



"Improve Life Through Learning"

**Campus Safety and Security Report
For 2021**

Published in Year 2022

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I. INTRODUCTION

Isothermal Community College (the College) is committed to providing a safe and secure learning environment for our faculty, staff, students, and visitors (the Campus Community).

The College prepares this report in compliance with Jeanne Clery Disclosure of Campus Security Policy and Crime Statistic Act. This report is designed to provide you with important information about your safety and security by providing statistics of crimes that occur in the College's geographic areas. The statistics include crimes reported to Campus Enforcement, Dean of Students, Dean of Continuing Education, Director of Human Resources and crime information requested from local law enforcement agencies in reference to crimes committed near our campus and non-campus properties that are reported directly to other law enforcement agencies.

This report is intended not only to communicate mandatory information, such as crime statistics and campus safety information to the Campus Community and potential employees, but also to assist prospective students and their families in the decision-making process of selecting a community college by describing the many ways in which we strive to keep the community safe.

II. PREPARING THE ANNUAL SECURITY REPORT

The Director of Human Resources prepares the Annual Security Report (ASR). This report is available to all current and prospective students and current and prospective employees and is available online at <https://isothermal.edu/campus-safety/assets/annual-security-report.pdf>. A hard copy of the report may be obtained at the Human Resources Department in the Administration Building or by calling 828-395-4192. The report contains three years of campus crime statistics and is designed to provide essential information concerning safety and security on the main campus and centers.

Agencies within the jurisdiction as specified by the Clery geography for the college were contacted for the production of the report. Incident reports received during the year are recorded and maintained electronically. Incident reports are reviewed to determine if they are to be included on the crime log. The report is reviewed by the President, Vice President of Administrative Services, Campus Enforcement, Dean of Students, Dean of Continuing Education and Campus Safety Committee. The Director of Human Resources and the Campus Safety Committee review security policies annually to ensure they are current and implemented as prescribed.

III. REPORTING OF CRIMINAL OFFENSES

If a member of the campus community becomes aware of a campus crime, emergency, threat, or issue of concern at the Rutherford Campus, Rutherfordton Learning Center, or Polk Center they are personally responsible for reporting information to the proper authorities in a timely manner.

Also, any concern regarding suspicious activity or person seen anywhere on campus, in the parking lots or loitering around vehicles, inside, or around campus buildings, should be reported to Campus Enforcement at 828-289-5850. In addition, the Campus Community may report a concern and/or campus crime to the following areas:

Dean of Students	Student Center	828-395-1429
Dean of Continuing Education	Foundation	828-395-1404
Director of Human Resources	Administration	828-395-1686
REaCH Principal	LLC	828-395-4164
President	Administration	828-395-1300
VP of Academic and Student Services	Student Center	828-395-1663
VP of Administrative Services	Administration	828-395-1293
Chief Development Officer	Administration	828-395-1624

Polk Center employees and students may call the Columbus Police Department at 828-894-5464 and the Dean of Continuing Education at 828-395-1404. Rutherfordton Learning Center (RLC) employees and students may contact the Rutherfordton Police Department at 828-287-5062 and the Dean of Continuing Education at 828-395-1404.

If there is an imminent, life-threatening emergency immediately call 911. General guidelines to follow are:

- Stay as calm as possible
- Describe the nature of the problem
- Give the campus location of the incident by building name
- Do not hang up until instructed to do so
- Send someone to watch for the emergency unit and direct the unit to the scene, if deemed safe
- Notify a college employee
- Report sexual harassment and sexual assaults in accordance with the sexual harassment policies. (See [306-01-02BP](#) and [601-02-05BP](#).) The Title IX Coordinator and the Title IX Deputy Coordinators are responsible for investigating sexual harassment and sexual assaults. Title IX and Deputy Coordinators are:

Title IX Coordinator: Charity Hardin, Director of Human Resources
Administration Building, Main Campus
chardin@isothermal.edu
(828) 395-1686

Deputy Title IX Coordinators: Sandra Lackner, Dean of Students
Student Center Building, Main Campus
slackner@isothermal.edu
(828) 395-1429

Donna Hood, Dean of Continuing Education
The Foundation Building, Main Campus
dhood@isothermal.edu
(828) 395-1404

Jeremiah McCluney, REaCH Principal
Lifelong Learning Center, Main Campus
jsmclun@rcsnc.org
(828) 395-4164

Mary Metcalf Greene,
Polk County Early College
mgreene@polkschools.org
(828) 894-2698

Guidelines for specific emergencies can be found in the [Campus Safety Manual](#).

An incident report must be submitted to a college employee as soon as possible. Incident reports should be submitted to Campus Enforcement, Dean of Students, Dean of Continuing Education, or Director of Human Resources. All reportable incidents will be included in the annual crime statistics report.

The College does not have a policy addressing counselors and confidential crime reporting. However, the College's practice is to not require a professional counselor employed by the College and serving in that capacity to report crimes for inclusion in the annual disclosure of crime statistics. They are encouraged, if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

The College does not have off-campus student organizations.

IV. VOLUNTARY CONFIDENTIAL REPORTING

The College does not have a voluntary confidential reporting of crimes policy in place. However, the College's website provides information and procedures to students for reporting any matter of concern. The voluntary confidential reporting form can be found at the following link and states:

(<https://www.isothermal.edu/campus-safety/campus-concern.html>)

"Do you need to report a campus concern? For example, have you witnessed a behavior on campus that you would consider unconventional or bizarre? Are you aware of a

student who may be considering self-harm or harm to others? This information may be reported anonymously by submitting the form below.

Please know that any information you submit will be handled confidentially with the purpose of assisting the student, faculty, or staff person you have named. Although we accept anonymous reports, we encourage you to provide your name and contact information, so that we can follow up should we need additional information. Also, it is important that you provide as many details as possible to assist us in further exploring your concern.”

V. SECURITY OF AND ACCESS TO CAMPUS FACILITIES

The College is a non-residential campus. The college facilities are open to the public during operating hours or special events. During non-business hours and holidays access is limited to authorized persons by electronic door or key access. Keys and/or electronic access to the campus facilities are approved by the Vice President of Administrative Services. Staff is in place to ensure the campus facilities are secure when the College is closed.

The College is equipped with security cameras on the main campus, the RLC and the Polk Center, which are located on the exterior and interior of buildings.

VI. LAW ENFORCEMENT RELATIONSHIPS AND JURISDICTION

The College contracts with the Rutherford County Sheriff's Department to provide the main campus with two deputies (Campus Enforcement). The deputies have full powers of arrest in cases involving violations of the federal, state, and local law and ordinances on campus. Campus Enforcement provides safety training to employees and students, and makes recommendations to administration for improvements for all college facilities. Campus Enforcement works closely with local, state, and federal law enforcement agencies as needed.

The College and Campus Enforcement maintain a close working relationship with the Rutherfordton and Spindale Police Departments. The departments are receptive to providing assistance as needed to ensure the safety of the main campus and RLC.

The College maintains a close working relationship with the Columbus Police Department. The department is receptive in providing assistance as needed to ensure the safety of the Polk Center.

There is no Memorandum of Understanding between the College and the local law enforcement agencies.

VII. TIMELY WARNING

In the event that a situation arises, either on or off campus facilities, that, in the judgment of the college President or designee, constitutes an ongoing or continuing threat, a campus

wide “timely warning” will be issued. The situation may involve safety, security, and/or health. As soon as pertinent information is available, the Director of Marketing and Community Relations and/or designee will take all measures to notify the entire Campus Community. Dependent upon the situation, warnings may be disseminated by electronic notifications using email, text message, Moodle, Alertus Desktop Notification, and the website (www.isothermal.edu); flyers and/or local media. Anyone with information warranting a timely warning should report the circumstances to Campus Enforcement (828-289-5850), Dean of Students (828-395-1429), Dean of Continuing Education (828-395-1404) or Director of Human Resources (828-395-1686).

VIII. EMERGENCY NOTIFICATION

The College activates its emergency notification system without delay, in response to any situation that poses an immediate threat to the Campus Community or could disrupt college operations in a significant manner. The exception to this would be when issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Situations may include active shooter, natural disaster, weather conditions, fire, gas leak, etc. Communication between the college President, designated staff, Campus Enforcement and/or Rutherford County Communications Center takes place to confirm that there is a significant emergency or dangerous situation that is an immediate threat to the Campus Community’s health or safety. Campus Enforcement, Emergency Response Team, Center Directors and/or designated staff proceed without delay in making notification once an immediate threat is confirmed; notification may be to the entire or segment of the campus community. The Rutherford County Communications Center, Director of Marketing and Community Relations, Chief Information Officer and/or other designated staff will activate the alert to the entire or segment of the campus community using multiple communication channels. Sample notifications have been established and revised as needed depending on the threat. Channels may include outdoor warning system on main campus, fire alarms, ICC Alert which sends text and emails, Alertus Desktop Notification, college phone intercom system, website, the College’s social media accounts, and local media. Follow-up notifications will take place as needed.

The College and Rutherford County Communications Center conduct an announced test of the outdoor warning, ICC Alert, and college phone systems monthly.

IX. EMERGENCY DRILLS, TESTING AND EVACUATION PROCEDURES

New students and employees are provided information regarding emergency notifications and evacuations during orientation. During the year, Campus Enforcement and safety committee members conduct trainings and mock drills. The Campus Safety Committee will conduct at least one announced mock drill in each building each calendar year. There are additional unannounced mock drills that are held at strategic times to allow for maximum participation among day and night classes. Every effort is made to conduct unannounced mock drills at least twice per year for each building. Assessment takes place after the trainings, which may result in additional safety measures and changes to policy and

procedures. Documentation of each drill is maintained by the Campus Safety Coordinator, and includes the date, time, location, description, assessment notes and whether the drill was announced or unannounced. The college will publicize at a minimum one training, per building, per year, and will utilize email notifications to the campus community. In the event of a drill utilizing the outdoor notification system, notification will be given to surrounding businesses prior to conducting the drill by email and/or phone.

X. SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING POLICY

Isothermal Community College (“College”) strives to make its campuses and facilities safe and welcoming learning and working environments. Pursuant to the Clery Act, Title IX of the Education Amendments of 1972, the Violence Against Women Act, the Campus SaVE Act and other applicable federal and state laws and regulations, the College hereby adopts these procedures when investigating, disciplining and educating the College Community about sexual harassment and sexual-based violence.

DEFINITIONS

The following definitions shall apply to these Procedures and shall be collectively referred to herein as “discrimination, harassment and sexual-based violence”.

- A. **Actual knowledge** – notice of sexual harassment or allegations of sexual harassment by the Title IX coordinator or any college official who has authority to institute corrective measures on behalf of the college. Actual knowledge is not met when the only college official with actual knowledge is a respondent.
- B. **Advisor** – a person chosen by one of the parties (complainant or respondent) to assist them during the investigation and potential hearing. The advisor may be, but is not required to be, an attorney. It could be a friend, family member, faculty member, etc.
- C. **Complainant** – an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- D. **Consent**– explicit approval to engage in sexual activity demonstrated by clear actions or words. This decision must be made freely and actively by all participants. Non-verbal communication, silence, passivity or lack of active resistance does not imply consent. In addition, previous participation in sexual activity does not indicate current consent to participate and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent has not been obtained in situations where the individual: i) is forced, pressured, manipulated or has reasonable fear that they will be injured if they do not submit to the act; ii) is incapable of giving consent or is prevented from resisting due to physical or mental incapacity (including being under the influence of drugs or alcohol); or iii) has a mental or physical disability which inhibits their ability to give consent to sexual activity.
- E. **Dating Violence**– crimes of violence against a person with whom the person has or had a social relationship or a romantic or intimate relationship.

- F. **Discrimination** – any act or failure to act that unreasonably and unfavorably differentiates treatment of others based solely on their race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 and older), disability or genetic information. Discrimination may be intentional or unintentional.
- G. **Domestic Violence**—crimes of violence against a current or former spouse or intimate partner; a person with whom the individual shares a child in common; a person with whom the individual cohabitates or has cohabitated as a spouse or intimate partner; a person similarly situated to the individual as a spouse under local domestic laws; or any other person who is protected under local domestic laws of the jurisdiction.
- H. **Education Program or Activity** – for purposes of these procedures, this means any locations, events, or circumstances over which the college exercised substantial control over both the respondent(s) and the context in which the alleged sexual harassment occurs. It also means any building owned or controlled by a student organization that is officially recognized by the college.
- I. **Formal Complaint** – a document filed by a complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting the college investigate the allegations(s). A formal complaint initiates a formal grievance process in which parties are entitled to due process protections.
- J. **Harassment** (see specific definition for sexual harassment) –behavior, including verbal or physical conduct, that is unwelcome; that denigrates or shows hostility toward an individual; and that is sufficiently severe, persistent, and pervasive from both a subjective perspective (i.e., the recipient’s view) and from an objective perspective (i.e., a reasonable person’s view) that it creates an intimidating, hostile, degrading, insulting or offensive work or learning environment; interferes unreasonably with an individual’s work or academic performance; or otherwise unreasonably adversely affects an individual’s employment or educational opportunities.
- K. **Informal Resolution** – a resolution reached regarding an allegation of sexual harassment without the filing of a formal complaint. Informal resolution may include mediation, facilitated dialogue, conflict coaching, restorative justice, or other models of alternative dispute resolution. Informal resolution cannot be used for a student’s allegation of sexual harassment against a college employee.
- L. **Respondent** – an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- M. **Retaliation** – to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these procedures.
- N. **Sexual Assault**– an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system.
- O. **Sexual Harassment**–quid pro quo harassment; unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college’s education program or activity, including

conduct based on sex stereotyping; or any instance of sexual assault, dating violence, domestic violence, or stalking.

Quid pro quo harassment is a person having power or authority over another and conditioning an education or employment benefit or service or access to receiving the educational or employment benefit or service upon a person's participation in unwelcome sexual conduct.

- P. **Stalking** – engaging in a course of conduct directed to a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
- Q. **Standard of evidence** – the college uses preponderance of the evidence as the standard for proof of whether a violation of this policy has occurred. In the student due process hearing and employee grievance process, legal terms like “guilt,” “innocence” and “burden of proof” are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The college will find the respondent either “responsible” or “not responsible” for violating these procedures.
- R. **Supportive Measures** – individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party that are designated to ensure equal educational access, protect safety, or deter sexual harassment. Examples of support measures are 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, leaves of absences, increased security and monitoring of certain areas of the college, and other similar measures.

REPORTING

Individuals may report sexual harassment directly to local law enforcement agencies by dialing 911. Individuals who make a criminal allegation may also choose to pursue college grievance procedure simultaneously. A criminal investigation into the matter does not release the college from its obligation to conduct its own investigation (nor is a criminal investigation determinative of whether sexual harassment has occurred). However, the college's investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the college must make available supportive measures when necessary to protect the complainant and/or the college community.

Individuals may choose not to report alleged sexual harassment to law enforcement authorities. The college respects and supports individuals' decisions regarding reporting; nevertheless, the college may notify appropriate law enforcement authorities as legally required or warranted by the nature of the allegations.

The college's Title IX coordinator oversees compliance with these procedures and Title IX regulations. Questions about these procedures should be directed to the Title IX

coordinator. Anyone wishing to make a report relating to sexual harassment may do so by reporting the concern to the college's Title IX coordinator in person, by mail, by telephone, by email, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report of alleged sexual harassment.

The following list are the Title IX coordinators for the college community:

Employees and Community Members:	Charity Hardin, Director of Human Resources Administration Building, Main Campus chardin@isothermal.edu (828) 395-1686
Curriculum Students:	Sandra Lackner, Dean of Students Student Center Building, Main Campus slackner@isothermal.edu (828) 395-1429
Continuing Education Students:	Donna Hood, Dean of Continuing Education The Foundation Building, Main Campus dhood@isothermal.edu (828) 395-1404
REaCH Students:	Jeremiah McCluney, REaCH Principal Lifelong Learning Center, Main Campus jsmclun@rcsnc.org (828) 395-4164
Polk County Early College Students:	Mary Metcalf Greene, Polk County Early College mgreene@polkschools.org (828) 894-2698

The Coordinator shall receive annual training on issues related discrimination, harassment, and sexual-based violence, and how to conduct a fair and impartial investigation that protects alleged victims and promotes accountability.

GRIEVANCE PROCEDURES

A. Scope

1. Use of these grievance procedures applies to reports alleging sexual harassment carried out by employees, students, or third parties.
2. All reports of sexual harassment are taken seriously. At the same time, those accused of sexual harassment are presumed "not responsible" throughout this grievance procedure.

B. Initial College Response and Assessment

1. After receiving a report of sexual harassment, the Title IX coordinator takes immediate and appropriate steps to:
 - a. Communicate with the individual who reported the alleged conduct;
 - b. Implement supportive measures to eliminate and prevent the recurrence of sex harassment, deter retaliation, remedy the effects of sex harassment, and provide due process rights during a college investigation;
 - c. Provide the individual with a copy of the policy and procedures, as well as an explanation of their rights and options; and
 - d. Determine whether the alleged conduct, as described by the reporting party, falls within the scope of this policy and if so, initiate the investigation and resolution procedures.
 - e. The Title IX coordinator may delegate the authority to take some or all of these steps to a Deputy Title IX coordinator.
2. The Title IX coordinator must administratively close a report or complaint of sexual harassment if after an initial assessment:
 - a. The allegations as stated do not constitute a violation of this policy and procedure, even if proven; or
 - b. The alleged sexual harassment did not occur in the college's education program or activity or did not occur in the United States.\
 - c. The Title IX coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate college office or department to resolve the report or complaint. All parties may appeal the Title IX coordinator's dismissal of a formal complaint under this section by using the appeal procedures in Section V.
3. The Title IX coordinator may administratively close a report or complaint of sexual harassment if:
 - a. The complainant, at any time, requests withdrawal of the report or complaint;
 - b. The respondent is no longer enrolled or employed by the college; or
 - c. The college is prevented from gathering evidence sufficient to reach a determination of responsibility.
 - d. The Title IX coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate college office or department to resolve the report or complaint. All parties may appeal the Title IX coordinator's dismissal of a formal complaint under this section by using the appeal procedures in Section V.
4. Regardless of when the alleged sexual harassment is reported, a complainant must be participating in or attempting to participate in the college's education program or activity for a formal complaint to be filed.

C. Informal Process

1. Any party may request the college facilitate an informal resolution to a sexual harassment complaint at any time after the filing of a formal complaint. The Title IX coordinator may offer the parties the opportunity for informal resolution, too.
 - a. Upon a request for informal resolution, the Title IX coordinator determines whether informal resolution is appropriate based on the facts and circumstances of the case. The Title IX coordinator ensures that any proposed informal resolution is consistent with the college's obligations to prevent and redress sexual harassment.
 - b. A student's allegations of sexual harassment against a college employee are not eligible for informal resolution.
 - c. The Title IX coordinator provides the parties with written notice of proceeding with an informal resolution, including the allegations of sexual harassment, the requirements of the informal resolution process, and potential outcomes resulting from participating in the informal resolution process.
 - d. The Title IX coordinator also designates an independent, neutral person to facilitate the informal resolution.
2. Informal resolution is voluntary.
 - a. The complainant and respondent must provide written consent for informal resolution to take place.
 - b. Any party has a right to end the informal resolution process at any time prior to agreeing to a resolution and begin or continue the formal investigation and grievance process.
3. Informal resolution concludes the matter only when all parties have signed a written agreement that confirms resolution of the allegations.
 - a. The resolution agreement must include a waiver of the parties' right to have a formal hearing on the allegations that have been informally resolved.
 - b. Parties are prohibited from revoking or appealing a resolution agreement. Should the respondent violate the terms of an informal resolution agreement, such violation will subject the respondent to an investigation and the formal grievance process contained in this procedure.
4. If a resolution agreement is not reached, the college will continue with a formal investigation.

D. Formal Process

1. The goal of a formal investigation is to reach a determination as to whether a respondent has violated one or more college policies prohibiting sexual harassment and if so, remedy the effects of a violation.
 - a. The Title IX coordinator may include possible violations of other college policies that contributed to, arose from, or are otherwise related to alleged violations of this policy and procedure in the scope of an investigation.

- b. The Title IX coordinator gives written notice to the complainant and respondent of the investigation, providing sufficient details to allow the parties to respond and prepare for initial interviews, including the identity of the parties involved (if known), the conduct alleged to be sexual harassment, the date and location of alleged incidents (if known), a statement that the respondent is presumed not responsible and a determination of responsibility is made at the conclusion of the process, information regarding the parties' right to an advisor and the right to review evidence, and notice that the college prohibits knowingly making false statements or submitting false information during the grievance process.
 - c. The Title IX coordinator designates an investigator to investigate the allegations of sexual harassment.
2. Parties to an investigation can expect a prompt, thorough, and equitable investigation of complaints, including the opportunity for parties to ask questions, present witnesses and provide information regarding the allegations.
3. Parties and witnesses should cooperate in the investigation process to the extent required by law and this policy.
4. The standard of proof used in investigations is preponderance of the evidence. It is the college's responsibility to establish the standard of proof and gather evidence during investigations.
5. The college aims to complete all investigations to a resolution within thirty (30) business days from the date the Title IX coordinator determines an investigation will commence.
 - a. Extensions of timeframe for good cause are allowed, so long as written notice and the reason for the delay is provided to the parties. Good cause includes:
 - i. The complexity and/or number of the allegations;
 - ii. The severity and extent of the alleged misconduct;
 - iii. The number of parties, witnesses, and other types of evidence involved;
 - iv. The availability of the parties, witnesses, and evidence;
 - v. A request by a party to delay an investigation;
 - vi. The effect of a concurrent criminal investigation or proceeding;
 - vii. Intervening holidays, college breaks, or other closures;
 - viii. Good faith efforts to reach a resolution; or
 - ix. Other unforeseen circumstances.
 - b. Investigations typically include interviews with the complainant, the respondent, and any witnesses, and the objective evaluation of any physical, documentary, or other evidence as appropriate and available. The college will give the complainant and the respondent written notice of any interview, meeting, or hearing at which a party is invited or expected to participate.

- c. The college may suspend or place on administrative leave a student or employee, pending the completion of an investigation and resolution, when the college performs an individualized safety and risk analysis and determines the person poses an immediate threat to the physical health or safety of any member(s) of the college community.
 - i. The Title IX coordinator may recommend to the appropriate college official to implement or stay an interim suspension of a student or employee and the conditions and duration of such suspension or leave.
 - ii. In all cases in which an interim suspension or administrative leave is imposed, the student or employee shall be given notice and an opportunity to challenge the removal decision immediately following the removal
 - iii. Violation of an interim suspension under this procedure is grounds for expulsion or termination.
6. Interviews conducted as part of an investigation under this Procedure may be recorded by the college.
7. The complainant and respondent have the right to be accompanied by an advisor of their choosing during all stages of an investigation.
 - a. A party may elect to change advisors during the process.
 - b. All advisors are subject to the same rules:
 - i. During the investigation, the advisor's role is limited to providing advice, guidance, and support to the complainant or respondent. An advisor is not permitted to act as a participant or advocate during the investigative process.
 - ii. Advisors are expected to maintain the privacy of the records shared with them.
 - iii. Advisors are expected to refrain from interfering with investigations.
 - iv. Any advisor who oversteps their role or interferes during an investigation process will be warned once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave. The Title IX coordinator determines whether the advisor may return or should be replaced by a different advisor.
8. Prior to finalizing a report, the investigator provides all parties an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the college does not intend to rely.
 - a. The complainant and respondent may submit a written response to the evidence within ten days after receipt of the evidence.
 - i. Responses must be submitted to the investigator via email, mail, or hand delivery by 4:30 p.m. eastern standard time on the date responses are due.

- ii. Responses may not exceed 10 double-spaced pages on 8.5x11 paper with one-inch margins and 12-point standard font.
 - b. The investigator considers any responses received from the parties and conducts any further investigation necessary or appropriate.
9. Following an investigation and at least 10 days prior to a grievance hearing, the investigator submits an investigative report to the parties that fairly summarizes relevant evidence. The report includes a summary of the allegations; a summary of the response; a summary of the investigative steps taken to verify the allegations and response; and a summary of the evidence relevant to a determination of responsibility.

GRIEVANCE HEARINGS

At least 10 days after the issuance of an investigation report, the college must hold a live hearing in front of a panel of decision-makers to determine responsibility of a respondent. The panel of decision-makers will be comprised of members of the college administration, designated by the Vice-President of Administrative Services or designee. A “live hearing” means either in person or virtually. The following hearing rules apply:

- A. All parties must be able to see and hear the questioning of parties and witnesses.
- B. Any party may request a virtual hearing. If requested, the college will provide a virtual hearing.
- C. All parties have an equal opportunity to present witnesses, including fact and expert witnesses.
- D. The parties’ advisors are permitted to cross-examine the parties and any witnesses.
 1. The parties are prohibited from directly conducting cross-examination. Cross-examination must be conducted by a party’s advisor.
 2. The decision-makers determine whether questions asked during cross-examination are relevant to the determination of responsibility. If the decision-makers disallow a question, they will explain the basis for their decision at the hearing. Parties and advisors may not challenge a decision-maker’s relevancy determinations during the hearing.
 3. Evidence or questions that inquire about the complainant’s sexual predisposition or prior sexual history are prohibited unless such questions and evidence 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.
 4. The decision-makers may not consider statements of individuals who do not submit to cross-examination in reaching a determination of responsibility.
 5. Records with a legally recognized privilege, such as medical treatment records, may not be used unless the individual or entity who holds the privilege waives the privilege. Any waiver must be written and made in advance of a hearing.
 6. If a party does not have an advisor, the college will provide an advisor at no cost to the party. The advisor may, or may not, be an attorney.

7. Other standard rules of evidence do not apply in grievance hearings under these procedures.
- E. The college will provide either an audio recording, audiovisual recording, or transcript of the hearing to all parties.
- F. The panel of decision-makers evaluate all relevant evidence and reaches a determination regarding responsibility. The decision-makers issue their final written determination to all parties within ten (10) days of the hearing. The final written determination includes a summary of the allegations; a description of the procedural steps taken by the college to investigate and reach a determination of responsibility; findings of fact supporting the determination; conclusions regarding the application of college policies to the facts; a statement of and rationale for the result as to each allegation, including a determination of responsibility; any disciplinary sanctions the college recommends or imposes; whether remedies designed to restore or preserve equal access to an education program or activity will be provided to the complainant; and the college's appeal procedures.
- G. The following sanctions may be imposed for those who are found to be in violation of this policy:
 1. Students
 - a. Verbal or Written Warning
 - b. Probation
 - c. Administrative withdrawal from a course without refund
 - d. Required Counseling
 - e. No Contact Directive
 - f. Suspension
 - g. Recommendation of Expulsion
 - h. Other consequences deemed appropriate
 2. Employees
 - a. Verbal or Written Warning
 - b. Performance Improvement Plan
 - c. Required Counseling
 - d. Required Training or Education
 - e. Recommendation of Demotion
 - f. Recommendation to Suspend with or without Pay
 - g. Recommendation of Dismissal
 - h. Other consequences deemed appropriate to the specific violation

If the decision-makers are required to make a recommendation for student expulsion or employee suspension, demotion or dismissal, such recommendation will be made to the appropriate college official after the time for appeal has expired. If the decision-makers recommend the respondent be expelled, suspended, demoted, or dismissed, during the time in which either party has to appeal, the Respondent shall remain on suspension unless otherwise determined by the decision-makers.

APPEALS

After the decision-makers submits their determination of responsibility to the complainant and respondent, all parties are given an equal opportunity to appeal the determination. Appeals may be based only on these grounds:

- A. Procedural irregularity that affected the outcome;
- B. New evidence that was not reasonably available at the time of the hearing that could affect the outcome; and/or
- C. The Title IX coordinator, investigator, or decision-makers had a bias or conflict of interest that affected the outcome.

Parties must submit any appeal to the President of the college by 4:30 p.m. eastern standard time via email or mail, within ten (10) days of receiving the panel of decision maker's written determination of responsibility. Appeals may not exceed ten (10) double-spaced pages on 8.5x11 paper with one-inch margins and 12-point standard font.

The college notifies all parties when an appeal is filed and provides all parties a copy of the appeal and a chance to submit a written statement supporting or challenging the outcome. Parties must submit written statements supporting or challenging the outcome to the President of the college by 4:30 p.m. eastern standard time via email or mail, within two (2) days of receiving a copy of an appeal.

The President shall conduct a review of the record, including the appeal(s) received, any written statements supporting or challenging the outcome, the investigation report, the panel of decision makers written determination of responsibility, and any accompanying evidence prior to issuing a written decision to the complainant and respondent that describes the result of the appeal and the rationale for the result.

The President's written decision is final.

PROTECTION AGAINST RETALIATION

The College will not in any way retaliate against an individual who makes a report of discrimination, harassment or sexual-based violence in good faith or who assists in an investigation. Retaliation includes, but is not limited to: intimidation, disciplinary action, reprisal or harassment. Retaliation is a serious violation and should be reported immediately. The College will take disciplinary action against any employee or student found to have retaliated against another in violation of these procedures.

PREGNANT AND PARENTING STUDENTS

Title IX regulations specifically prohibit discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. Title IX regulations also prohibit the college from excluding a pregnant

student from participating in any part of an educational program. If a pregnant student desires accommodations to assist with their participation in the educational process, the student may submit a Title IX Request for Academic Accommodations for Pregnancy form to the Counselor and Student Advocacy Coordinator. For more information, contact the Advising and Success Center.

FERPA

A student's personally identifiable information found in a student's education records will be shared only with college employees who need to know to assist with the college's response to sexual harassment.

A student's personally identifiable information found in a student's education records will not be disclosed to third parties unaffiliated with the college unless:

- a. The student gives consent;
- b. The college must respond to a lawfully issued subpoena or court order; or
- c. The college is otherwise required by law to disclose.

SUSPENSION OF PROCEDURES

In cases of emergency or serious misconduct, the president or the president's designee reserves the right to suspend this process and may enact appropriate action for the welfare and safety of the College community.

STUDENT AND EMPLOYEE EDUCATION AND ANNUAL TRAINING

All new students and all employees shall be required to participate in a primary prevention and awareness program that promotes awareness of discrimination, harassment and sexual-based violence. This program will be held annually during each fall semester.

At this annual training, students and employees must receive training in the following areas:

1. Information about safe and positive options for bystander intervention skills;
2. What "consent" means with reference to sexual activities.
3. Risk reduction programs so students recognize and can avoid abusive behaviors or potential attacks;
4. How and to whom to report an incident regarding discrimination, harassment and sexual-based violence;
5. The importance of preserving physical evidence in a sexual-based violent crime; and

6. Options about the involvement of law enforcement and campus authorities, including the alleged victim's option to: i) notify law enforcement; ii) being assisted by campus authorities in notifying law enforcement; iii) decline to notify law enforcement; and iv) obtaining "no-contact" or restraining orders.

Each year, the College will make reasonable efforts to see that all students and employees receive a copy of these procedures. They will be sent to the respective student and employee's email address of record if one exists, and if not, reasonable efforts will be made to disseminate the information in another way. These procedures will be maintained online on the College's website and a hard copy will be kept on file (in English and Spanish) in the coordinator's office. Other translations will be made available upon request.

XI. REGISTERED SEX OFFENDER

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. North Carolina community colleges are also subject to N.C.G.S. 14-208.18. This amendment is known as the Jessica Lunsford Act and became effective December 1, 2008.

Students and employees are made aware through the College Catalog and Student Handbook that information regarding registered sex offenders in the local region may be obtained by contacting the Rutherford County Sheriff's Department at (828) 287-6247 or at the website: <http://sexoffender.ncsbi.gov>.

The College takes no affirmative acts to identify or otherwise initiate any direct actions against sex offenders. If college officials become aware of possible violations, they should notify law enforcement and allow law enforcement officials to address the issue. If sex offenders inquire about their ability to attend classes or be present on any college campus or center, they should be directed to Campus Enforcement or the local sheriff's office. The local sheriff is responsible for enforcing violations of this law.

XII. SECURITY AWARENESS PROGRAMS

Students are informed of services offered by Campus Enforcement to maintain personal safety in the annual College Catalog and Student Handbook, bi-annual student newsletter and orientation event (held each fall and spring semester). The College Catalog and Student Handbook informs the Campus Community of crime statistics that occurred on Isothermal's campuses and on the properties adjacent to the campus and centers.

Additionally, campus safety is included in the syllabus of each curriculum course and the instructor of the course will review safety information relevant to the course.

Employees are provided with the same information through new hire orientation held in the fall and spring each year. Part-time employees receive safety information at the time they are hired. During the academic year, in cooperation with other campus organizations and departments, crime prevention programs and sexual assault/harassment prevention programs are offered. Every effort is made to meet with each department at least twice per year to discuss safety and security on campus.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. This includes discussion around campus doors/security measures, emergency guidebooks, evacuation/lockdown procedures, self-defense, minor first aid and stop the bleed training. In addition to seminars, information is disseminated to students and employees through brochures, flyers, and other media forms as necessary. When time is of the essence, information is released to the community through security alerts sent via email or text.

To view the Isothermal Community College Safety information, go to the website: <https://www.isothermal.edu/services/campus-safety/index.html>.

XIII. CRIME PREVENTION PROGRAMS

Students are informed of services offered by Campus Enforcement to address crime prevention in the annual College Catalog and Student Handbook, bi-annual student newsletter and orientation event (held each fall and spring semester).

Employees are provided with the same information through new hire orientation held in the fall and spring of each year. Part-time employees receive crime prevention information at the time they are hired. During the academic year, in cooperation with other campus organizations and departments, crime prevention programs and sexual assault/harassment prevention programs are offered. Every effort is made to meet with each department at least twice per year to discuss crime prevention campus.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. This includes discussion of strategies and tips on how to protect themselves from sexual assault, theft, and other crimes. In addition to seminars, information is disseminated to students and employees through brochures, flyers, and other media forms as necessary.

XIV. DRUG, ALCOHOL, AND SUBSTANCE ABUSE

The College's facilities have been designated as "Drug Free" and only under approved circumstances is the consumption of alcohol permitted. The possession and/or use of any

non-prescribed controlled substance, as defined in Chapter 90 of the General Statutes of North Carolina and federal laws, is not permitted on the facilities of the College. The consumption of alcohol or the possession of an open container which contains alcoholic beverages is prohibited on the campuses of Isothermal Community College. Exceptions shall be made for the use of alcohol in instructional situations, e.g. cooking classes, laboratory experiments, or in conjunction with events at The Foundation Performing Arts and Conference Center meeting the requirements of the NC State ABC Codes and of the nonexclusive catering services agreement. Appropriate disciplinary sanctions will be determined by the College on a case by case basis and may include expulsion and referral for prosecution.

The College has developed a program to prevent the illicit use of drugs, the abuse of alcohol, and underage drinking by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals, and college disciplinary actions. The Student Activities Coordinator supports an overall coordination of the Drug-Free School Program. However, many services are the responsibility of other areas of the institution. These include:

Alcohol and Drug Education:	College Counselors, Employee Assistance Program, College Health Classes, Orientation classes
Counseling Services:	College Counselors, Employee Assistance Program
Referral Services:	College Counselors, Employee Assistance Program
College Disciplinary Actions:	Dean of Students, HR Director, REaCH Principal, Dean of Continuing Education

XV. CRIME STATISTICS

Rutherford Campus (Main)

On-Campus	2019	2020	2021	Public Property	2019	2020	2021	Non-Campus	2019	2020	2021
Murder/Non-Negligent Manslaughter	0	0	0	Murder/Non-Negligent Manslaughter	0	0	0	Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0	Manslaughter by Negligence	0	0	0	Manslaughter by Negligence	0	0	0
Rape	0	0	0	Rape	0	0	0	Rape	0	0	0
Fondling	0	0	0	Fondling	0	0	0	Fondling	0	0	0
Incest	0	0	0	Incest	0	0	0	Incest	0	0	0
Statutory Rape	0	0	0	Statutory Rape	0	0	0	Statutory Rape	0	0	0
Robbery	0	0	0	Robbery	0	0	0	Robbery	0	0	0
Aggravated Assault	0	0	0	Aggravated Assault	0	0	0	Aggravated Assault	0	0	0
Burglary	0	0	0	Burglary	0	0	0	Burglary	0	0	0
Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0
Arson	0	0	0	Arson	0	0	0	Arson	0	0	0
Stalking	0	0	0	Stalking	0	0	0	Stalking	0	0	0
Dating Violence	0	0	0	Dating Violence	0	0	0	Dating Violence	0	0	0
Domestic Violence	0	0	0	Domestic Violence	0	0	0	Domestic Violence	0	0	0
Weapons: Carrying, Possessing, etc.-Arrests	0	0	0	Weapons: Carrying, Possessing, etc.-Arrests	0	0	0	Weapons: Carrying, Possessing, etc.-Arrests	0	0	0
Weapons: Carrying, Possessing, etc.-Disciplinary Referrals	0	0	0	Weapons: Carrying, Possessing, etc.-Disciplinary Referrals	0	0	0	Weapons: Carrying, Possessing, etc.-Disciplinary Referrals	0	0	0
Drug Abuse Violations-Arrests	0	0	0	Drug Abuse Violations-Arrests	0	0	0	Drug Abuse Violations-Arrests	0	0	0
Drug Violations-Disciplinary Referrals	0	0	0	Drug Violations-Disciplinary Referrals	0	0	0	Drug Violations-Disciplinary Referrals	0	0	0
Liquor Law Violations-Arrests	0	0	0	Liquor Law Violations-Arrests	0	0	0	Liquor Law Violations-Arrests	0	0	0
Liquor Law Violations-Disciplinary Referrals	0	0	0	Liquor Law Violations-Disciplinary Referrals	0	0	0	Liquor Law Violations-Disciplinary Referrals	0	0	0
Hate Crimes – Larceny/theft	0	0	0	Hate Crimes – Larceny/theft	0	0	0	Hate Crimes – Larceny/theft	0	0	0
Hate Crimes – Simple Assault	0	0	0	Hate Crimes – Simple Assault	0	0	0	Hate Crimes – Simple Assault	0	0	0
Hate Crimes – Intimidation	0	0	0	Hate Crimes – Intimidation	0	0	0	Hate Crimes – Intimidation	0	0	0
Hate Crimes – Destruction/Damage / Vandalism of Property	0	0	0	Hate Crimes – Destruction/Damage / Vandalism of Property	0	0	0	Hate Crimes – Destruction/Damage / Vandalism of Property	0	0	0
Unfounded Crimes	0	0	0	Unfounded Crimes	0	0	0	Unfounded Crimes	0	0	0

Rutherfordton Learning Center

On-Campus	2019	2020	2021	Public Property	2019	2020	2021
Murder/Non-Negligent Manslaughter	0	0	0	Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0	Manslaughter by Negligence	0	0	0
Rape	0	0	0	Rape	0	0	0
Fondling	0	0	0	Fondling	0	0	0
Incest	0	0	0	Incest	0	0	0
Statutory Rape	0	0	0	Statutory Rape	0	0	0
Robbery	0	0	0	Robbery	0	0	0
Aggravated Assault	0	0	0	Aggravated Assault	0	0	0
Burglary	0	0	0	Burglary	0	0	0
Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0
Arson	0	0	0	Arson	0	0	0
Stalking	0	0	0	Stalking	0	0	0
Dating Violence	0	0	0	Dating Violence	0	0	0
Domestic Violence	0	0	0	Domestic Violence	0	0	0
Weapons: Carrying, Possessing, etc.-Arrests	0	0	0	Weapons: Carrying, Possessing, etc.-Arrests	0	0	0
Weapons: Carrying, Possessing, etc.-Disciplinary Referrals	0	0	0	Weapons: Carrying, Possessing, etc.-Disciplinary Referrals	0	0	0
Drug Abuse Violations-Arrests	0	0	0	Drug Abuse Violations-Arrests	0	0	0
Drug Violations-Disciplinary Referrals	0	0	0	Drug Violations-Disciplinary Referrals	0	0	0
Liquor Law Violations-Arrests	0	0	0	Liquor Law Violations-Arrests	0	0	0
Liquor Law Violations-Disciplinary Referrals	0	0	0	Liquor Law Violations-Disciplinary Referrals	0	0	0
Hate Crimes – Larceny/theft	0	0	0	Hate Crimes – Larceny/theft	0	0	0
Hate Crimes – Simple Assault	0	0	0	Hate Crimes – Simple Assault	0	0	0
Hate Crimes – Intimidation	0	0	0	Hate Crimes – Intimidation	0	0	0
Hate Crimes – Destruction/Damage/Vandalism of Property	0	0	0	Hate Crimes – Destruction/Damage/Vandalism of Property	0	0	0
Unfounded Crimes	0	0	0	Unfounded Crimes	0	0	0

Polk Center

On-Campus	2019	2020	2021	Public Property	2019	2020	2021
Murder/Non-Negligent Manslaughter	0	0	0	Murder/Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0	Manslaughter by Negligence	0	0	0
Rape	0	0	0	Rape	0	0	0
Fondling	0	0	0	Fondling	0	0	0
Incest	0	0	0	Incest	0	0	0
Statutory Rape	0	0	0	Statutory Rape	0	0	0
Robbery	0	0	0	Robbery	0	0	0
Aggravated Assault	0	0	0	Aggravated Assault	0	0	0
Burglary	0	0	0	Burglary	0	0	0
Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0
Arson	0	0	0	Arson	0	0	0
Stalking	0	0	0	Stalking	0	0	0
Dating Violence	0	0	0	Dating Violence	0	0	0
Domestic Violence	0	0	0	Domestic Violence	0	0	0
Weapons: Carrying, Possessing, etc.-Arrests	0	0	0	Weapons: Carrying, Possessing, etc.-Arrests	0	0	0
Weapons: Carrying, Possessing, etc.-Disciplinary Referrals	0	0	0	Weapons: Carrying, Possessing, etc.-Disciplinary Referrals	0	0	0
Drug Abuse Violations-Arrests	0	0	0	Drug Abuse Violations-Arrests	0	0	0
Drug Violations-Disciplinary Referrals	0	0	0	Drug Violations-Disciplinary Referrals	0	0	0
Liquor Law Violations-Arrests	0	0	0	Liquor Law Violations-Arrests	0	0	0
Liquor Law Violations-Disciplinary Referrals	0	0	0	Liquor Law Violations-Disciplinary Referrals	0	0	0
Hate Crimes – Larceny/theft	0	0	0	Hate Crimes – Larceny/theft	0	0	0
Hate Crimes – Simple Assault	0	0	0	Hate Crimes – Simple Assault	0	0	0
Hate Crimes – Intimidation	0	0	0	Hate Crimes – Intimidation	0	0	0
Hate Crimes – Destruction/Damage/Vandalism of Property	0	0	0	Hate Crimes – Destruction/Damage/Vandalism of Property	0	0	0
Unfounded Crimes	0	0	0	Unfounded Crimes	0	0	0