members, administrative staff in the Associate Dean of Students’ Office and members of Campus Security as “responsible employees.” A “responsible employee” is someone a student believes has authority to stop the harassment. Consequently, if a faculty member or public safety officer learns of a possible violation of this policy then he/she has a duty to report the information to the Title IX Coordinator. 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 your complaint as private as possible only sharing information with those offices that have a need to know. Confidentiality cannot be promised.

1. 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.

2. 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 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.

3. INSTITUTIONAL PROCEDURES TO BE TAKEN WHEN REPORT MADE

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the School of Law, the below are the procedures that the institution will follow as well as a statement of the standard of evidence that will be used during any judicial process on campus arising from such a report:

Incident Being Reported:	Procedure CSOL Will Follow:	Evidentiary Standard
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<p>Sexual Assault, Stalking, Domestic or Dating Violence</p>	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care. 2. Institution will assess immediate safety needs of complainant. 3. Institution will assist complainant with contacting local police if complainant requests AND complainant provides contact information for local police department; police will be contacted for reports concerning those under the age of 18 (mandatory report). 4. Institution will provide complainant (and accused, if CSOL member) with referrals to off campus mental health providers. 5. Institution will assess need to implement interim or long-term protective measures, such as change in class schedule, work, and/or “No Contact” directive between both parties 6. Institution will provide a “No trespass” directive to accused party if deemed appropriate. 7. Institution will provide written instructions on how to apply for Protective Order. 8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and accused party (if member of CSOL) and inform the parties regarding timeframes for inquiry, investigation and resolution. 9. Institution will inform the complainant and respondent of the outcome of the investigation, whether or not the accused will be administratively charged and what the final outcome is. 10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation. 11. The institution will inform students and employees, in writing, about their rights and 	<p>Sexual assault, domestic violence, stalking and dating violence cases are decided using the <i>preponderance of the evidence</i> standard.</p>
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A. Procedure for Reporting Complaints of Staff Misconduct

The School of Law will investigate all reports of sexual misconduct promptly and fairly separate and apart from any other report a complainant chooses to make. The complainant (the person making the complaint) who requests anonymity or confidentiality should be aware that the School of Law may not be able to honor that request in all cases. The School of Law is required by Title IX and its own policies to maintain the safety and security of the campus community. In some instances, the School of Law may have to move forward over the objection of the complainant if the facts warrant. In every case, the privacy of the complainant will be preserved to the maximum extent possible.

Complaints alleging that a staff member or non-student (third party, vendor, or contract employee) violated this policy shall be reported to the Director of Human Resources and Deputy Title IX Coordinator, Shera Silvis. The Director of Human Resources will assess the complaint and if an investigation is warranted one will be conducted.

The complainant and the accused party (if a member of the CSOL) will be counseled on resources available to persons who have experienced sexual misconduct in any form. A list of some of those resources both at the School of Law and in the wider Charleston community appear in the Law Student Handbook on the School of Law’s website at www.charlestonlaw.edu.

The School of Law’s Anti-Harassment and Non-Discrimination Policy and Procedures will be utilized for Staff misconduct.

B. Procedure for Reporting Complaints of Faculty Misconduct

The School of Law will investigate all reports of sexual misconduct promptly and fairly separate and apart from any other report a complainant chooses to make. The complainant (the person making the complaint) who requests anonymity or confidentiality should be aware that the School of Law may not be able to honor that request in all cases. The School of Law is required by Title IX and its own policies to maintain the safety and security of the campus community. In some instances, the School of Law may have to move forward over the objection of the complainant if the facts warrant. In every case, the privacy of the complainant will be preserved to the maximum extent possible.

Complaints alleging that a faculty member violated this policy shall be reported to the Associate Dean for Academic Affairs and Deputy Title IX Coordinator, Margaret Lawton. The Deputy Title IX Coordinator will assess the complaint and if an investigation is warranted one will be conducted.

The complainant will be counseled on resources available to persons who have experienced sexual misconduct in any form. A list of some of those resources both at the School of Law and in the wider Charleston community appear in the Law Student Handbook on the School of Law’s website at www.charlestonlaw.edu.

C. Procedure for Reporting Complaints of Student Misconduct

Complaints alleging that a student violated this policy shall be reported to Title IX Coordinator & Director of Human Resources, Shera Silvis.

The School of Law will investigate all reports of sexual misconduct promptly and fairly separate and apart from any other report a complainant chooses to make. The complainant (the person making the complaint) who requests anonymity or confidentiality should be aware that the

School of Law may not be able to honor that request in all cases. The School of Law is required by Title IX and its own policies to maintain the safety and security of the campus community and in some instances may have to move forward over the objection of the complainant if the facts warrant. In every case, the privacy of the complainant will be preserved to the maximum extent possible.

D. Other Procedures

Prior to the full investigation and/or hearing on the matter, the School of Law may impose interim measures to ensure the safety of the complainant or the community, to include:

- Temporary removal of the accused from campus
- Immediate suspension and barring of the accused from campus in some cases
- Issuing a “No Contact” directive to the parties pending the outcome of the investigation
- Emotional support and access to counseling services to one or both parties
- Medical referrals
- Access to legal assistance and victim advocacy

The complainant will be counseled on resources available to persons who have experienced sexual misconduct in any form. A list of some of those resources both at the School of Law and in the wider Charleston community appear in the Law Student Handbook on the School of Law’s website at www.charlestonlaw.edu. After a finding of responsibility, the School of Law has the right to permanently remove the accused party from campus and issue a “No Contact” directive between the parties as a permanent measure.

4. ONCE A COMPLAINT IS RECEIVED REGARDING VIOLATION OF THE SEXUAL MISCONDUCT POLICY BY A STUDENT

Promptly following the receipt of a report, the Title IX Coordinator will assess the complaint to determine if there is a possible violation of this policy and will request information from the complainant, to include a statement and list of witnesses, if any. If the Title IX Coordinator determines that there is sufficient information available to commence an investigation, then the case will be assigned to at least one investigator. This investigator will be randomly chosen from an existing pool.

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 by a student 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 educational mission of the Charleston School of Law. Employees who directly observe sexual harassment shall attempt to immediately stop the harassment occurring in their presence.

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 but the supplier of the anonymous report should be mindful that failure to disclose 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.

The Investigation and Resolution Process

Upon notice of a potential discrimination or harassment situation, the School of Law will conduct a prompt, fair, and impartial investigation and resolution. These processes will be conducted by trained School of Law staff members familiar with federal law, regulatory guidance and administrative procedures who receive annual training on sexual assault, domestic violence, stalking, and dating violence and how to conduct an investigation and grievance process that protects the safety of victims and promotes accountability.

The investigation will typically include interviewing all involved parties (accused, complainant, witnesses) and the collecting of any documentation or evidence relevant to the allegation. Upon completion of the investigation, a report will be issued to the complainant and the accused individual. Both individuals will have an opportunity to respond to the report in writing to the designated Deputy Title IX Coordinator. The report and the respective responses will be reviewed by the designated Deputy Title IX Coordinator who will make the final determination and determine an appropriate resolution. 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 to have a finding of responsibility.

Typically, the investigation, resolution, and appeal will not exceed 60 days, however, the School of Law reserves the right to take longer than 60 days in order to conduct a thorough investigation. Upon receipt of the investigation report, the complainant and accused individual will have five business days to respond in writing to the identified Deputy Title IX Coordinator. Both individuals will be informed in writing and simultaneously of the final decision. The complainant will be notified of any sanctions/outcomes that are specific to the complainant (e.g., no contact, barred from a certain facility) to include those taken against a faculty or staff accused party. Both parties will have five business days from notification to appeal to the next level of authority: Dean Andy Abrams, whose decision will be final. The complainant and respondent will be informed in writing and simultaneously of Dean Abrams' decision. (If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.)

The complainant and the respondent each have the right to have an advisor of their choice, and at their expense, to accompany them to any interview, meeting or the like associated with this disciplinary proceeding. The parties have the right to have that advisor be an attorney. The advisor may confer with the party, however, the advisor is not permitted to ask questions nor will questions be directed to the advisor by the CSOL representative.

The School of Law protects the confidentiality of all complainants and witnesses and no complainants name will ever appear in a Campus Timely Warning or be released to the public. Offices will work together to ensure that the complainant's and witnesses' names are shared with legitimate School of Law investigations and disciplinary proceedings and not with persons who do not have a legitimate need to know.

For accused individuals who are students, the possible outcomes are:

- 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 other staff members, the possible outcomes range from a letter of reprimand to separation from the School of Law.

5. 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 Intercourse or Non-Consensual Sexual Contact. It may include, but not be limited to the following:

- unwanted touching;
- vaginal, anal or oral penetration, no matter how slight, to which you do not consent;
- rape; and
- attempted rape.

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 seventy-two (72) hours after an assault. 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.

Please remember that you 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 or work 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.

6. HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”² 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. Below is a list³ of some ways to be an active bystander. Further information regarding bystander intervention may be found by contacting Shera Silvis.

1. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.
2. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

² Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

³ Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

3. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
4. Speak up when someone discusses plans to take sexual advantage of another person.
5. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
6. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

7. RISK REDUCTION

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)

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.

8. **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/>.

9. **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.

10. 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.

11. 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.

XVIII. 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.

XIV. 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:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of South Carolina;
- d. 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;⁴
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The School of Law has developed an annual educational campaign⁵ 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.

The School of Law offers the following **primary prevention for all incoming students and incoming employees and on-going awareness programs for students and faculty**:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Faculty Staff Comprehensive Training	April 18, 2015	81 Mary Street	DoV, DaV, SA & S*
Law School Student Orientation	August 11, 2015	Room 333	DoV, DaV, SA & S*
New Employee Orientation	At hire	HR Department	DoV, DaV, SA & S*

⁴ The College of William and Mary and the Virginia Polytechnic Institute and State University (Va Tech) have implemented bystander intervention playbooks for students. See a sample here: <http://www.stopabuse.vt.edu/pdf/playbook.pdf>

⁵ Under the 2013 Reauthorization of the Violence Against Women Act, institutions must implement “primary prevention and awareness programs for **all incoming students and new employees**” AND “ongoing prevention and awareness campaigns **for students and faculty**” that include a-f above under section B. While “campaign” is yet to be defined, examples of “primary prevention programs” as they relate to incoming students may be found here: <http://www.ovw.usdoj.gov/docs/campus-minimum-standards-orientation.pdf>

Faculty Responsible Employee Training (Title IX)	August 18, 2015	81 Mary	DoV, DaV, SA & S*
Staff Meetings	Quarterly beginning August 2015	TBD	DoV, DaV, SA & S*
Student Brochure on Title IX	*Distributed at 1L Orientation (8/11/15) *Distributed at Upper Level Orientation (TBD) *Located in Departments on campus	Room 333 Room 333 Office of the Dean, Department of Student Affairs, Office of Admission, Office of Academic Affairs, Circulation Desk	DoV, DaV, SA & S*
Student Poster Campaign on Sexual Assault, Domestic Violence, Dating Violence and Stalking	In Progress	TBD	DoV, DaV, SA & S*
Bystander Intervention Training	Faculty: August 11, 2015 Students: August 11, 2015	Room 333	DoV, DaV, SA & S*

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

** Dates and locations are subject to change.

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

On-Campus

Name	Address	Telephone & Email
Title IX Coordinator & Director of Human Resources, <i>Shera Silvis</i>	394 Meeting Street, Second Floor	8 4 3 . 3 7 7 . 4 9 0 4 ssilvis@charlestonlaw.edu
Deputy Title IX Coordinator & Associate Dean for Academic Affairs, <i>Margaret Lawton</i>	385 Meeting Street, Third Floor	843.377.2423 mLawton@charlestonlaw.edu

Campus Security, <i>Donielle Haynes</i>	392 Meeting Street, First Floor	843.377.4911 jvarn@charlestonlaw.edu
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In the City Area

<u>Local Police</u>	<u>911</u>
<u>Hospital</u>	<p>Bon Secours St. Francis Hospital (West Ashley) 843.402.1000</p> <p>Charleston Memorial Hospital 843.792.1414</p> <p>East Cooper Regional Medical Center 843.881.0100</p> <p>Medical University of South Carolina 843.792.2300</p> <p>Roper/St. Francis Hospital 843.724.2000</p> <p>Trident Medical Center 843.797.7000</p> <p>Trident Summerville Medical Center 843.832.5000</p>
<u>Battered Women’s Shelter</u>	<p>My Sister’s House 843.744.3242 http://mysistershouse.org/</p> <p>Center for Women 843.763.7333 http://www.c4women.org/</p>
<u>Rape Crisis Center</u>	<p>People Against Rape (PAR) 843.745.0144 http://www.peopleagainstrape.org/</p>
<u>LGBTQ Alliance</u>	<p>Alliance for Full Acceptance (AFFA) 843.883.0343 http://affa-sc.org/</p>
<u>Magistrate</u>	<p>Charleston County Magistrate 843.795.1140</p>

<u>Local County Courthouse</u>	Charleston County Courthouse 843.958.5000 100 Broad Street, Suite 106 Charleston, South Carolina 29401-2258 958-5000
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** Required to provide existing counseling, health, mental health, victim advocacy, legal assistance, and other services on and off campus.*

XXI. HOW TO CONTACT THE DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS

For more information about your rights under Title IX, contact:

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

ADDENDUM I

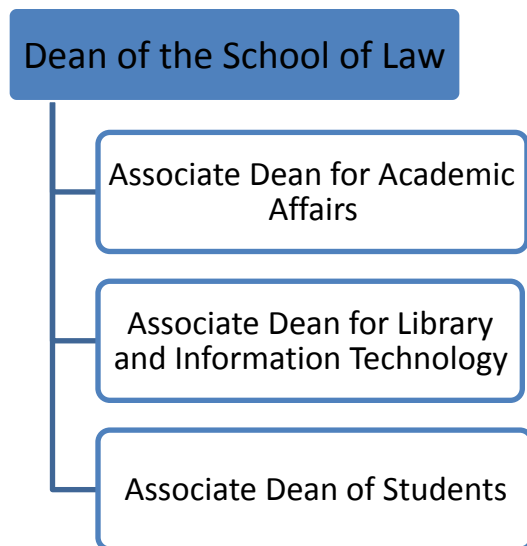
Student Emergency Preparedness Plan

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/.
- **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.

