CHARLESTON

SCHOOL OF LAW

2026 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 Assistant Dean of Students in conjunction with the Director of Public Safety, and other School of Law Security Authorities. Additional copies of the Annual Campus Security Report are available from the Assistant Dean of Students, Student Affairs Department, Charleston School of Law, 385 Meeting Street, Charleston, SC 29403.

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 Assistant 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 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.

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[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.

Reporting Procedures

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to Jim Mullin, Director of Public Safety in a timely manner. The Director of Public Safety can be reached at (843) 377-2440. Anyone with information about a crime on the School of Law campus is encouraged to notify the Director of Public Safety at (843) 377-2440 or Security at (843) 377-4911. 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 Public Safety 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 Assistant 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 Public Safety, 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 Public Safety, 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 Public Safety.

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

- Omnilert Text Alerts – all students are automatically registered for Omnilert Text Alerts. Others who wish to sign up may visit: https://charlestonlaw.omnilert.net/subscriber.php?command=show_signup
- 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, Instagram, and Twitter pages.

System to Use	Primary Message Creator	Backup Message Creator	Authority for Approving & Sending Messages
PRIMARY			
Email and Omnilert	Director of Public Safety	Assistant Dean of Students, Director of IT	Dean, Assistant Dean of Students, Director of IT
SECONDARY			
Signs, Social Media, Telephone, Website, TWEN and other methods	Director of Public Safety	Assistant Dean of Students, Director of IT	Dean, Assistant 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 Public Safety
Jim Mullin
385 Meeting Street, 2nd Floor
Tel: 843.377.2440

Dean of the School of Law
Jon Marcantel
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

Assistant Dean of Students/
Judicial Affairs Officer
Brian Carlisle
385 Meeting Street, 1st Floor
Tel: 843.377.4059

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 may 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 Public Safety.

Immediate Notification Procedures

If a situation occurs on or off campus which poses an imminent threat to the School of Law community, a notice shall be issued to the members of School of Law community as soon as possible. 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 the systems listed below:

- Omnilert Text Alerts - all students are automatically registered for Omnilert Text Alerts. Others who wish to sign up may visit: https://charlestonlaw.omnilert.net/subscriber.php?command=show_signup
- E-mail alerts to the School of Law community;
- The Charleston School of Law website (http://www.charlestonlaw.edu/);
- An announcement under the *CSOL Announcements from the Administration, Faculty & Staff* link on the School of Law TWEN site (http://lawschool.westlaw.com);
- Warning posters placed on the front doors of School of Law facilities;
- The School of Law Emergency Hotline at telephone number (843) 329-1000; and
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Signs, Social Media, Telephone, Website, TWEN and other methods	Director of Public Safety	Assistant Dean of Students, Director of IT	Dean, Assistant 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 narrower scope of notification. The Director of Public Safety or the 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.

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 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 Public Safety 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 Public Safety
Jim Mullin
385 Meeting Street, 2nd Floor
Tel: 843.377.2440

Dean of the School of Law
Jon Marcantel
385 Meeting Street, 3rd Floor
Tel: 843.377.2145

Associate Dean for Academic Affairs
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Assistant Dean of Students/
Judicial Affairs Officer
Brian Carlisle
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Tel: 843.377.4059

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 is 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, Omnilert, 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 Public Safety, in order to make necessary arrangements for safe evacuation in advance of an emergency. The Director of Public Safety 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 Public Safety has designated the following individuals as floor captains:

385 Meeting 1st Floor
Ski Dauphiney
Tuan Anh Le

385 Meeting 2nd Floor
Andrew Gregware
Evan Love

385 Meeting 3rd Floor
Leo Brown
Scott Peppard

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 Public Safety 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 Public Safety at (843) 377-2440 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 https://www.charlestonlaw.edu/security/ annually by October 1. Each year, all enrolled students and employees will receive notification via email providing the website to access this report. Paper copies of the report may also be obtained at the Department of Student Affairs on the 1st 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 building at 385 Meeting Street, is always limited 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 building to provide a security presence and observe any security related concerns. The Security office is located at 385 Meeting Street 1st Floor lobby.

Charleston School of Law areas are routinely examined for safety and security issues such as landscaping, locks, alarms, lighting, and communications. The Director of Public Safety and administrators from the Dean's Office, Student Affairs, Facilities Management and other concerned areas review these results and meet regularly during 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 Public Safety, Dean of the School of Law or Assistant Dean of Students.

Security Personnel and Jurisdiction

The Charleston School of Law has a Director of Public Safety 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 contact the College of Charleston Public Safety at rad@cofc.edu.

The Director of Public Safety and the Student Affairs office conducts a 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 the Charleston School of Law building, entryways, or parking areas to the on-duty security officer by calling (843) 377-4911. Preventable thefts have occurred when no one reported loiterers. Please be vigilant in this manner.

- 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 lobby at 385 Meeting Street 1st Floor. 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 Public Safety, 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 encounter 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. Security officers enforce local ordinances on campus. The School of Law'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. 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 an individual item is prohibited by this policy. If you have any questions, please contact your supervisor, the Dean, the President, Assistant 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:

TimelyCare 24/7 Counseling Services
www.timelycare.com/charlestonlaw

National Suicide & Crisis Lifeline
Dial 988

Charleston Center of Charleston County Substance Abuse Services
Provides addiction assistance to adults, as well as detoxification facilities.
843.958.3300
843.722.0100 (24-Hour Helpline)
https://cc.charlestoncounty.org/departments/charleston-center/

Narconon
877.445.7113
www.narconon.org

National Drug and Alcohol Abuse Helpline
877.882.9275
www.drug-rehabs.org

National Drug Information Treatment and Referral Hotline
800.662.HELP (4357)
https://www.samhsa.gov/find-help/national-helpline

South Carolina Vocational Rehabilitation Office (North Charleston Office)
843.740.1600
https://scvrd.net/substance-abuse-treatment/

United Way Mental Health Hotline
1.866.887.3331
http://www.sc211.org/index.php/mental

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)
http://www.charlestondorchestermhc.org/

Berkeley Community Mental Health
843.761.8282 ext. 5
https://www.berkeleymentalhealth.org/

Depression & Bipolar Support Alliance
800.826.3632
www.dbsalliance.org

Mobile Crisis Response Unit
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:
https://www.gpo.gov/fdsys/browse/collectionCfr.action?selectedYearFrom=2018&go=Go

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 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:

- Go to a safe place;

- Report the crime to the City of Charleston police by dialing 911 and to Campus Security at (843) 377-4911.

The Dean of the School of Law, Assistant Dean of Students and Associate Dean for Academic Affairs, and the Assistant Director of Student Wellness and Success are resources 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;

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;

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;

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 later.

Title IX

Individuals may also report a sex offense to the School of Law's 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 Assistant Dean of Student Affairs, Brian Carlisle. His office is located at 385 Meeting St., 1st Floor and his phone number is 843-377-4059. 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 https://charlestonlaw.libguides.com/ld.php?content_id=81848526.

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 Assistant 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 32.**

Community Services and Emergency Numbers

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

Police – Dial 911

Tri-County Speaks
Provides support and assistance to those affected by rape or sexual assault.
843.745.0144
www.tricountyspeaks.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
http://www.scsolicitor9.org/victim-witness.php

RAINN (Rape, Abuse, and Incest National Network)
Helps route you to a rape crisis center in your area.
800.656.HOPE (4673)
www.rainn.org

National Center for Victims of Crime Helpline
This helpline is available 24/7 for victims of crime.
202.467.8700
TDD: Telecommunication Device for Deaf
https://www.victimsofcrime.org

South Carolina Coalition Against Domestic Violence & Sexual Assault
Statewide 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

My Sister's House
843.744.3242 or 1.800.273.4673
www.mysistershouse.org

Center for Women
843.763.7333
www.c4women.org

Charleston School of Law

Jon Marcantel, Dean	843.377.2145
Brian Carlisle, Assistant Dean of Students and **Title IX Coordinator**	843.377.4059

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://scor.sled.sc.gov/ConditionsOfUse.Aspx.

The Daily Crime Log

The daily crime log is maintained by contract security officers under the direction of the Director of Public Safety and can be found at 385 Meeting Street, 1st 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 2023-2025

Offense	On Campus			Residential Facilities	Non-Campus Facilities[2]	Public Property		
	2023	2024	2025			2023	2024	2025
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	0	0	n/a	n/a	1	0	0
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	1	0
Burglary	0	0	0	n/a	n/a	0	0	0
Motor Vehicle Theft	0	0	0	n/a	n/a	2	1	1
Arson	0	0	0	n/a	n/a	0	0	0
Hazing	n/a	n/a	0	n/a	n/a	n/a	n/a	n/a

Violence Against Women Act (VAWA Offenses)

Domestic Violence	1	0	0	n/a	n/a	0	1	0
Dating Violence	0	0	0	n/a	n/a	0	0	0
Stalking	0	0	1	n/a	n/a	0	0	0

Crime Statistics for 2023-2025 (cont.)

Offense	On Campus[2]			Residential Halls	Non-Campus Facilities	Public Property[3]		
	2023	2024	2025			2023	2024	2025
Liquor Law Arrests	10	0	0	n/a	n/a	4	10	9
Liquor Law Violations Referred for Disciplinary Action	0	0	0	n/a	n/a	0	0	0
Drug Law Arrests	46	0	0	n/a	n/a	17	61	49
Drug Law Violations Referred for Disciplinary Action	0	0	0	n/a	n/a	0	0	0
Illegal Weapons Possession Arrests	27	0	0	n/a	n/a	6	10	0
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	83	0	0	n/a	n/a	27	81	58

[2] Due to the consolidation of campus properties into one building, the geographic footprint, and thus campus size, has decreased significantly.

[3] According to the Charleston Police Department, in recent years law enforcement has stepped up focused enforcement in this area which has increased officer presence, leading to more drug and alcohol arrests. Increased arrest rates reflect an increase in enforcement activity rather than an increase in crime in the area, according to City of Charleston Police.

Title IX Policy Governing Employees and Students

SEX-BASED DISCRIMINATION & HARASSMENT

As reflected in our Mission Statement, 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 they are valued as an individual and treated with respect and professionalism. This policy is a reflection of our vision and our commitment to complying with all laws governing discrimination and harassment.

I. DISCRIMINATION

Discrimination is defined as the unfair treatment of a person or group based on perceived or real characteristics. The School of Law is committed to an environment that encourages the fair, humane, and ethical 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 sex, gender, age, race, color, religion, national origin, ethnicity, gender identity, gender expression, sexual orientation, marital or parental status, pregnancy, false pregnancy, termination of pregnancy, recovery from pregnancy related conditions, veteran status, alienage, citizenship, or disability, or any other legally protected class. 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.

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 that promotes a healthy spirit of responsibility, dignity, and respect in matters of sexual conduct. Charleston School of Law employees and students share an ethical tradition of abiding by the highest moral standards, taking responsibility for their actions, and treating people with integrity and respect.

II. COORDINATION WITH OTHER SCHOOL OF LAW POLICIES

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

The School of Law recognizes that harassment related to an individual's sex, sexual orientation, gender expression, or gender identity 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. 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 two separate investigations: one according to this policy, and a second in accordance with the Harassment

Complaint Procedure set forth in the Student Code of Conduct, Staff Guidelines, and the Faculty Handbook.

The procedures outlined in this policy for resolution of complaints of sexual misconduct apply to investigation and adjudication of student and employee sexual misconduct complaints. All other complaints of student or employee misconduct not meeting the definitions described in this policy will follow the procedures outlined in the Harassment Complaint Procedure, Honor Code and Code of Conduct, or the respective employee handbook.

STATEMENT OF PROHIBITION AND JURISDICTION

As a recipient of federal funds, the School of Law is required to comply with Title IX of the Education Amendments of 1972, 20 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.

This Policy applies to conduct that takes place within the School of Law's educational programs or activities. This includes locations, events, or circumstances over which the School of Law exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the School of Law.

The School of Law strongly encourages reports of sexual misconduct regardless of location and regardless of when the misconduct is reported to have occurred. Even if the policy does not apply to the conduct because of its location, the School of Law will take prompt action to provide for the safety and well-being of the complainant and the broader campus community.

DEFINITIONS

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

A. Key Terms Defined

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or to a member of the Title IX Team.

A "complainant" means an individual who is alleged to be the victim of conduct that could constitute a violation of this policy (e.g. sexual harassment).

An "education program or activity" means locations, events, or circumstances in the United States over which the School of Law exercises substantial control over both the respondent and the context in which the alleged prohibited conduct occurs, including, but not limited to, moot court, mock trial, and other external competitions in which CSOL students participate. This also includes any building owned or controlled by a student organization that is officially recognized by the School of Law. 3

A "formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the educational program or activity of the School for this Policy to apply.

A "document filed by a complainant" means a document or electronic submission (such as by electronic mail) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.

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

A "party" is the complainant or respondent.

A "respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

The "record" refers to the investigatory report (including all relevant evidence attached thereto), the recording of the hearing, and/or any new evidence submitted by a party as part of an appeal.

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

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

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

The "Title IX Team" refers to officials with the authority to take action pursuant to this policy.

A "witness" is a person who is believed to have knowledge of the alleged misconduct.

A. Sexual Harassment

As used in this policy, **sexual harassment means conduct on the basis of sex that satisfies one or more of the following:**

1. An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual misconduct (i.e. quid pro quo);

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an educational program or activity (i.e. hostile environment); or

3. Sexual assault, or dating violence, domestic violence, and/or stalking.

3(A): Sexual Assault

Sexual Assault is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault is broken down into four categories: rape, fondling, incest, and statutory rape.

3(A)(1): **Rape** means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

3(A)(2): **Fondling** means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

3(A)(3): **Incest** means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

3(A)(4): **Statutory Rape** means sexual intercourse with a person who is under the statutory age of consent.

3(B): Stalking

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition:

- *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

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

Examples of stalking include:

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

3(C): Intimate Partner Violence:

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

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

a. **Dating Violence**

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition,

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

b. **Domestic Violence**

Domestic Violence is defined as a felony or misdemeanor crime of violence committed,

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

B. Gender-Based Harassment

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

Sexual and Gender-Based Harassment:

- May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational, or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship.
- May be committed by or against an individual or may be a result of the actions of an organization or group.
- May occur by or against an individual of any sex, sexual orientation, gender identity, or gender expression.
- May be committed in the presence of others or when the parties are alone.

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

C. Other Key Terms

Other key terms used in this policy include the following:

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

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

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

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

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

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

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

Coercion can include a wide range of behaviors, including manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression, and threatening to harm oneself if the other party does not engage in the sexual activity. When someone indicates, verbally or physically, that they do not want to

engage in a particular sexual activity, that they want to stop a particular activity, or that they do not want to go past a certain point of sexual interaction, continued activity or pressure to continue beyond that point can be coercive. The School of Law will evaluate the following in determining whether coercion was used: (a) the frequency of the application of pressure, (b) the intensity of the pressure, (c) the degree of isolation of the person being pressured, and (d) the duration of the pressure.

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

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

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

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

II. RETALIATION

The School of Law prohibits retaliation against any individual who, in good faith, complains of a violation of the School of Law's Title IX 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.

III. POLICY ON CONSENSUAL RELATIONS BETWEEN FACULTY AND STUDENTS AND EMPLOYEES AND SUBORDINATES

Romantic or intimate relationships between employees and students and between supervisors and their subordinates with whom they have an academic or supervisory relationship are fraught with the potential for abuse and are discouraged. Similarly, romantic or intimate relationships between an employee and his or her subordinate compromises the School of Law's ability to enforce its policy protecting persons from sexual harassment. There are power differentials that exist between faculty and their students and employees and their bosses. Thus, relationships that begin as consensual can later be determined to be non-consensual. Consequently, the School of Law does not wish to interfere with private choices regarding personal relationships, but strongly discourages employees and students from engaging in consensual intimate and/or sexual relationships and retains the right to take necessary action should it find evidence of an abuse of power.

IV. HOW TO REPORT A COMPLAINT OF SEXUAL MISCONDUCT

Members of the School of Law are strongly encouraged to promptly report all incidents of discrimination and harassment, to include sexual misconduct, whether experienced personally or observed. Any person may report sex discrimination, including sexual harassment (whether or not the person that reports is the person alleged to be the victim of the conduct that could constitute a violation of this policy in person), by mail, by telephone, by electronic mail, or by any other means that result in the Title IX Coordinator receiving the person's written or verbal report. Such a report may be made at any time (including during non-business hours) by using the below contact information:

Brian Carlisle
Title IX Coordinator
385 Meeting Street, First Floor
(843) 377-4059
bcarlisle@charlestonlaw.edu

Reports can also be made to the Title IX Team:

Name	**Address**	**Telephone & Email**
Dean, *Jon Marcantel*	385 Meeting Street, Third Floor	843.377.2145 jmarcantel@charlestonlaw.edu
Title IX Coordinator & Assistant Dean of Student Affairs, Brian Carlisle	385 Meeting Street, First Floor	843.377.4059 bcarlisle@charlestonlaw.edu
Deputy Title IX Coordinator & Director of Public Safety, *Jim Mullin*	385 Meeting Street, Second Floor	843.377.2440 jmullin@charlestonlaw.edu
Deputy Title IX Coordinator & Associate Dean for	385 Meeting Street, First Floor	843.377.2432

Information Services, *Katie Brown*		kbrown@charlestonlaw.edu
Title IX Decision Maker & Vice Dean, Associate Dean for Academic Affairs, *Margaret Lawton*	385 Meeting Street, Third Floor	843.377.2423 mlawton@charlestonlaw.edu
Title IX Investigator & Director of Financial Aid, *Bobby Greer*	385 Meeting Street, Second Floor	843.377.4901 bgreer@charlestonlaw.edu
Title IX Investigator & Director of HR, *Jacqueline Stark*	385 Meeting Street, Second Floor	843.377.2418 jstark@charlestonlaw.edu
Title IX Investigator & Assistant Director of Student Wellness & Success, *Cristy Lorente*	385 Meeting Street, Second Floor	843.377.1322 clorente@charlestonlaw.edu
Campus Security	385 Meeting Street, First Floor	843.377.4911 csolsecurity@charlestonlaw.edu

Anonymous reports are also accepted and should be directed to the Title IX Coordinator, Brian Carlisle via email at bcarlisle@charlestonlaw.edu or via mail using the contact information previously provided, but the supplier of the anonymous report should be mindful that failure to disclose personally identifying information about the accused party, the victim of the misconduct, or the facts and circumstances regarding the misconduct severely limit the School of Law's ability to respond to, address, and remedy the effects of sexual misconduct.

If a member of the Title IX Team learns of a possible violation of this policy, then he/she has a duty to report the information to the Title IX Coordinator, and to include the personally identifiable information regarding the parties. The School of Law has no on site medical or counseling facilities, hence no "confidential" reporting office exists. No matter to whom the report is made, the School of Law will keep information regarding a complaint as private as possible (only sharing information with those individuals that have a need to know).

V. SUPPORTIVE MEASURES, EMERGENCY REMOVAL, AND ADMINISTRATIVE LEAVE

A. Supportive Measures

The School will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged sexual harassment and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's educational

program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment.

Supportive measures may include the following:

- counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- mutual restrictions on contact between the parties
- changes in work locations
- leaves of absence
- increased security and monitoring of certain areas of the School's campus, and other similar measures.

The School will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of these supportive measures.

B. Emergency Removal

The School of Law reserves the right to remove a respondent from the School of Law's educational program or activity on an emergency basis. However, prior to any emergency removal, the Title

IX Coordinator shall undertake an individualized safety and risk analysis; if the Title IX Coordinator determines that the respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment, then the Title IX Coordinator shall provide the respondent with written notice and an opportunity to challenge the decision by submitting a written appeal to the Dean or their Designee within two business days following the removal. The Dean or their Designee shall issue a decision regarding the appeal within three (3) business days. This paragraph shall not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

C. Administrative Leave

The School of Law reserves the right to place a non-student employee respondent on administrative leave during the investigation and resolution of a formal complaint.

VI. INVESTIGATION, RESOLUTION PROCESS, AND RIGHT TO APPEAL

The Title IX Coordinator, Deputy Title IX Coordinators, and Investigators are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking, and instructed on how to conduct investigations, including instruction on technology used during a live hearing, and how to administer a conduct process that protects the safety of victims and promotes

accountability. In proceedings under this policy, the standard of proof used to determine whether or not a violation of this policy has occurred is a preponderance of evidence, which means it is more likely than not the misconduct occurred.

The Title IX Coordinator reserves the right to sign reports against a student or employee in order to trigger the grievance and disciplinary procedures set forth in this policy. In addition, an individual does not have to be a member of the School of Law community to file a report under this policy. The School of Law reserves the right to outsource investigations (including the investigator, decision-maker, and advisor roles) to qualified third parties in its sole discretion. The parties may request an alternate investigator upon written notice of an allegation of bias and supporting rationale to the Title IX Coordinator. The Title IX Coordinator will then determine whether or not it is appropriate to add and/or remove an investigator from the case.

The respondent is presumed to be not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the grievance process.

A. <u>INVESTIGATION</u>:

1. Upon receiving a formal complaint, the Title IX Coordinator will assess the complaint to ensure this policy has appropriate jurisdiction (and will refer out to the appropriate individual or office if what is being alleged is outside the scope of this policy.)

2. If the formal complaint appears upon initial assessment to be a possible violation of the Sexual Misconduct Policy, the Title IX Coordinator will assign the case for investigation within three (3) business days or as soon thereafter as circumstances permit and will provide written notice to the parties.

3. The Investigator(s) will conduct a prompt, thorough, and impartial investigation into the facts of the case and will interview the complainant, respondent, witnesses, or others who may have relevant information, and collect any other evidence deemed relevant to the case from the parties and witnesses. The investigation may have delays due to circumstances, such as a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence or unavailability of parties or witnesses. The Investigator(s) gather and synthesize all relevant evidence—including both inculpatory and exculpatory evidence—but will not make any conclusion or credibility determination, engage in policy analysis, or render recommendations as part of their report. Relevant evidence does not include information about the complainant's sexual predisposition or prior sexual behavior, unless such evidence is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

4. At the conclusion of the investigation (which normally does not exceed sixty (60) days) the Investigator(s) will deliver a report summarizing the relevant evidence to the Title IX Coordinator who will contact the parties and provide both with separate access to the relevant evidence.

5. The parties shall have an opportunity to correct any item allegedly submitted by the party that they state is reported factually inaccurately in the report and to provide any additional evidence that they would like considered at the formal hearing to the Title IX Coordinator. The parties will

have ten (10) business days after receiving access to the investigation report to submit additional, relevant evidence to the Title IX Coordinator. The Investigator(s) will determine whether any additional evidence is relevant and provide both parties the opportunity to review all additional evidence prior to the hearing.

6. The Title IX Coordinator will also notify the parties of the date, time, and place of the live hearing, once determined, and of the identity of the Decision-Maker, once determined.

B. LIVE HEARING

1. The Title IX Coordinator shall appoint a Decision-Maker who (1) is not the Title IX Coordinator or Investigator(s); (2) is free from conflict of interest or bias; and, (3) who has been trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.

2. A live hearing shall be held before the Decision-Maker.

A) The Decision-Maker has absolute discretion to determine the format for the hearing and to determine which witnesses are relevant to the outcome determination.

B) The Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

C) A Decision-Maker may decline to hear from a witness if the Decision-Maker concludes that the information is not necessary for their final determination.

a) If either party wishes to call witnesses at the live hearing, the following must be submitted no later than twelve (12) business days, unless a different timeframe is agreed upon by the Decision-Maker, before the hearing to the Decision-Maker and the Title IX Coordinator via e-mail:

1. The name of any witness(es);

2. A written statement and/or description of what each witness observed, if not already provided during the investigation;

3. A summary of why the witness's presence is relevant to making a decision about responsibility at the hearing, if not already provided during the investigation; and

4. The reason the witness was not interviewed by the Investigator(s), if applicable.

b) The Decision-Maker will determine if the proffered witness(es) has relevant information and if there is sufficient justification for permitting a witness who was not interviewed by the Investigator(s). The Decision-Maker shall determine whether such witness shall be allowed to testify at the live hearing and shall notify the party who proffered the witness(es) of its determination no later than ten (10) business days prior to the live hearing, unless circumstances require a shorter notice period.

3. **Cross-examination** shall be permitted under the following circumstances:

- The Decision-Maker must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility (except as explained below*). Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.

*Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- At the request of either party (or as the School may determine necessary due to COVID-19 social distancing guidance etc.), the School of Law will conduct the live hearing with the parties located in separate rooms with technology enabling the Decision-Maker and parties to simultaneously see and hear the party or the witness answering questions.

4. The School of Law shall keep an official record of the hearing in an audio format; ANY OTHER RECORDING IS PROHIBITED. Violators of this prohibition may be subject to disciplinary action. The audio recording of the live hearing shall be available to the parties upon request.

5. The outcome of the hearing, the reasons for the findings, and any sanction(s) imposed shall be conveyed to the complainant and the respondent simultaneously and in writing by email.

6. The complainant and the respondent have the right to appeal determinations regarding responsibility to the Dean of the School of Law. Appeals are discussed below.

Privilege: No Title IX Team member, including the Decision-Maker, may require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Advisor of Choice: The complainant and the respondent each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing in which the complainant or the respondent is required to be present. If a party does not have an advisor, the School of Law will assist either party in securing an advisor, upon request. An advisor may only consult and advise his or her

advisee, but not speak for the advisee at any meeting nor may the advisor direct questions to any administrator, party, or witness in the process other than as set forth above.

Timeline: The School of Law will make a good faith effort to complete the investigation and hearing under this Policy within ninety (90) days, although the School of Law reserves the right to exceed this timeframe in order to conduct a thorough investigation or other appropriate proceedings. If the investigation does or is anticipated to exceed 90 days, the School of Law will notify the complainant and respondent in writing and will advise them of the reason for the delay and the anticipated timeframe for the completion of the investigation and/or resolution.

C. APPEAL

Both the complainant and the respondent have a right to appeal the finding on the following bases:

(1) procedural irregularity that materially affected the outcome of the matter, (2) new evidence not available at the time of the hearing, (3) the Title IX Coordinator, Investigator(s), and/or Decision-Maker had a conflict of interest or bias that materially affected the outcome of the case, and/or (4) excessive sanction. Both parties will have five (5) business days from notification of the outcome to appeal in writing to the Dean via email at the following address:

Dean Jon Marcantel
jmarcantel@charlestonlaw.edu

Once the Dean receives an appeal, he will notify the other party and provide the other party with an opportunity to review the submitted appeal and submit a written response within seven (7) business days. The Dean reserves the right to extend this deadline under exceptional circumstances.

Appellate review is a review of the record only (except as to a claim of new evidence). There are no additional meetings with the involved parties unless there are exceptional circumstances as determined by the Dean, in which case the Dean must offer both the complainant and the respondent the same opportunity to discuss the case.

Upon review of the record, the Dean (or his Designee) may respond as follows:

(1) Affirm the Decision-Maker's decision in all respects

(2) Modify the Decision-Maker's decision

(3) Vacate and dismiss the Decision- Maker's decision

(4) Vacate and remand to the Decision-Maker for further proceedings.

The Dean or his/her Designee shall issue a written decision to both parties within thirty (30) days. This timeframe may be extended under the discretion of the Dean, and the parties will be notified in such an instance. The decision of the Dean or his/her Designee on any appeal will be final.

Any sanctions imposed as a result of the hearing are stayed (meaning, not implemented) during the appeal process. Supportive measures and/or emergency removal may be reinstated or otherwise instituted.

D. FALSE ALLEGATIONS AND EVIDENCE

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation, hearing, or informal resolution can be subject to discipline under appropriate School policies.

E. DISMISSAL OF COMPLAINT

The School of Law reserves the right to dismiss the formal complaint or any allegations therein, if at any time during the hearing or investigation: (1) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; (2) the respondent is no longer enrolled or employed by the School; (3) specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations. A dismissal under this section is at the sole discretion of the School of Law. Upon dismissal of a complaint, the Title IX Coordinator shall send written notice of the dismissal to the parties including the reason(s) for dismissal.

F. WHEN A COMPLAINANT DOES NOT WISH TO PROCEED

If a complainant does not wish for their name to be shared, does not wish for an investigation to take place, and/or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request and determine whether the School of Law will proceed. In such cases, the Title IX Coordinator may offer informal resolution options and/or supportive measures.

When a complainant fails to participate or respond to requests for interviews or other information, the Title IX Coordinator will also consider the effect that non-participation by the complainant may have on the availability of evidence and the School of Laws ability to pursue a Formal Grievance Process fairly and effectively and may dismiss the matter.

If the complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a complainant has the right, and can expect, to have allegations taken seriously by the School of Law and to have the incident(s) investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

G. SANCTIONS

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

- Expulsion
- Suspension
- A letter of reprimand to be made a permanent part of the student's file
- Public service
- Remedial Education
- Denial of Degree.

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

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

Sanctions are effective immediately. If the respondent appeals the Decision-Maker's determination, the sanction(s) will continue in effect during the appeal. The sanction(s) may be lifted only if, as a result of the final outcome of the appeal, the respondent is found not responsible for one or more of the policy violations as stated in the Dean's written determination.

H. REMEDIES

In certain circumstances, remedial measures may be required to stop harassment, prevent its recurrence, and remedy its effects. These measures include, but are not limited to:

- counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- mutual restrictions on contact between the parties
- changes in work locations
- leaves of absence
- increased security and monitoring of certain areas of the School's campus, and other similar measures.

I. INFORMAL RESOLUTION

When appropriate, certain student-on-student or employee-on-employee complaints may be resolved by the Title IX Coordinator or Deputy Coordinators without a formal resolution. Both parties must give voluntary, informed, and written consent to attempt informal resolution. Either party may stop the informal resolution process and elect to go through the formal process at any point prior to the resolution. Possible options for informal resolution may include, but are not limited to:

- Supportive Resolution: resolution by the Title IX Coordinator by providing supportive measures only.

- Alternative Resolution: resolution through an alternative resolution mechanism, such as mediation or facilitated dialogue.
- Accepted Responsibility: the respondent accepts responsibility for violating this Policy and desires to accept the recommended sanction(s) and end the Resolution Process.

VII. CONFIDENTIALITY

To the extent permitted by law and in compliance with this Policy, the School will make every effort to preserve the confidentiality of reports made under this Policy. The School will not share the identity of any individual who has made a report or formal complaint of sexual harassment or retaliation; any complainant; any individual who has been reported to be the perpetrator of sexual harassment or retaliation; any respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), or as required by law, including any investigation, hearing, or grievance proceeding arising under this Policy. The School reserves the right to determine which School officials have a legitimate educational interest in being informed about incidents that fall under this Policy, pursuant to FERPA. The School may contact parents/guardians of students to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

VIII. HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. Bystanders are persons who observe red-flag behavior and have the opportunity to intervene to prevent the sexual misconduct from occurring. "Red flag" behavior includes things like seeing a person who is too drunk to provide self-care being isolated by a person. A bystander can intervene to stop the potential offender from taking the incapacitated person away by interrupting, calling for help, calling a friend of the person to come get them, or distracting the potential offender by speaking up and calling out the behavior. Not allowing the isolation stops the sexual assault from being able to occur. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. If you see sexual misconduct in any form and do not feel safe to intervene to stop it, call 911. Further information regarding bystander intervention is provided in CSOL's training programs and may be found by contacting Shera Silvis.

IX. 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 (the "Title IX Team"), 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.

X. REPORTING A COMPLAINT OF SEXUAL MISCONDUCT DIRECTLY TO LOCAL POLICE

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

XI. 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 Coordinator and/or Deputy Title IX Coordinator will cooperate fully with the local police; however, no mutual aid agreement currently exists to share information between the local police and the School of Law in a formalized manner.

To contact the City of Charleston Police Department directly, dial 9-1-1 or 843-577-7434 from any telephone or in person at 80 Broad Street Charleston, SC 29401-0304. It is important to note that Title IX does not allow the School of Law to wait for the completion of a criminal investigation to undertake its responsibilities with regard to stopping sex-based harassment/discrimination, preventing its recurrence, and addressing its effects. Consequently, if law enforcement is investigating, the CSOL may yield to police for up to 10 days to allow law enforcement to conduct preliminary fact-finding into the matter. After that timeframe, the School of Law must proceed with its own factfinding into the matter. The School of Law will not share a student's FERPA protected information with law enforcement without due process (i.e., subpoena, search warrant, bench order, etc. must be presented for the School of Law to release this information unless a health or safety exception exists that would permit such a release).

XII. EDUCATION AND PREVENTION PROGRAMS

The School of Law has developed an annual educational campaign to prevent domestic violence, dating violence, sexual assault, and stalking, 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; and presenting programs throughout the year.

The Title IX Coordinator and Title IX Team shall receive training on the definition of sexual harassment, the scope of the School's educational program or activity, how to conduct an investigation and the grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-Makers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. The School will provide training to investigators on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train the Title IX Coordinator, investigators, Decision-Maker(s), and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints.

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

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

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100

Telephone: 800.421.3481
FAX: 202.453.6012; TDD: 800.877.8339
Email: OCR@ed.gov

Appendix A:

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

On-Campus

Name	Address	Telephone & Email
Title IX Coordinator and Assistant Dean of Student Affairs, Brian Carlisle	385 Meeting Street, First Floor	843.377.4059 bcarlisle@charlestonlaw.edu
Deputy Title IX Coordinator and Director of Public Safety, *Jim Mullin*	385 Meeting Street, Second Floor	843.377.2440 jmullin@charlestonlaw.edu
Campus Security	385 Meeting Street, First Floor	843.377.4911 csolsecurity@charlestonlaw.edu
Title IX Investigator & Director of Financial Aid, *Bobby Greer*	385 Meeting Street, Second Floor	843.377.4901 bgreer@charlestonlaw.edu

CSOL has no on campus health, mental health, counseling, victim advocacy, legal assistance or visa/immigration assistance available. These resources must be obtained from the City of Charleston, the State of South Carolina, or third-party groups. Please contact the Title IX Coordinator for additional information regarding resources available outside of CSOL.

In the City Area

Local Police	**911**
Hospital	**Bon Secours St. Francis Hospital (West Ashley)** 2095 Henry Tecklenburg Drive Charleston, SC 29414 843.402.1000 **East Cooper Regional Medical Center** 2000 Hospital Dr, Mt Pleasant, SC 29464 843.881.0100 **Medical University of South Carolina (Forensic Collection available)** 171 Ashley Avenue Charleston SC 29425 843.792.2300 **Roper Hospital** 316 Calhoun St., Charleston, SC 29401 843.724.2000 **Trident Medical Center** 9330 Medical Plaza Dr North Charleston, SC 29406 843.797.7000 **Trident Summerville Medical Center** 295 Midland Pkwy Summerville, SC 29485 843.832.5000
Mental Health	**Charleston and Dorchester Community Mental Health** 843.852.4100 843.414.2350 (emergencies) www.charlestondorchestermhc.org **Berkeley Community Mental Health** 843.761.8282 www.berkeleymentalhealth.org

Victim Advocacy	**Victim Services Unit** 843.856.2189 100 Ann Edwards Lane Mt. Pleasant, SC 29464
Legal Assistance	Downtown Location: 843.853.6456 North Charleston Location: 843.720.7044
Visa & Immigration Assistance	**USCIS Local Office** 1821 Sam Rittenberg Boulevard Charleston, SC 29407 www.uscis.gov
Battered Women's Shelter	**My Sister's House** 843.744.3242 http://mysistershouse.org/
Rape Crisis Center	**Tri-County S.P.E.A.K.S.** **843.745.0144** **https://tricountyspeaks.org**
LGBTQ Alliance	**Alliance for Full Acceptance (AFFA)** 843.883.0343 3623 Old Charleston Road Johns Island, SC 29455 http://affa-sc.org/
Magistrate	**Charleston County Magistrate** 843.795.1140 615 Riverland Drive Charleston, SC 29412
Local County Courthouse	**Charleston County Courthouse** 843.958.5000 100 Broad Street, Suite 106 Charleston, South Carolina 29401-2258

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.

RISK REDUCTION

It is important to remember that sexual misconduct is never the victim's fault and only the person causing the harm is responsible for it. Nevertheless, it is important to understand what risks we each may have and to take steps to try to reduce our risk. The following are some strategies to

reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org). CSOL offers these with no intention of blaming victims for sexual misconduct perpetrated against them and encourages all victim complainants to come forward to CSOL officials and/or the police.

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

EMERGENCY RESPONSE AND EVACUATION PROCEDURE

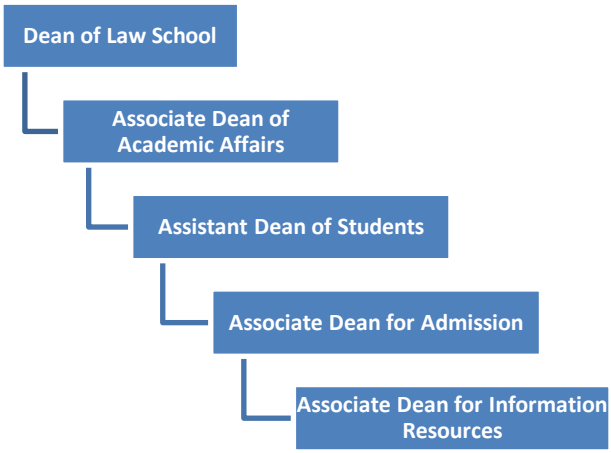
The Emergency Response and Evacuation Procedure (hereinafter "Preparedness Plan") identifies a series of recommended steps and measures designed to protect the students, faculty and staff of the Charleston School of Law. Depending on the severity of the emergency, these recommended procedures are subject 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 or Assistant Dean will be immediately notified. All decisions regarding activation of the Disaster Response Plan are made by the Dean of the School of Law or in his absence, the appropriate Associate or Assistant Dean.

In the event of any emergency, decisions regarding the status of the school will be made in this priority order:



COMMUNICATION

Notifications

Emergency notifications and school closures are disseminated through the following internal and external communication channels. In times of emergency, effective communication is critical to the safety and well-being of the faculty, students and staff of the law school. This communication is both external (i.e., local media, authorities, social media, website, and others) and internal (i.e., students, faculty and staff).

Emergency notifications and school closures will be disseminated through the following internal and external communication channels detailed above and below:

- **Omnilert Text Alerts:** all students are automatically registered for Omnilert Text Alerts. Others who wish to sign up may visit: **https://charlestonlaw.omnilert.net/subscriber.php?command=show_signup**
- **Email Notifications:** an email with further instructions will be issued to the internal community via the "CSOL Alert" distribution list;
- **Website:** Visit http://www.charlestonlaw.edu/) for updates;
- **Social Media:** The official Charleston School of Law Facebook, Twitter and Instagram pages will publish emergency information via status updates;
- **TWEN:** Information will be posted on the School of Law community account under the "Announcements from the Administration" folder (http://lawschool.westlaw.com);
- **Message Boards**: Internal message boards will be posted to alert students in the event of an emergency.
- **News Media**: Local news will be informed to update the public 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 Dean of the School of Law, or designee, will serve as the main spokesperson for the school. The Dean should be in direct contact with top school officials to be able to disseminate accurate, authorized information to the media when appropriate. The Director of Business Operations will be tasked with working alongside the Dean to gather appropriate details, then inform the school's communications consultant, if applicable, what to relay to the media. The school's communication consultant will maintain a list of media contacts (email, cell phones, regular phone) in case of emergency. The communications consultant will advise the media of whom to contact at the School of Law involving specific events.

ANNUAL REVIEW AND TEST OF RESPONSE SYSTEMS

The emergency notification systems, emergency response and evacuation plans shall be reviewed on a recurring basis at least once annually. The Director of Business Operations, Director of Facilities Management and Director of Public Safety will work with the Charleston Fire Marshal to test the alarm systems annually. Additionally, floor captains will be briefed of any changes to ensure proper coverage for all facilities.

CHARLESTON SCHOOL OF LAW CLOSURE

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

Once the school has been closed, students and non-emergency personnel are to leave campus and seek shelter outside the Charleston area. The law school is not to be used for shelter purposes. In the event the School of Law closes during an emergency, all scheduled law school events will be cancelled.

Students are responsible for their own travel and lodging arrangements in the event of hazardous weather and evacuations. Students are encouraged to share rides and sheltering opportunities with other students who are unable to provide their own transportation or who do not have a safe shelter.

STUDENT EVACUATION

If a Hazardous Weather Condition alert is declared and the Dean of the School of Law, or designee, issues a mandate for the school's closure, students may be advised to leave campus and seek shelter inland. **The number one priority is student safety.** In the event of a school closure, no students will be allowed to remain in any of the buildings on campus. **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

In the event that the Charleston School of Law must physically close its facilities due to an emergency, classes will continue remotely. To accomplish this, faculty should:

- Create and establish a TWEN page for each of their courses;
- Conduct lectures online via the Zoom platform and protocols established by the School of Law;
- Post copies of lectures and power points under TWEN's Course Materials link;
- Record lectures in audio format, digitize these lectures and then upload a URL link Professors can record lectures in audio format, digitize these lectures with the assistance of IT and AV services and then upload the audio lecture to their course on TWEN; and
- Create a discussion forum on TWEN in which questions are posted to which students must respond.

Librarians and IT staff will establish hours and an off-site phone line and email address in which to provide 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 to faculty and students as requested.

FLOOR CAPTAINS

In an emergency, 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. They may mark doors of offices with Post-Its 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.

TYPES OF EMERGENCIES

a. Severe Storms and Hurricanes

Included herein are internal departmental plans for the Facilities Department, Office of Academic Affairs and the Sol Blatt Jr. Library and Department of Information Technology. 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:

- **Watch**: During a weather watch, conditions are favorable for a hazard to occur. It literally means "be on guard." During a weather watch, gather awareness of the specific threat and prepare for action; monitor the weather to find out if severe weather conditions have deteriorated and discuss protective action plans.
- **Tropical Storm Watch**: An announcement that tropical storm conditions are *possible* within the specified area.
- **Hurricane Watch**: An announcement that hurricane conditions are *possible* within the specified area.

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

- **Warning:** A warning requires immediate action. This means a weather hazard is imminent – it is either occurring (i.e., a tornado has been spotted) – or it is about to occur at any moment. During a weather warning, it is important to take action: grab an emergency kit previously prepared in advance and head to safety immediately.
- **Tropical Storm Warning:** An announcement that tropical storm conditions are *expected* within the specified area.
- **Hurricane Warning:** An announcement that hurricane conditions are *expected* within the specified area.

1. Preparation Mode

- The Dean of the School of Law, or designee, will convene the Emergency Preparedness Team and ensure that the plan is current each year.
- All department heads are responsible for the following:
    - Brief all departmental staff members on the Emergency Preparedness Plan;
    - Gather all necessary Emergency Contact Information for their staff as well as other important documents; and
    - Maintain all essential supplies for their department.

- The Director of Information Technology will ensure that all internal and external communications channels are current.

2. Threat Mode

The emergency weather level is raised to ***Threat Mode*** once a storm is active and its presumed landfall is on or near Charleston, SC. During ***Threat Mode*** the following action is taken:

- The Dean will call a meeting of the Emergency Preparedness Team;
- The Dean, or designee, will coordinate internal communications for the Charleston School of Law community regarding the potential for inclement weather conditions and remind everyone to monitor the communication channels for more information;
- The Department of Student Affairs is responsible for sending out an email to students requesting that they update or make any necessary changes to their emergency contact information on CSOL Access; and
- The Director of Information Technology will review the list of internally hosted systems and applications that have been deemed critical to the daily business function of the Charleston School of Law.

3. Watch Mode

The emergency weather level is raised to ***Watch Mode*** once a storm is active and its presumed landfall is on or near Charleston, SC. During ***Watch Mode*** the following action is taken:

- The Emergency Preparedness Team will be "on-call" for meetings;
- Department heads will brief all staff members on the Emergency Preparedness Plan;
- The Dean, or designee, will coordinate internal communications for the Charleston School of Law community regarding the potential for inclement weather conditions and remind everyone to monitor the communication channels for more information;
- The Department of Student Affairs is responsible for advising the students of possible evacuation routes; and
- The Facilities Department will prepare signage for all School of Law buildings notifying of closures and important information.

4. Warning Mode

The emergency weather level is raised to ***Warning Mode*** once a storm is active and its presumed landfall is on or near Charleston, SC. During ***Warning Mode*** the following action is taken:

- The Emergency Preparedness Team will be "on-call" for meetings;
- Department heads will brief all staff members on the Emergency Preparedness Plan;
- The Dean, or designee, will coordinate internal communications for the Charleston School of Law community regarding the potential for inclement weather conditions and remind everyone to monitor the communication channels for more information;
- All employees will take laptops offsite. Non-laptop users need to take copies of any critical data files with them;
- Department heads and their staff members will secure all office equipment and furniture; and
- The Facilities Department is responsible for the following:

- Inspect each department to ensure that all equipment has been properly protected and secured and evict all remaining students and personnel;
- Turn off electricity (where applicable);
- Bolt lock and key lock doors of facilities; and
- Turn off gas (where applicable).

5. Recovery Mode

The timeline to return to campus and/or re-open after an 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 re-open. Normal campus activities will resume once it is safe.

- The Facilities Department is responsible for the following:
  - After arrival on site, inspect and establish the extent of damage;
  - Attempt to report via telephone to the Director of Business Operations and Dean; and
  - Repair any immediate and obvious damage, if possible.

Students After the Storm

In the event of a School of Law closure, the procedures detailed herein will be used to disseminate information to students after the storm. Students should keep all available communication channels and visit the School of Law's website and social media pages 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 contract information stored on CSOL Access.

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 cell phone;
- If an employee is unable to reach their supervisor, the employee should view the School of Law communication channels for updates on 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; and
- Employees will be required to return to work at the Direction of the Dean, or designee. During the recovery period, employees may be asked to performed duties that are not included in their normal job descriptions.

6. Resources

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

- National Weather Service (http://www.weather.gov)
- National Hurricane Center (http://www.nhc.noaa.gov)

- FEMA (http://www.fema.gov)
- Basic Disaster Supplies Kit (http://www.ready.gov/build-a-kit)
- National Hurricane Center (http://nhc.noaa.gov/prepare/ready.php)

b. Earthquakes

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

- 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;
- After the initial shock, evaluate the situation and if emergency help is necessary, contact School of Law Security at 843-377-4911 or call 911. Protect yourself at all times and be prepared for aftershocks immediately afterwards;
- Assist people, especially those with disabilities, to evacuate the building;
- Once outside, move to a clear area away from buildings, utility poles, power lines or other structures; and
- After the earthquake is over, evaluate the situation and if emergency help is necessary, contact School of Law Security at 843-377-4911 or call 911. Be aware at all times of the dangerous structural conditions around you.

Resources:

- Ready.Gov (http://www.ready.gov/earthquakes)
- The National Earthquake Hazards Reduction Program: (http://www.fema.gov/emergency-managers/risk-management/earthquake/nehrp/)
- U.S. Geological Survey (http://earthquake.usgs.gov/)

c. Tornado

During a tornado warning:

- All School of Law students and personnel should disconnect electrical equipment and appliances;
- Seek shelter in the lowest level of the building. Interior hallways or rooms are preferable, away from windows;
- Take a flashlight, if available; and
- 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 843-377-4911 or call 911. Be aware at all times of the dangerous structural conditions around you.

d. Winter Weather

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

- The Dean, or 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;

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

e. Flash Flood

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

- All students and employees should check the communication channels for important information and possible closures;
- The Dean, or 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;
- All employees will take laptops offsite. Non-laptop users need to take copies of any critical data files with them;
- Department heads and their staff members will secure all office equipment and furniture;
- All students and non-essential personnel will evacuate; and
- 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.

f. Fire

If signs of smoke, flames and/or fire are detected in the building, the following actions should be taken:

- Pull the building fire alarm. The Charleston Fire Department has the primary responsibility of responding;
- If a phone is available, dial 911 and provide a location, name and purpose for the call;
- Evacuate the building in a calm and orderly fashion, closing office and classroom doors throughout the building;
- Individuals should assist others who have disabilities to exit the building;
- Once outside, walk quickly to designated assembly areas. Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews;
- Notify an emergency official if someone is believed to be inside the building. **DO NOT RE-ENTER THE BUILDING**; and
- No entry into any building on campus will be permitted until the Charleston Fire Department declares the area safe.

g. 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 the following actions should be taken:

- Close and seal all exterior doors and windows.
- Shut off any personal outside air system such as a window air conditioner.
- Remain in the building until advised of further action by the School of Law, City of Charleston Police Department, and Charleston Fire Department or HAZMAT personnel.

h. Active Shooter

A message will be sent through a communication channel as soon as possible 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 the following procedure should be followed:

- Contact a school administrator and/or security at 843-377-4911 or call 911;
- Barricade the door and turn out the lights;
- If outside, cover with material or objects that stop small arms fire. For example, concrete walls, brick fences, big trees, etc.; and
- When applicable, hide 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.

i. Bomb Threats

If the School of Law or anyone in the surrounding area receives a bomb threat, the recipient of the call should:

- 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 was said. Gather as much information as possible. Remember all details of the conversation.
- Contact a school administrator and/or School of Law Security at 843-377-4911 or call 911.
- DO NOT activate the fire alarm personally. The decision to activate the alarm will be made by the Dean, his designee and/or the School of Law Security. The School of Law Security supervisor will contact the City of Charleston Police Department and School of Law administrators.
- 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.
- City of Charleston Police Department will conduct a building search for a bomb.
- 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 Charleston Police Department clears the building for reentry.

Emergency notifications and school closures will be disseminated through the following internal and external communication channels detailed above and below:

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CHARLESTON

SCHOOL OF LAW