

# Annual Security and Fire Safety Report

January 1, 2021  
through  
December 31, 2021



**MID-ATLANTIC**  
CHRISTIAN UNIVERSITY

## Executive Summary

Mid-Atlantic Christian University is dedicated to providing a safe and secure campus to all of its students, residents, employees and guests. Campus safety and security is everyone's responsibility, and it is necessary to maintain sound and sensible precautions. A safe environment depends on the cooperation and involvement of individuals like you. With this publication, it is our goal to communicate to you not only mandatory information such as the crime statistics and fire safety data, but also to inform you on ways of crime prevention, how to report crimes that do occur, and services available for those who might be victims of crimes.

This publication contains information to aid in the cooperative effort of creating a safer campus. It contains specific information on safety, crime prevention, operations and lists of authority, policies related to reporting crimes, disciplinary procedures on campus, available programs and resources made available for drug and alcohol abuse and items related to domestic violence, dating violence and stalking along with crime and fire statistics for the previous three years. The statistics given reflect reported crimes that occurred on campus, and on public property that is immediately adjacent to and accessible from the campus.

The information contained in this document is provided in accordance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. The Student Life Department in collaboration with the Elizabeth City Police Department has gathered the data given in this report. This document is available online at <https://www.macuniversity.edu/student-life/safety-and-security/clery-act/>. Printed copies are also available by request if you contact the Student Life Department located in the Welcome Center or by calling (252)334-2000.

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# Annual Safety Report

## **Campus Security Act Legal Requirements**

- The University must publish an Annual Security Report (ASR) by October 1 of each year
- Maintain a publicly accessible crime log.
- Disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through campus, and at certain non-campus facilities.
- Issues timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees.
- Develop an emergency response, notification, and testing policy.
- Compile and report fire data to the federal government and publish an annual fire safety report.
- Enact policies and procedures to handle reports of missing students.



# Definitions of Crimes

## Criminal Homicide

- Murder and Non-Negligent Manslaughter - The willful (non-negligent) killing of one human being by another.
- Negligent Manslaughter - The killing of another person through gross negligence.

## Forcible Sex Offenses

- Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent:
- **Forcible Rape** - The carnal knowledge of a person, 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 or physical incapacity (or because of his/her youth).
- **Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object** - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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 or physical incapacity.
- **Forcible Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

## Non-forcible Sex Offenses

- **Incest** - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

## Sexual Violence

- **Dating Violence** - The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** - The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the

victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- **Stalking** - The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.

## Hate Crimes

Hate crimes motivated by bias include the intentional selection of a person against whom the violation is committed because of:

- Race
- Religion
- Color
- Genetic information
- Gender
- Disability
- Sexual orientation
- Gender identity
- National origin
- Ethnicity
- Age
- Ancestry

## Other Violations and Crimes

- **Robbery** - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault** - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.
- **Burglary** - Unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.
- **Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Watercraft, construction equipment, airplanes, and farming equipment are specifically excluded from this category.
- **Arson** - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

- **Illegal Weapons Possession** - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification are the following: the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.
- **Drug Law Violations** - The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. This includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance, as well as any arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Included in this classification are the following: all drugs, without exception, that are illegal under local or state law; and all illegally obtained prescription drugs.
- **Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages—not including driving under the influence and drunkenness. The following are included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; and drinking on a public conveyance.
- **Attempted Crimes** - This report does not differentiate between attempted and completed crimes. For example, an incident involving an attempted forcible rape is counted as a forcible sex offense. The only exception to this rule applies to attempts or assaults to murder when the victim does not die. These incidents are classified as aggravated assaults rather than murders. Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim, or anyone else protected under domestic or family violence law.

# Disclosure of Crime Statistics

## Reporting and Notification

In accordance with the Federal Student Right to Know and Campus Security Act of 1990, Mid-Atlantic Christian University has prepared a report containing statistics on campus crimes as reported to local law enforcement agencies.

|                                   | Year | On Campus | Residential Facility | Public Property |
|-----------------------------------|------|-----------|----------------------|-----------------|
| <b>Offenses</b>                   |      |           |                      |                 |
| Murder/Non-Negligent Manslaughter | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Manslaughter by Negligence        | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Rape                              | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Fondling                          | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Incest                            | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Statutory rape                    | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Robbery                           | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Aggravated Assault                | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Burglary                          | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |
|                                   | 2021 | 0         | 0                    | 0               |
| Motor Vehicle Theft               | 2019 | 0         | 0                    | 0               |
|                                   | 2020 | 0         | 0                    | 0               |

|                             |      |   |   |   |
|-----------------------------|------|---|---|---|
|                             | 2021 | 0 | 0 | 0 |
| Arson                       | 2019 | 0 | 0 | 0 |
|                             | 2020 | 0 | 0 | 0 |
|                             | 2021 | 0 | 0 | 0 |
| Larceny                     | 2019 | 2 | 0 | 0 |
|                             | 2020 | 3 | 0 | 0 |
|                             | 2021 | 0 | 0 | 0 |
| Gunshots Fired              | 2019 | 3 | 0 | 0 |
|                             | 2020 | 1 | 0 | 0 |
|                             | 2021 | 0 | 0 | 0 |
| False Pretenses             | 2019 | 1 | 0 | 0 |
|                             | 2020 | 1 | 0 | 0 |
|                             | 2021 | 0 | 0 | 0 |
| Fraud                       | 2019 | 0 | 0 | 0 |
|                             | 2020 | 1 | 0 | 0 |
|                             | 2021 | 0 | 0 | 0 |
| Victim wanting to harm self | 2019 | 1 | 0 | 0 |
|                             | 2020 | 0 | 0 | 0 |
|                             | 2021 | 0 | 0 | 0 |

**\*\*Items after Arson were internal incidents not listed on formal report\*\***

|                      |      |   |   |   |
|----------------------|------|---|---|---|
| <b>VAWA Offenses</b> |      |   |   |   |
| Domestic Violence    | 2019 | 0 | 0 | 0 |
|                      | 2020 | 1 | 0 | 0 |
|                      | 2021 | 0 | 0 | 0 |
| Dating Violence      | 2019 | 0 | 0 | 0 |
|                      | 2020 | 0 | 0 | 0 |
|                      | 2021 | 0 | 0 | 0 |
| Stalking             | 2019 | 0 | 0 | 0 |
|                      | 2020 | 0 | 0 | 0 |
|                      | 2021 | 0 | 0 | 0 |
| <b>Arrests</b>       |      |   |   |   |
| Weapons              | 2019 | 0 | 0 | 0 |
|                      | 2020 | 0 | 0 | 0 |
|                      | 2021 | 0 | 0 | 0 |
| Drugs                | 2019 | 0 | 0 | 0 |
|                      | 2020 | 0 | 0 | 0 |

|         |      |   |   |   |
|---------|------|---|---|---|
|         | 2021 | 0 | 0 | 0 |
| Alcohol | 2019 | 0 | 0 | 0 |
|         | 2020 | 0 | 0 | 0 |
|         | 2021 | 0 | 0 | 0 |

| Disciplinary Referrals |      |   |   |   |
|------------------------|------|---|---|---|
| Weapons                | 2019 | 0 | 0 | 0 |
|                        | 2020 | 0 | 0 | 0 |
|                        | 2021 | 0 | 0 | 0 |
| Drugs                  | 2019 | 0 | 0 | 0 |
|                        | 2020 | 0 | 0 | 0 |
|                        | 2021 | 0 | 0 | 0 |
| Alcohol                | 2019 | 0 | 0 | 0 |
|                        | 2020 | 0 | 0 | 0 |
|                        | 2021 | 1 | 0 | 0 |
| Hate Crimes            |      |   |   |   |

\*\* There were no reported hate crimes for 2018, 2019, or 2020

## Unfounded Crimes

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded.” Only sworn or commissioned law enforcement personnel may unfound a crime. Unfounded crimes are counted in the year in which they were originally reported.

|                        | Year |   |
|------------------------|------|---|
| Total unfounded crimes | 2019 | 1 |
|                        | 2020 | 0 |
|                        | 2021 | 0 |

## Policies and Procedures Safety and Emergencies

The emergency response plan at MACU will allow for accurate response to emergency situations that may affect campus life. An emergency will be defined as: “any event that significantly affects routine

campus functions. Emergencies may be minor to severe and may or may not imply immediate threat to life.” An emergency affecting only one part of campus will be handled by the Vice President for that area. A medical emergency affecting only one person will be handled by the closest person in authority (campus staff or resident hall staff). Campus wide emergencies will be handled by the Emergency Response Team (ERT).

### **Information about Timely Warnings**

In an on-going effort to provide campus security and campus awareness, the college has a “Phone Tree” notification system. In the event of a college closing or security infringement, students will be notified via text message, email, or voicemail. Students are required to provide the appropriate phone numbers at the beginning of each semester. Phone numbers will not be published without prior permission from the student. The student’s school email account will be used for email notification. In the event of a crime that poses a threat to the campus community, a timely warning will be made through the college’s regular announcement processes and the implementation of the campus notification system. In situations where there is an immediate threat to the health or safety of those on campus, the campus will be given a timely warning through the audio emergency broadcast system as well as the electronic mail system and the campus Emergency Response Plan will be implemented. Either of these systems may not be utilized at that time if they would compromise efforts to contain the emergency. Upon confirmation of a significant threat to the campus, instructions for response and evacuation will be communicated in a timely warning.

### **Emergency notification details**

Anyone with information about an emergency should take reasonable action (dial 911, pull fire alarm, etc.) and notify closest person in authority. The closest person in authority should determine if the emergency puts life at risk and if the Emergency Response Team should be activated. The Emergency Response Team should then determine additional measures to be taken.

The following are the members of The Emergency Response Team:

John Maurice – President of the University

Dr. Kevin Larsen – Vice President for Academic Affairs

Sara Shepherd – Vice President of Finance

Bryan Wisdom – Vice President for Student Services

### **Emergency Evacuation Policy**

In the event evacuation is deemed necessary from residence halls or classrooms, the gym is designated as the campus shelter location. If it is determined that the entire campus must be evacuated, the ERT will consider releasing students to return to their homes or to an off-campus evacuation site.

## Testing Emergency notifications

A test to ensure the accuracy and working order of our notification phone tree happens near the start of each academic school year. Each residence hall also holds an emergency evacuations test within the first few weeks of every new semester.

## Missing student notification

### Missing Person Policy

For purposes of this policy, a student resident may be considered a “missing person” if the person’s absence is contrary to his/her usual pattern of behavior and/or if it is suspected that unusual circumstances may have caused the absence. Such circumstances could include, but are not limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is in a life-threatening situation, or has been with persons who may endanger the student’s welfare.

If, when based on facts and circumstances, it is determined that a student resident is missing, the following individuals will be notified: 1) the appropriate University officials, 2) law enforcement, and 3) the student’s parents/guardians and/or other persons designated as emergency contacts by the student.

The Higher Education Act requires institutions of higher education to provide students the option of designating a confidential contact person who is not necessarily a parent or legal guardian. The institution may contact this person if the student is deemed missing. If no contact person is designated, the institution will contact parents or a legal guardian. In addition, whether or not a student identifies a contact person, the Higher Education Act requires Mid-Atlantic Christian University to notify local law enforcement no later than 24 hours after the time the student is deemed missing.

### Missing Person Procedure

When a student enrolls as a resident student at MACU, he/she will provide emergency contact information on a form provided by the institution. The contact person(s) designated by the student will become the primary contact(s) during a missing person’s investigation.

If a member of the MACU community believes a student resident is missing, he/she should notify the Resident Hall Director, Resident Assistant, or the Vice President for Student Services immediately and provide as much information as possible. These offices will undertake an immediate investigation and make efforts to contact the student, his/her friends, acquaintances, and professors to locate the student.



If it is determined that a student is indeed missing, the Vice President of Student Services will begin calling the person designated as the emergency contact by the student and/or the student's custodial parent or guardian of a non-emancipated minor. If these calls do not resolve the situation or locate the missing student, local law enforcement/911 will be notified immediately. These notifications (to the student's emergency contact or custodial parent/guardian and local law enforcement) will be made no later than 24 hours after the time the student is deemed missing.

## Reporting a Missing Person

The university requires that all residential students report to their Resident Assistant (RA) or Resident Hall Director (RHD) whenever they are to be away from their housing unit overnight. This report must include their destination and expected time of return. The purpose is to help assure the safety of students by having knowledge of their whereabouts.

If a member of the MACU community has reason to believe that a student residing in campus housing is missing, the student should immediately notify the Student Life Department located in the university Welcome Center or call 252.334.2025. The Student Life Department will contact the Elizabeth City Police Department to initiate an investigation.

In the case of a missing person or potential missing person, the university will make every effort to contact the person directly. If the college is unable to contact the person and no other individuals on campus have knowledge or communication with the person, then the University will contact the parents/guardian/family of the suspected missing person within 24 hours of the university's determination that the student is deemed missing. (Contact will be made through information given on the Missing Person Contact Registration Form.) The university will then work directly with the family and/or local authorities in efforts to locate the missing student. A student's confidential contact information will be accessible only by authorized campus officials and local law enforcement for the purposes of the investigation.

Lists of persons you should notify if there is the belief of a missing person:

Person of Authority: MACU Staff or Faculty member

Bryan Wisdom - Vice President for Student Services

Buddy Holloway - Resident Hall Director for Harold C. Turner Hall Residence

MaKayla Casenelli – Resident Hall Director for Pearl A. Presley Hall Residence

Resident Assistants

# Crime Reporting

## Avenues of Reporting / How to Report

### Filing a Police Report

A report to the police can empower the complainant by exercising her/his legal rights and can aid in the protection of others. University staff will encourage the complainant to file a police report and will assist the complainant in notifying the police, if requested. The police should then advise the complainant of the legal process. The police can be contacted by dialing 9-1-1 or by calling 252-335-4321. The Elizabeth City Police Department (“ECPD”) is located at 305 East Main Street Elizabeth City, NC.

1. On-campus investigation is typically conducted by MACU and law enforcement personnel. Responsibilities of the ECPD include:
  - i. Attending to the immediate needs of the victim, including personal safety and prompt medical care
  - ii. When appropriate, broadcasting a description of the offender
2. Off-campus cases are usually investigated by the Elizabeth City Police Department or another law enforcement agency. When an investigation or legal proceeding occurs off-campus, services are still available through the University.

Immediately filing a police report is encouraged and recommended. Filing a police report is not analogous with filing charges against an accused. Charges may or may not be filled. However, the immediate filing of a police report may improve the collection of evidence and may improve the adjudication process. Pursuing charges is at the discretion of the applicable state judicial or legal authority. Reporting an incident does not oblige a person to press charges but gives the complainant the option of seeking a judicial no-contact, restraining and protective order.

### Alternatives to Immediately Filing a Police Report

While the University strongly encourages the filing of a police report, other alternatives exist, such as:

1. Report the crime at a later time/day.
2. Make a complaint to a university official or the appropriate Title IX Coordinator, who, if desired by the victim, can assist the victim in notifying law enforcement authorities. Regardless of whether a report is filed with the University, any filed police reports will go through the judiciary and review process at MACU.
3. Make an anonymous report to the police (a report that notifies the police that a domestic violence, dating violence, sexual assault, or stalking incident has

occurred, but gives no names or identification). Elizabeth City Police Department operates an anonymous CRIMELINE - (252) 335-5555

4. Contact the appropriate Title IX Coordinator for more information concerning the administrative process. Students may reference the University Judiciary process outlined in this policy or in the *Student Handbook*. Faculty and staff should consult the *Staff Handbook* and the *Faculty Handbook*.
5. Choose not to notify authorities.

If the complainant does not choose to file a police report, an official complaint may still be filed with the university. Complaints will be referred to law enforcement agencies if appropriate.

### List of University Officials to Whom Criminal Offenses Should be Reported

Bryan Wisdom - Vice President for Student Services

Buddy Holloway - Resident Hall Director for Harold C. Turner Hall Residence

MaKayla Casenelli – Resident Hall Director for Pearl A. Presley Hall Residence

Resident Assistants

# Security Policies and Procedures

## Statements about proper maintenance for safety

Mid-Atlantic Christian University values the safety of its students and employees. The university is committed to providing a safe and secure environment that promotes and facilitates learning.

The university wants to ensure that students and employees have the information they need to feel safe on campus and to be informed of MACU's safety and security measures.

The University maintains active list concerning residence hall safety, vehicle safety, safety planning, risk reduction, and being an active bystander.

Campus security is everyone's responsibility, and it is necessary to maintain sound and sensible precautions. It is therefore important for members of the college community to report all questionable incidents. Crimes which occur on campus are to be reported immediately to the Student Life Department whose office is in the Welcome Center. Persons who may assist in reporting criminal actions include any staff or faculty member, Residence Hall Staff, or the Student Life Department. Victims or witnesses of criminal activities are directed to complete an Incident Report which details the facts surrounding the crime. Report forms are available from the offices named above. In cases involving violation of local, state, or federal laws, the Elizabeth City Police are notified for appropriate follow up. The university cooperates fully with any investigations conducted by proper authorities. In the event of a crime that poses a threat to the campus community, notice is made through the college's regular announcement process and the implementation of the campus notification system. In situations where there is an immediate threat to the health or safety of those on campus, the campus will be notified through the audio emergency broadcast system as well as the electronic mail system and the campus Emergency Response Plan will be implemented. Either of these systems may not be utilized at that time if they would compromise efforts to contain the emergency. Upon confirmation of a significant threat to the campus, instructions for response and evacuation will be communicated immediately.

Mid-Atlantic Christian University uses video surveillance and building shut down policies to provide after-hours security. Between 8:00 am and 5:00 pm weekdays, the Student Life Office responds to security concerns. Staff/Faculty/RA's have authority to enforce campus safety policies, to request identification of any person on campus, and to escort unauthorized persons from campus if necessary. The Elizabeth City Police Department will be contacted by MACU personnel to detain persons in violation of the law, and to fulfill such other responsibilities as may be required.

During new student orientation, crime prevention is addressed through a review of precautions necessary to provide for one's personal safety and wellbeing as the student handbook is explained. Residence hall programs also cover the topic of crime prevention as it relates to campus housing and safety procedures. The residence halls and other campus buildings have an announced closing hour during the year. Any exceptions to these times must be approved by the Student Life Office in advance

of a scheduled event. Occupants of the residence halls are issued keys which access the main lobby door and the individual room. For additional assistance, the resident must contact the Resident Hall Director to be admitted to the hall. All residents must be prepared to provide proper identification upon request of a university official. Residence Halls receive 24-hour video surveillance.

In compliance with the federal Campus Sex Crime Prevention Act, members of the campus community may obtain from the Student Life Office information regarding known sex offenders that are employed by or are students at Mid-Atlantic Christian University. There are no known individuals that fit into either category at this time. Students are also encouraged to become familiar with <http://sexoffender.ncsbi.gov/> which lists all known sex offenders in the immediate area.

In case of a sexual assault, the victim is advised to report the incident immediately to one of the following persons on campus, the Vice President for Student Services, Campus Counselor, Residence Hall Director, Campus Minister, Resident Assistants, or any other mandatory reporter. The assault should be reported by the victim to the Elizabeth City Police Department for criminal investigation. The university will provide reasonable assistance to students who request such assistance in filing a report on or off campus. Medical treatment is advised at an area hospital to preserve evidence that may be needed in the investigation. Services may also be obtained through the Albemarle Hopeline of Elizabeth City by calling the 24 Crisis line at (252) 338-3011.

When it is determined a sexual assault has occurred, the person or persons responsible will face campus disciplinary proceedings in accordance with the university disciplinary guidelines and appropriate sanctions will be imposed upon a finding of guilt. Possible sanctions include mandatory treatment and suspension or expulsion. The University will cooperate fully with law enforcement agencies in any investigation and prosecution of offenders who will be subject to all applicable legal sanctions under local, state, or federal laws. Counseling support services will be extended to the victim. Information relative to the outcome of the case will be provided to the accused and the accuser. The University will also help in making necessary changes in classes, housing, or other such arrangements as may be appropriate to enable the student to continue in school in cases of an alleged assault. Education programs on rape awareness may be held during the school year.

Regarding campus security, each student has certain individual responsibility that lend themselves to an orderly campus environment. These responsibilities include the following:

Students are prohibited from entering rooms, buildings, and other restricted areas of the campus after their normal closing hours.

No student shall fail to comply with a reasonable and lawful request or direction by members of the faculty, administrative staff members, residence hall staff, or other university employees acting in the performance of their duties.

No student shall intentionally provide false information to a university faculty member or staff member acting in the performance of his/her duties.

Guests are welcome on campus and are expected to abide by the university's security procedures.

In cases of severe disruptive or threatening behavior on campus or where the security of any campus personnel or the well-being of college property is potentially in danger, the Vice President for Student Services (or his official representative acting for the administration) is authorized to immediately remove a student from the campus to provide necessary campus security. Obviously, the student in such a situation will be informed of the reason for his/her removal which is subject to review.

## General Safety Tips for Staying Safe on Campus

### Residence Hall Safety Tips

- Keep your door locked at all times.
- Do not lend your access card to anyone.
- Report lost keys immediately.
- Do not prop open external doors
- Do not keep valuables in the residence hall.
- Maintain a list/documentation of serial numbers and models numbers of valuable equipment that you keep on campus (e.g., electronic equipment.)
- Do not bring weapons on campus.

### Vehicle Safety Tips

- Lock your doors at all times.
- Keep your windows rolled up at all times.
- Do not leave valuables in your vehicle. If you must leave them in your vehicle, ensure that they are out of sight (e.g., under the seat; placed in the trunk.)

### Safety Planning

- Familiar yourself with the University Emergency Response Plan and procedures.
- Know where you want to go on campus if you feel unsafe or threatened.
- Ensure someone knows where they can find you.

## Campus Security information

The Student Life Office responds to security concerns reported on campus. The Staff, Faculty, and Resident Assistants have authority to enforce campus safety policies, to request identification of any person on campus, and to escort unauthorized persons from campus if necessary. The Elizabeth City Police Department will be contacted by MACU personnel to detain persons in violation of the law, and to fulfill such other responsibilities as may be requested. A campus-based emergency indicates that there is an unusual risk to the safety of individuals on campus. Such emergencies may require the assistance of local agencies such as the fire department or the police department. In cases involving violation of local, state, or federal laws, the Elizabeth City Police are notified for appropriate follow up. The university cooperates fully with any investigations conducted by proper authorities.

### Where to find information Daily Crime log

In accordance with the Clery Act, Mid-Atlantic Christian University maintains a written and easily understood daily crime log (34 C.F.R § 668.46(f)). The daily crime log contains crime data for the campus that includes:

- Date the crime was reported
- Any crime that occurred on-campus, on a non-campus building or property, on public property, or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or the campus security department
- Nature, date, time, general location of crime, and disposition of complaint (if known)

Entries to the daily crime log are made within two business days of the report of the information to the campus security authority unless that disclosure is prohibited by law or jeopardize the confidentiality of the victim.

Additionally, the University may withhold information if there is clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence (Higher Education Opportunity Act §485(f)(4); 34 C.F.R § 668.46(f))

The most recent 60-day period of the crime log is readily open to public inspection during normal operating hours for the University. The University also makes entries into the crime log that are older than 60 days available for public inspection within two business days of receiving a request (34 C.F.R. § 668.46(f)(5)). The crime log can be viewed by visiting the **Student Life Department** in the university Welcome Center.

## Crime Prevention and Awareness

The University makes every attempt to foster an environment of safety and security. To achieve this, the University may conduct prevention and awareness campaigns and primary prevention programs that address all aspects of domestic violence, dating violence, sexual assault, and stalking, including rape and acquaintance rape. The University may impose these campaigns and programs on all University faculty, staff, and students.

These campaigns and programs include, but are not limited to, the provision of information regarding:

- Safety precautions and prevention
- Crisis management
- Reporting
- Medical and counseling services
- MACU judiciary procedures
- This policy

During new student orientation each semester, crime prevention is addressed through a review of precautions necessary to provide for one's personal safety and well-being as the student handbook is explained. Residence hall programs also cover the topic of crime prevention as it relates to campus housing and safety procedures.

Resident Assistants have extensive training at the start of each school year that includes training on the topic of keeping students safe, reporting suspicious activity, and reporting crimes.

Mid-Atlantic works in conjunction with a local Sexual Assault crisis center, Albemarle Hopeline, to have trainings available to students and our staff and faculty dealing with topics of being active bystander's and preventative measures to take against domestic violence, dating violence, and stalking.

### Crime Prevention Tips

There are strategies to reduce the risk of sexual assault, harassment, or other types of misconduct. 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 dire situation. Additionally:

1. Avoid isolated areas and areas that lack appropriate lighting.
2. Trust your instincts.
3. If at any point you feel uncomfortable or unsafe, make every attempt to remove



- yourself from the situation or ask for help.
4. If you witness something suspicious, immediately contact local authorities (dial 9-1-1.)
  5. Avoid isolation with unfamiliar persons.
  6. Make sure your cell phone is sufficiently charged.
  7. Keep the gas tank filled at least halfway.
  8. Avoid walking with headphones in both ears or otherwise limiting your ability to fully be aware of your surroundings.
  9. Travel in groups. Arrive to events in groups. Maintain periodic contact with group members during events and leave with group members.
  10. Let others know where you are going and how to contact you. Set up a code word that will let your friends and family know that you are in trouble.
  11. If you are in a social setting, do not leave your drink unattended. If you must leave your drink unattended for any length of time, dispose of the drink and order a new drink.
  12. Do not accept drinks from people that you do not know.
  13. Help your fellow community members by watching out for them. If someone is too intoxicated, incapacitated, or otherwise acting out of character, get him or her to a safe place. If necessary, contact campus and local authorities.
  14. If you suspect that someone has been drugged or otherwise intentionally incapacitated, contact law enforcement immediately (dial 9-1-1.)

Sometimes you will find yourself in a situation that is uncomfortable or unsafe. Being in an unsafe or uncomfortable situation is not your fault. If you find yourself in one of these situations, try some of the following:

1. Only do things you are comfortable and okay with doing.
2. Avoid pressure from other individuals to engage in activities.
3. Say "No" or "I don't want to."
4. Make every attempt to escape the situation even if it means fabricating an excuse.
5. 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.
6. 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?

# Alcohol/Drug Abuse Prevention

## Policies

Mid-Atlantic Christian University is dedicated to the pursuit and training of exceptional Christian leaders and, as such, expects all members of the University Community to behave in a manner that uphold these standards. Faculty, staff, and students must maintain the highest standards of Christian, personal and professional conduct. Illegal and/or abusive use of drugs, adversely affect the mission of the University and standards of Christian living and are prohibited. The University recognizes that the distribution, sale, administration, and possession of controlled and dangerous substances, related drug paraphernalia, and the unlawful use of alcohol on university property and/or at all University sponsored activities is prohibited. The Department of Police and Public Safety will strictly enforce all laws with respect to controlled, illegal and dangerous substances. Any person found to be in violation of policies addressing the distribution, sale, administration and/or possession of controlled, illegal, and dangerous substances, on or off campus, will be subjected to suspension/expulsion and termination of employment, as appropriate.

Those students found to be in violation of policies addressing alcohol on campus; will be referred for disciplinary action which may include suspension and/or expulsion from the University. Employees found in violation of this policy will be referred for appropriate disciplinary action under the rules governing discipline.

## Legal Sanctions

Various local, state, and federal regulations make it unlawful to manufacture, distribute, dispense, deliver, sell, or possess with the intent to manufacture, distribute, deliver, or sell controlled substances. The Elizabeth City Police Department will strictly enforce all laws with respect to controlled, illegal and dangerous substances.

## Disciplinary Sanctions

Any person found to be in violation of policies addressing the distribution, sale, administration and/or possession of controlled, illegal, and dangerous substances, on or off campus, will be subjected to suspension/expulsion and termination of employment, as defined in The Student Handbook and Faculty Handbook.

## [2022-2023 Student Handbook](#)

Those students found to be in violation of policies addressing alcohol on campus will be referred for disciplinary action which may include suspension and/or expulsion from the University. Employees found in violation of this policy will be referred for appropriate disciplinary action under the rules governing discipline.

Mid-Atlantic Christian University is dedicated to providing a campus environment free of the illegal and or abusive use of alcohol and/or drugs. The illegal and/or abusive use of drugs and/or alcohol by

members of the campus community jeopardizes the safety of the individual and undermines Christian values and the academic process. Mid-Atlantic Christian University is therefore committed to having a campus that is free of the illegal and/or abusive use of drugs and alcohol. In keeping with this commitment, it is the policy of the University that the illegal and/or abusive use of drugs or alcohol is prohibited on university property or as part of university activities. This policy is consistent with the policy statements regarding alcohol and drug enforcement, which were required by the Drug-Free Schools and Communities Act Amendments of 1989 and are reviewed on a biennial basis.

## List of Prevention Programs

Consistent with her educational mission, the University also assists its members in finding alternatives to drugs and alcoholic beverages by promoting social interactions and stress reduction, and it provides services and resources for community members who experience drug and alcohol related difficulties.

Mid-Atlantic Christian University provides education and counseling options throughout the year through a variety of venues including chapel services, lectures and counseling on alcohol and drug related issues. These programs are made available through the following:

Counseling Center – (252) 334-2000

Student Life Office – (252) 334-2000

## Drug and Alcohol Prevention Program

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (DFSCA), Department of Education Requirements (34 C.F.R § 86.100), Mid-Atlantic Christian University operates a Drug and Alcohol Prevention Program for its students.

The University annually distributes, in writing, to each employee and to each student who is taking one or more classes for any type of academic credit, standards of conduct that clearly prohibit, at minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any University activities.

These standards also include:

- a description of the application legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs or alcohol
- a description of the health risks associated with the use of illicit drugs and the abuse of alcohol
- a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students
- a clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law)
- a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violation of the standards of conduct.

Finally, the University conducts a biennial review of its Drug and Alcohol Prevention Program to determine its effectiveness and implement changes to the program if they are needed; and ensure that the disciplinary sanctions are consistently enforced (34 C.F.R. § 86.100.)

## Health concerns

There are numerous health risks associated with the alcohol and illegal drug use including impaired brain function, digestion, impaired mental ability, and physical and psychological dependence. The use of alcohol or illicit drugs during pregnancy may lead to various birth defects, fetal alcohol syndrome or spontaneous abortion. The illicit use of drugs and alcohol is linked to a higher risk of contracting hepatitis, sexually transmitted disease, AIDS and other infections. The use of illegal drugs and abuse of alcohol combined or used singularly in excess may lead to death. Please see link with additional health related issues.

# Sexual Violence

## Sexual Violence Training

The University makes every attempt to foster an environment of safety and security. To achieve this, the University conducts ongoing prevention and awareness campaigns and primary prevention programs that address all aspects of domestic violence, dating violence, sexual assault, and stalking, including rape and acquaintance rape. The University imposes these campaigns and programs on all University faculty, staff, and students.

These campaigns and programs include, but are not limited to, the provision of information regarding:

- Safety precautions and prevention
- Crisis management
- Reporting
- Medical and counseling services
- MACU judiciary procedures
- This policy

First-year students are required to participate in Violence Against Women Training Session a Title IX education program by Mid-Atlantic Christian University that combines sexual assault and substance abuse prevention in a comprehensive training program.

For additional information about University educational programs concerning domestic violence, dating violence, sexual assault, and stalking, contact the appropriate Title IX Coordinator.

## University Violence/Sexual Violence Policy

The University will not tolerate domestic violence, dating violence, sexual assault, or stalking. Offenders may be subject to appropriate University Judiciary action and/or criminal proceedings. Sexual violence is a form of sexual harassment, and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking. The University utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases involving allegations of domestic violence, dating violence, sexual assault, or stalking. Officials who receive specific annual training carry out these procedures.

In situations of alleged domestic violence, dating violence, sexual assault, or stalking, the University is committed to providing crisis intervention measures for students, faculty, and staff, as well as appropriate administrative response for the complainant and respondent; referring individuals to criminal investigative, counseling, or prosecuting authorities; and educating and promoting discussion on interpersonal abuse and violence issues. The University's process does not obviate adjudication under state law or federal law.

The University prohibits retaliation by its officers, employees, students, or agents against a person who exercises his or her rights or responsibilities under any provision of federal or state law, including Title IX and the Campus SaVE Act, or this policy.

## **Violence/Sexual Violence Procedures for Employees and Students**

### **Violence/Sexual Violence University Response**

#### *On-campus Investigation and Adjudication*

MACU's response to domestic violence, dating violence, sexual assault, or stalking reports may involve several individuals and agencies (e.g., Title IX Coordinator, Student Life Office, Police). In addition, for cases involving campus community members, there is a timely, campus-based investigation which is private and protects individual rights and process. The complainant is presented with options about how s/he may pursue the complaint.

The appropriate University judiciary avenue is determined by the status of the person accused of sexual assault. Anyone to whom this policy applies may choose to bring forward a complaint within the University instead of, or in addition to, seeking redress outside the institution in the legal system.

Someone with a complaint of sexual assault may also opt to pursue his or her case via the legal system without engaging the University's judiciary process, although, in the interest of community safety, the University may be obliged to investigate and/or prosecute an alleged sexual assault through internal judiciary procedures.

The University does not impose a time limit after which the University will not consider formal complaints of sexual assault. However, a timely judiciary process can take advantage of the most recent recollections and evidence and can facilitate more prompt resolution to what is often a traumatic and painful situation for the victim.

If the accused is an employee, the complaint should be addressed to the Vice President of for Finance (employee Title IX Coordinator), who oversees Mid-Atlantic Christian University's Human Resources policies.

In each of the venues, the University is committed to initiating a prompt and thorough investigation. Such an investigation may occur alongside, rather than in lieu of, an independent law enforcement investigation.

### Unfounded Crime Reports

In accordance with the Department of Education's Clery Reporting Handbook, unfounded crimes are crimes that are reported and investigated by sworn law enforcement and found to be false or baseless. Only sworn or commissioned law enforcement personnel may determine a crime to be unfounded.

The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution or the failure to make an arrest does not make an actual offense "unfounded". In addition, the findings of a coroner, court, jury or prosecutor do not make actual offenses or attempted offenses "unfounded" when law enforcement investigations determine that those offenses or attempted offenses actually occurred.

Statistics regarding the reporting of offenses that are found to be unfounded are reported to the Department of Education along with other required crime statistics. Statistics regarding the reporting of offenses that are found to be unfounded are also disclosed in the annual security report.

Crimes statistics that are disclosed but later found to be "unfounded" a subsequent year by sworn law enforcement are revised

### Procedures for University Disciplinary Actions

Proceedings for University disciplinary actions shall (a) provide a prompt, fair, and impartial investigation, and resolution; and (b) be conducted by an official who receives annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to investigate and hearing process that protects the safety of victims and promotes accountability.

[For Students](#) – The *Student Handbook* describes the judiciary process that follows a violation of this policy, other university policies, and the *Student Handbook*. If the accused is a student, a complaint is addressed within the procedures for student

discipline described in the *Student Handbook*. The complaint should be addressed to the Title IX Coordinator for students.

The University Judiciary Committee oversees the MACU judiciary process for students' complaints and allegations of dating violence, domestic violence, sexual assault, or stalking. The Judiciary Committee is made up of no less than four (4) officials, all of whom have appropriate training to deal with allegations of dating violence, domestic violence, sexual assault, or stalking, including:

- Vice President for Student Services (Chair)
- A selection of faculty and staff
- University counselor (non-voting)

Complainants and respondents have the right to have an advisor of their choice present throughout the entirety of the judiciary process. The complainant, respondent, and their advisors are given equal access to information concerning the allegation.

During the hearing(s):

- The complainant and respondent have equal opportunities to have others present, including an advisor of their choice
  - If both the Respondent and Complainant are required to attend the same hearing, then a minimum of 24 hours of notice will be given.
- The University Judiciary Committee shall examine relevant evidence
- The University Judiciary Committee may interview witnesses, when appropriate
- The University Judiciary Committee may hear testimony from the complainant and the respondent, if the complainant and respondent testify
- The University Judiciary Committee shall render judgment by majority rule (see section on Sanctions for complete information)
- The University Judiciary Committee shall deliver notice of judgment to the complainant and respondent simultaneously, in writing
- The University Judiciary Committee may report criminal issues to law enforcement
- The University Judiciary Committee shall notify the respondent's parents or guardian of the judgment if the respondent is single and under the age of 23.

If a respondent refuses to appear before the Judiciary Committee, the Committee will render a judgment in absence of the respondent.



The standard of proof that exists for university judiciary proceedings is preponderance of evidence (i.e., more likely than not the event(s) occurred). A student's privacy concerns are weighed against the needs of MACU to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. However, information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the university community. In accordance with VAWA, these necessary disclosures do not violate section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Following University disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, both the accuser and the accused shall be simultaneously informed, in writing, of: (a) the outcome of any University disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; (b) the University's procedures for the complainant and the respondent to appeal the results of the institutional disciplinary proceeding; (c) any change to the results that occurs prior to the time that such results become final; and (d) when such results become final.

The entirety of the student judiciary process is detailed in the *Student Handbook*.

[For Faculty and Staff](#) - If a faculty or staff member is involved as the complainant or respondent:

1. All incidents are to be reported to the appropriate Title IX Coordinator
2. The Title IX Coordinator will refer the incident to the Employee Judiciary Committee in cases alleging Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence and Stalking.

The University Judiciary Committee oversees the MACU judiciary process for students' complaints and allegations of dating violence, domestic violence, sexual assault, or stalking. The Judiciary Committee is made up of no less than four (4) officials, all of whom have appropriate training to deal with allegations of dating violence, domestic violence, sexual assault, or stalking, including:

- Vice President for Student Life (Chair)
- A selection of faculty and staff

Complainants and Respondents have the right to have an advisor of their choice present throughout the entirety of the judiciary process. The complainant, respondent, and their advisors are given equal access to information concerning the allegation.

During the hearing(s):

- The complainant and respondent have equal opportunities to have others present, including an advisor of their choice
  - If both the Respondent and Complainant are required to attend the same hearing, then a minimum of 24 hours of notice will be given.
- The University Judiciary Committee shall examine relevant evidence
- The University Judiciary Committee may interview witnesses, when appropriate
- The University Judiciary Committee may hear testimony from the complainant and the respondent, if the complainant and respondent testify
- The University Judiciary Committee shall render judgment by majority rule (see section on Sanctions for complete information)
- The University Judiciary Committee shall deliver notice of judgment to the complainant and respondent simultaneously, in writing
- The University Judiciary Committee may report criminal issues to law enforcement

If a respondent refuses to appear before the Judiciary Committee, the Committee will render a judgment in absence of the respondent.

The standard of proof that exists for university judiciary proceedings is preponderance of evidence (i.e., more likely than not the event(s) occurred). If a complainant requests that his or her name not be revealed to the respondent or asks MACU not to investigate or seek action against the respondent, MACU will be limited in its ability to respond fully to the incident.

Following University disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, both the accuser and the accused shall be simultaneously informed, in writing, of: (a) the outcome of any University disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; (b) the University's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding; (c) any change to the results that occurs prior to the time that such results become final; and (d) when such results become final.

The entirety of the employee judiciary process is detailed in the *Staff Handbook* and the *Faculty Handbook*.

### Interim Arrangements and Post-hearing Interventions

The University actively provides services for all parties in domestic violence, dating violence, sexual assault, and stalking cases. The University continues a coordinated response system that attends to the complainant's and respondent's physical and emotional well-being as well as the safety of the community.

### Administrative Services to Assist a Student Complainant or Respondent

The Title IX Coordinator will assist individuals, including collaborating with Elizabeth City Police Department and other departments to provide:

1. Referral to a counselor at the University Counseling Services, or referrals to outside provider(s).
2. Assistance in petitioning for a protective order. The University honors orders of protection, no-contact orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court.
3. Withdrawal from the University.
4. An on-campus investigation and, if appropriate, initiate on-campus judiciary procedures.
5. Other referrals as necessary.

### Administrative Services to Assist an Employee Complainant or Respondent

The Title IX Coordinator will assist faculty and staff, including collaborating with the Elizabeth City Police Department and other departments to provide:

1. Assistance in petitioning for a protection order. The University honors orders of protection, no-contact orders, or similar orders issued by a criminal, civil, or tribal court.
2. An on-campus investigation and, if appropriate, initiate judiciary/dismissal procedures.
3. Other referrals as necessary.

### Sanctions

The University Judiciary Committee, in search of the goal of a safe and secure campus, may impose the following sanctions following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking:

## Students

1. Suspension for a set amount of time.
2. Expulsion from the University.
3. Judiciary withdrawal from the University.
4. No Contact Directive: A directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, email, telephone, or through third parties.
5. Suspension of or restrictions on access to all or to specified campus facilities, buildings, or other locations; or services; or events.
6. Restricted access within the residence halls, restricted access to dining services, and removal and/or ban from the residence hall system for a specified period of time.
7. Suspension of or restriction(s) on driving on or parking in campus-controlled streets, roads, and parking lots.
8. Restitution to MACU for cleaning, replacing, or restoring some specific area or thing when loss or damage was a result of the student's judiciary violation.
9. Referral for a behavioral assessment, to the University Counseling Services ("UCS"), or another provider approved by UCS.
10. Revocation of a degree if misconduct occurred before the awarding of the degree
11. Mandated community service and/or participation in university educational programs.
12. Mandated participation in one or more University activities, lectures or workshops, and/or other activity that employs an educational purpose and accepted pedagogy.
13. Enhanced Sanctions for Bias-Motivated Offenses – Violators of the regulations and policies outlined in this document whose violations are motivated by bias may face more severe or enhanced sanctions. Per Congress, criminal offenses against a person or property motivated in whole or in part by an offender's bias are hate crimes. Hate crimes motivated by bias include the intentional selection of a person against whom the violation is committed because of the race, religion, color, genetic information, gender, disability, sexual orientation, gender identity, national origin, ethnicity, age, or ancestry of that person.

The Vice President for Student Services has the final authority to recommend the suspension or expulsion of a student.

## Employees

1. Termination of employment
2. No Contact Directive: A directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, email, telephone, or through third parties.
3. Suspension of or restriction(s) on access to all or to specified University facilities, buildings, or other locations; or services; or events.
4. Any individual, who is alleged to have committed a violent act, including domestic violence, dating violence, sexual assault, or stalking upon a member of the University community, may be banned from campus and University activities.
5. Other conditions as deemed appropriate.

## Ongoing Care

Students may seek assistance at any time from the University Counseling Services (“UCS”) at no additional charge. Referrals may be made upon request for relatives, partners, and friends of either the complainant or respondent to various support agencies. The UCS may, or direct victims to others who may, provide assistance in areas such as in changing academic, living, transportation, and working situations, if so, requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus authorities or local law enforcement.

Students may seek assistance from local medical services. Post-assault medical care includes testing and treating for sexually transmitted diseases (STDs).

At any time, students may contact a Student Life Representative who is trained to respond to sexual assault emergencies. A student may contact this representative even if he or she has not decided yet whether to report the sexual assault to the police. The Student Life Representative is available to answer any general or personal questions related to sexual assault and can help with:

- Finding emotional support
- Getting medical care
- Reporting the crime to the police
- Preserving evidence, and, if desired by the complainant, pressing charges
- Adjusting living arrangements
- Managing academic obligations

- Getting counseling
- Referring to outside sources

Employees and students may seek assistance at any time from any medical facility.

### Procedures Following the Occurrence of an Offense, Including Reporting

A guiding principle following the occurrence of a sex offense, domestic violence, dating violence, sexual assault, and stalking is to avoid possible re-victimizing by engaging in a plan of action. The University recommends that the victim consider each of the following:

1. Get to a safe place.
2. Avoid the destruction of evidence. Showering, bathing, douching, changing clothes, or cleaning up in any way can destroy crucial evidence.
3. Preserve evidence in marked paper bags.
4. Preserve copies of digital evidence like emails, text messages, chat logs and voice mails.
5. Get medical treatment. Be forthcoming about the event so that the medical examiner can give the appropriate and necessary treatment to assess your condition and preserve evidence
6. Pursue counseling from University Counseling Services or an outside counseling agency.
7. File a police report.
8. Report the incident or experience to campus authorities—the Title IX coordinator, Vice President for Student Services, and the Student Life Administrator.
9. Make an anonymous report to law enforcement. See the section on Alternatives to Immediately Filing a Police Report for complete information.
10. Opt to not notify authorities.
11. Obtain protective orders.

# Confidentiality

## PRIVACY AND RESPECT OF INFORMATION

Respecting one's right to privacy is important to MACU. Students can be assured that when they share information with medical, police, and/or University officials, such information will be handled professionally and within the framework of each agency's governing body privacy limitations (e.g., state law, licensing, FERPA, etc.).

University employees who have the authority to take action to redress sexual violence; who have been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Vice President for Student Services or appropriate University official; or who are contacted by a student and reasonably believe that the student reasonably believes that the employee has this authority or duty, shall each report all complaints of sexual violence to the Vice President for Student Services.

A student's privacy concerns are weighed against the needs of the University to respond to acts of harassment, including domestic violence, dating violence, sexual assault, and stalking. To the extent reasonably possible, all reports will remain private. However, information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the University community. Third party reports will be investigated on a case-by-case basis. If a complainant requests that his or her name not be revealed to the respondent or asks the University not to investigate or seek administrative action against the respondent, MACU will be limited in its ability to respond fully to the incident.

University Counseling Service counselors, persons with professional licenses requiring confidentiality, or a person is supervised by one of the foregoing, should not report incidents of sexual violence to the Vice President for Student Services in any way that identifies a student without the student's consent.

All information received is subject to inclusion, in statistical form, in annual MACU-published reports. Title IX and the Campus SaVE Act include protections against retaliation. MACU officials will not only take steps to prevent retaliation but will also take strong responsive action if it occurs.

## Non-retaliation

The University prohibits retaliation by its officers, employees, students, or agents against a person who exercises his or her rights or responsibilities under any provision of federal or state law, including Title IX and the Campus SaVE Act, or this policy.

# Complainant/Respondent rights

## Rights of the Complainant

As a student or employee filing a complaint (complainant), you have the following rights during an investigation into an alleged case of Dating or Domestic Violence, Sexual Assault or Stalking:

- The right to be notified of an investigation.
- The right to be assisted by an advisor, advocate or support person of their choice, at their own expense (if a fee is charged), throughout the entire judiciary process, including investigation, informal deposition of the case, hearings, and appeals.
- The advisor, advocate or support person may not speak in any proceeding or part of the process. They may only speak in private to the victim.
- The right to call witnesses who have information about the incident
- The right to have their name or other personally identifiable information withheld (by the University) from release to the public, the press, or others who are not directly involved in the case.
- The right to be notified of the outcome of any University Judiciary Committee action in a case of sexual misconduct concurrent to the notification of the accused
- The right to request to have their living arrangements (if in university housing) modified pending the outcome of a University Judiciary Committee action if the accused lives close to the victim (pending space availability).
- The right to request extra time to make up academic work the student has missed because of time lost due to the assault, investigation and the hearing. This is done solely at the discretion of the professor.
- The right, when reasonable and possible, to have their classes reassigned so as not to share classes with the accused.
- The right not to have the student's sexual history discussed during the hearing.
- The right to be present for the entire hearing (with the exception of deliberations).
- The right to make a victim impact statement to be presented to the hearing body subsequent to a determination of responsibility for a violation and prior to the determination of a sanction or sanctions.
- The right to give testimony from separate or divided room (or other accommodation which separates the student complainant from the accused which is approved by the Dean of Students).
- The right to file an appeal of the finding.



Victims have the right to request the following safety and support measures. The University will take all request under advisement.

- No Contact Order - The college may impose a temporary “No Contact” order restricting contact between individuals during an investigation.
- Interim Suspension – The college may remove one or more students who are suspected of violating policy from the college prior to a hearing on the issues if there is a potential for risk to one or more members of the college community.
- Modification of Living Arrangements - The college can provide a temporary modification of your living arrangements. The college reserves the right to adjust the housing assignment of students who are alleged to have violated college policy. The college can also provide emergency on-campus housing to students living off-campus if warranted.
- Modification of Class and On-Campus Employment Schedules - The college can reassign on-campus classes and employment duties within the college during the course of an investigation. The college may review the assigned duties of students who are alleged to have violated college policy.
- Security Escorts – The college may provide temporary security escort options for ensuring student safety to and from locations on campus.

## Rights of the Respondent

As a student or employee facing charges of sexual misconduct (the respondent) you have the following rights during an investigation into an alleged case of Dating or Domestic Violence, Sexual Assault or Stalking:

- The right to be notified of an investigation.
- The right to be assisted by an advisor, advocate or support person of their choice, at their own expense (if a fee is charged), throughout the entire University Judiciary Committee process, including investigation, informal disposition of the case, hearings and appeals.
- The advisor, advocate or support person may not speak in any proceeding or part of the process. They may only speak in private to the accused.
- The right to share any information which may be relevant to the investigation.
- The right to have their name or other personally identifiable information withheld from the public as part of the disciplinary process – however at the close of the process, when a case is resolved, the University is permitted to release name, charge(s) and resolution of the case (records in the Police Department are not covered the same and may be released to the public unless doing so would impact their investigation.)
- The right to call witnesses who have information about the incident.

- The right to be notified of the outcome of any University Judiciary Committee action in a case of sexual misconduct concurrent to the notification of the accused (if participating in the hearing process, or subsequent if not participating).
- The right to request to have their living arrangements (if in university housing) modified pending the outcome of a Citizenship Education process if the accused lives close to the victim. (Pending space availability).
- The right to request extra time to make up academic work the student has missed because of time lost due to the investigation and the hearing. This is done solely at the discretion of the professor.
- The right, when reasonable and possible, to have their classes re=assigned so as not to share classes with the student complainant.
- The right not to have the student's sexual history discussed during the hearing.
- The right to be present for the entire hearing (with the exception of deliberations).
- The right to make a victim impact statement to be presented to the hearing body subsequent to a determination of responsibility for a violation and prior to the determination of a sanction or sanctions.
- The right to give testimony from separate or divided room (or other accommodation which separates the student complainant from the accused which is approved by the Dean of Students).
- The right to file an appeal of the finding.

## Support Services

The needs of someone who has been sexually assaulted vary from person to person and may vary over time. The University offers a diverse array of services and external resources, many of which may be accessed 24 hours a day, so that a person may choose what she or he would find most helpful and healing.

### Sentara Albemarle Medical Center

(252) 335-0531, 1144 N. Road Street Elizabeth City, NC (24 Hours)

The Sentara Albemarle Medical Center Emergency Room follows specific policies and procedures, approved by the State in treating an individual who has been sexually assaulted. The State may pay for emergency room care for victims who have been sexually assaulted and do not have health insurance; if a victim provides health insurance information to the emergency room, the emergency room will bill the insurance company and the policyholder will be notified as usual.

- The victim is placed in a private room.
- Medical care is given as soon as possible.
- By law, city police are notified, and the victim may choose to file a report.

### Elizabeth City Police Department

(252) 335-4321, 305 East Main Street. Elizabeth City, NC (24 Hours)

The Elizabeth City Police Department urges anyone who has been sexually assaulted to call immediately in order to strengthen the likelihood of successful prosecution. ECPD can be contacted by dialing 9-1-1.

Responsibilities of the ECPD include:

- Attending to the immediate needs of the victim, including personal safety and prompt medical care
- When appropriate, broadcasting a description of the offender

### Albemarle Hopeline

(252) 338-5338

Albemarle Hopeline is a private, non-profit organization that provides comprehensive direct and preventative services to victims of family violence, sexual assault, and teen dating violence in the counties of Pasquotank, Camden, Chowan, Currituck, Perquimans, and Gates.

Albemarle Hopeline offers:

- Emergency Shelter
- Counseling
- Court Advocacy
- Crisis Response Team
- Prevention Education
- Information and Referrals

## **Student Life Department and Student Services**

(252) 334-2000.

At any time, students may contact a Student Life Representative who is trained to respond to sexual assault emergencies. A student may contact this representative even if he or she has not decided yet whether to report the sexual assault to the police. The Student Life Representative is available to answer any general or personal questions related to sexual assault and can help with:

- Finding emotional support
- Getting medical care
- Reporting the crime to the police
- Preserving evidence, and, if you wish, pressing charges
- Adjusting living arrangements
- Managing academic obligations
- Getting counseling
- Referring to outside sources

## **University Counseling Services**

(252) 334-2000.

MACU University Counseling Services (“UCS”) has two on campus counselors who can work with students who have gone through an experience of sexual assault or who have questions about relationships and sexuality. Consultation with a staff member is available in person during regular business hours.

# Risk Reduction / Staying Safe

## Risk Reduction

Risk reduction is not a tool that shifts the responsibility of assault or rape onto the victim—rapists are solely responsible. However, there are strategies to reduce the risk of sexual assault, harassment, or other types of misconduct. 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. Additionally:

1. Avoid isolated areas and areas that lack appropriate lighting.
2. Trust your instincts.
3. If at any point you feel uncomfortable or unsafe, make every attempt to remove yourself from the situation or ask for help.
4. If you witness something suspicious immediately, contact local authorities (dial 9-1-1.)
5. Avoid isolation with unfamiliar persons.
6. Make sure your cell phone is sufficiently charged.
7. Keep the gas tank filled at least halfway.
8. Avoid walking with headphones in both ears and otherwise limiting your ability to fully be aware of your surroundings.
9. Travel in groups. Arrive to events in groups. Maintain periodic contact with group members during events and leave with group members.
10. Let others know where you are going and how to contact you. Set up a code word that will let your friends and family know that you are in trouble.
11. If you are in a social setting, do not leave your drink unattended. If you have to leave your drink unattended for any length of time, dispose of the drink and order a new drink.
12. Do not accept drinks from people that you do not know.
13. Help your fellow community members by watching out for them. If someone is too intoxicated, incapacitated, or otherwise acting out of character, get him or her to a safe place. If necessary, contact campus and local authorities.
14. If you suspect that someone has been drugged or otherwise intentionally incapacitated, contact law enforcement immediately (dial 9-1-1.)

Sometimes you will find yourself in a situation that is uncomfortable or unsafe. Being in an unsafe or uncomfortable situation is not your fault. If you find yourself in one of these situations, try some of the following:

1. Only do things you are comfortable and okay with doing.

2. Avoid pressure from other individuals to engage in activities.
3. Say “No” or “I don’t want to.”
4. Make every attempt to escape the situation even if it means fabricating an excuse.
5. 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.
6. 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?

## How to be an Active Bystander

The University recognizes that everyone is a bystander at some time. Bystanders play a crucial role in the prevention and avoidance of sexual violence, domestic violence, dating violence, instances of stalking, and other types of unacceptable behavior. The University is committed to fostering a campus environment of accountability where campus community members are actively engaged in the prevention of violence and mitigation of further harm.

Active bystanders witness these conditions, behaviors, and situations and make the choice to intervene or speak up about the situation. Active bystanders are the largest and first line of defense in eliminating violence or misconduct on the University campus.

What to do as an active bystander is not always clear. To alleviate and add clarity to potential actions by active bystanders, the University provides the following guidelines. This list is by no means complete.

1. If there is an apparent, immediate danger, dial 9-1-1 immediately.
2. Be actively aware of your surroundings and your fellow campus community members. If someone appears to be in trouble or needs help, ask if they need assistance.
3. Speak out (diffuse the situation immediately or report to university authorities) when you hear someone talking about trying to take advantage of another person.
4. Confront and report anyone who tries to take advantage of an incapacitated person.
5. Believe someone who reports sexual assault, abusive behavior, or experience with stalking.

Refer people to on or off campus resources listed in this document for support in health, counseling, or legal assistance.

# **ANNUAL FIRE SAFETY REPORT**

The Higher Education Act requires disclosure of fire safety standards and measures for on-campus student housing facilities by October first of each year. This report includes statistics for the three most recent completed years, a description of each on-campus student housing facility fire safety system, the number of fire drills held during the previous calendar year, the institution's policies or rules on portable electrical appliances, smoking and open flames in a student housing facility, the institution's procedures for student housing evacuation in the case of a fire and policies regarding fire safety education and training programs provided to the students and employees.

## Reporting a fire

In the event of a fire:

1. Pull nearest fire alarm or shout "FIRE"
2. Call 911
3. Find nearest extinguisher if fire is containable
4. If fire is not containable, alert others to evacuate

## Daily Fire Log

In accordance with Clery Act, Mid-Atlantic Christian University must maintain a daily fire log (34 C.F.R § 668.49(d)).

A fire is defined as an instance of open flame in a location that is not intended to contain a fire or allows a fire to burn in an uncontrolled manner (*HEA Title IV, Part G, Section 485(i)*). Additionally, fires that were previously extinguished must also be reported

The daily fire log contains:

1. Any instances of fires
2. The date the fire was reported
3. The nature of the fire
4. The date of the fire
5. The time of the fire
6. The general location of the fire (do not report personally identifiable information (e.g. if the fire is located in the residence hall, do not report the specific room number))

In accordance with Clery Act, the University ensures that entries are made to the fire log within two business days of receiving a report (34 C.F.R § 668.46(a)).

The most recent 60-day period of the fire log is readily open to public inspection during normal operating hours for the University. The University also makes entries into the fire log that are older than 60 days available for public inspection within two business days of receiving a request. The fire logs from the last most recent calendar years can be viewed by visiting the **Student Life Department**.

Finally, the University makes an annual disclosure to the entire campus community on fires recorded in the fire log.



# Fire and Safety Training programs

## FIRE SAFETY

Each resident must be alert to the danger of fires. The following items or actions can represent a potential fire hazard and are therefore prohibited. A minimum \$25 fine may result for each prohibited item discovered by staff, with fines escalating for repeat offenses.

### Prohibited Items

- Incense and incense burners
- Candles and other open flame items are expressly prohibited in university housing. Decorative candles may be displayed but are strongly discouraged. Wicks must remain white and unburned. Candle warmers may be used but should be monitored closely and turned off when someone is not present. Candle usage may be requested in writing and sent to the University Fire Marshall for: theatrical or other entertaining arts performances dining and food services areas special religious ceremonies other purposes as may appear necessary.
- All coiled resistance units (such as hot plates)
- Halogen bulbs are prohibited
- Installing plastic, aluminum, Or paper liners in and around apartment stoves.
- Taping or hanging material from smoke detectors or fire extinguishers.
- All electrical appliances and cords must meet UL (Underwriters Laboratory) safety standards. UL approved power strips must be used when more than two electrical items share an outlet. The Utah State University Fire Marshal highly recommends purchasing extension cords manufactured by Fire Shield which senses damage caused by overload, overheating, pinching or aging and shuts off the power in 25/1000 of a second if a dangerous condition is detected.
- Grilling on BBQs within feet of any housing building. Residents may not store propane tanks in their apartments.
- Space Heaters

### Other Items

Mini-refrigerator, freezers and air conditioners that require 1500 watts of power usage or less are allowed and must be plugged directly into a wall. All appliances, including microwaves, must be plugged directly into a wall outlet, not a surge protector or extension cord as required by state fire code. This policy will be enforced by Housing staff.

### Fire drills

Fire Drills or fire safety programs are conducted 1-2 times each semester by the City Fire Marshal and Residence Life staff to ensure that residents are familiar with emergency evacuation procedures and general fire safety. When requested or mandated, all occupants must immediately evacuate a residence hall. Interfering with or noncompliance will result in disciplinary action. Residents are also required by

the Fire Marshal to keep hallways and stairwells clear of obstructions at all times, to facilitate proper access and egress.

### Fire Extinguishers

A fire extinguisher is located in all apartments. In residence halls, an extinguisher is located in the hallways on each floor. If the extinguisher is discharged while putting out a fire, promptly notify the Student Services. The extinguisher must not be re-hung or relocated after discharge.

Fire extinguishers or other equipment can only be discharged in an actual fire emergency. Starting fires, tampering with or misuse of fire safety equipment, or falsely reporting a fire may result in criminal prosecution.

Fire extinguishers are checked by the at least annually. Periodically inspect the fire extinguisher gauge to be certain it is properly charged. If the needle indicates that it is undercharged or overcharged, call the Student Services immediately for replacement.

### Smoke Detectors

Smoke detectors are located in all Housing facilities. When the detector is activated, it will make a loud, piercing sound. When the detector beeps intermittently, the batteries need to be replaced.

It is the resident's responsibility to report to Student Services or the maintenance department whenever the smoke detector is inoperable, or batteries need to be replaced.

Excessive amounts of smoke from cooking, or steam from the bathroom, may activate a smoke detector.

Residents should leave their name, apartment number, time of call, and current problem with the detector. If Housing staff determine that the smoke detector or battery has been removed, tampered with, or is inoperable and has not been reported, the student may be sanctioned

### In Case of Fire

Before a fire, know the escape route and meeting location your RA has designated for your area. A smoke detector can wake you, but only an escape plan can save you. All residents should recognize the alarm signal and how to respond. If you hear a neighbor's smoke detector ringing for an extended period of time, contact the fire department first and then the Student Services Office next.

#### If a fire occurs:

- Grab your keys (if possible) and walk to the nearest exit. Most smoke and dangerous gases rise so keep your body low and move quickly. If necessary, crawl so you do not breathe the smoke.
- If you suspect a fire, touch the door or handle with the back of your hand before opening it, with your hand covered for protection. Intense heat, deadly smoke, or gas may be on the other side. If it is not hot, open it cautiously a few inches to check the other side for heat, smoke, or flames.

Keep your body out of the opening doorway and be ready to slam it shut if any heat or smoke appears. Do not waste time getting dressed or gathering valuables.

- If possible, leave towel on the outside doorknob of your room to signal that everyone is out of the room. Leave door closed, but unlocked
- Exit the building immediately through assigned doors. Do not use elevators.
- Call the fire department from OUTSIDE the building. Dial 911 and report the location of the fire. Stay on the telephone until instructed to hang up. If possible, alert other room/apartment occupants.
- Assemble with the members of your hall in grassy area beyond parking lots
- Do not re-enter the building unless instructed to by fire safety personnel

### Fire drill and safety drills

- Student Life Personnel will conduct Environmental Health and Safety Inspections at least four times a year or twice during each semester. Inspections will be announced during the first round of each semester. The second inspection is unannounced. The Student Life inspections are primarily designed to discern and eliminate safety violations. Students are required to read and comply with the Student Handbook Guide which includes inspections, and all other rules and regulations for residential buildings. The inspections include, but are not limited to, a visual examination of electrical cords, smoke detectors, fire extinguishers and other life safety systems.
- In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking devices in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room, tampering with lifesaving equipment; possession of pets; etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled or confiscated and discarded, without reimbursement.

## Fire statistics

(3 years)

| Location              | Year | Fires | Deaths | Injuries | Property Damage |
|-----------------------|------|-------|--------|----------|-----------------|
| Pearl A. Presley Hall | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Heritage              | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 7     | 0      | 0        | 1               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Wilkinson             | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Herald C. Turner Hall | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 1     | 0      | 0        | 1               |
| Myers Village         | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Old Presley           | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 1     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Welcome Center        | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Faith Hall            | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Albert Blanton Center | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Walnut St. Apt.       | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 0     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |
| Cypress St. House     | 2019 | 0     | 0      | 0        | 0               |
|                       | 2020 | 1     | 0      | 0        | 0               |
|                       | 2021 | 0     | 0      | 0        | 0               |

