



2019

Lander University: Annual Security and Fire Safety Report

Prepared by Lander University Police Department.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Lander University discloses timely information about campus crime and security policies on an annual basis.



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POLICIES FOR PREPARING ANNUAL CRIME STATISTICS DISCLOSURE

The Lander University Police Department (LUPD) is responsible for preparing this report. You will learn about our department's mission, staff, and commitment to the university community and beyond. This report contains information on safety and crime statistics specific to Lander's campus.

Lander University is a community of more than 3,800 students, faculty and staff and is located on a beautiful, historic campus in the Uptown area of Greenwood, South Carolina. The University Police Department works with both internal and external constituents to create a reasonably safe campus. Crime prevention, risk identification, and problem solving are the responsibilities of everyone. We ask you to join us in these efforts by referring to our website for safety and security information.

We are the primary department charged with creating a safe and secure environment. This task, however, is not one we can accomplish alone. Information and awareness are important components of crime prevention and safety. Communication is a critical component of this partnership. Your cooperation in reporting crimes or suspicious activities will enhance our efforts to provide a safe educational environment.

In compliance with federal law, Lander University Police Department makes available crime statistics and a daily log, which is accessible on Lander's website. More specifically, University Police prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at www.lander.edu. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, Housing and Residential Services, the Student Conduct Office, and the Division of Student Affairs. Each entity provides updated information on statistically relevant information and educational efforts to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Lander University Police, designated campus officials, and local law enforcement agencies. Department of Counseling and Health Services staff informs their clients of the procedures to report crime to the University Police on a voluntary basis, should they feel it is in the best interest of the client. Each year, an email notification is sent to all enrolled students, faculty, and staff, which details the availability of this report. Copies of the report may also be obtained at the University Police Department located within the Genesis Hall Building.

Safety on the University campus is a natural source of concern for parents, students, and University employees. Education, the business of Lander University, can only occur in an environment where students and employees feels safe and secure. Lander University recognizes this, and employs a number of security measures to protect the members of its community.

The campus itself has a relatively low crime rate, but no campus is completely isolated from crime. Consequently, safety and security remain a top priority for Lander. The Annual Fire Safety Report may also be accessed on the Physical Plant webpage at <https://www.lander.edu/student-life/university-police/daily-crime-fire-log>. We hope you find this report informative and helpful, and that your visit or stay at Lander will be enjoyable and safe. If you have questions or would like further information about safety and security, please feel free to contact us at 864-388-8222.

RESOURCES AND CONTACT INFORMATION

On-Campus Resources

The Lander University Police Department may be contacted 24/7 at 864-388-8222. All police officers are certified through the South Carolina Criminal Justice Academy and are commissioned as State Constables through the South Carolina Law Enforcement Division. The Wellness Center (located directly beside the Lander University Police Department) is staffed with licensed nurses as well as licensed counselors. The Wellness Center may be contacted at 864-388-8885 Monday-Friday from 8:30am-5:00pm. If an individual needs assistance outside of these hours, the Lander University Police Department will contact the counselor on call. Campus staff, listed below, are available to assist with any questions, concerns, or needs regarding any of the information addressed throughout this report.

Name	Function	Office	Phone	Email
Greg Allen	Chief, Lander University Police Department	Genesis Hall	864-388-8222	gallen@lander.edu
Rodney Boyter	University Safety Director, Resident State Fire Marshal	Facility Operations Building	864-388-8009	rbboyter@lander.edu
Dr. Boyd Yarbrough	Vice President for Student Affairs	Grier Center, 345	864-388-8293	byarbrough@lander.edu
Tracy Clifton	Assistant Vice President for Student Affairs, Title IX Coordinator, Civil Rights Investigator	Grier Center, 347	864-388-8055	tclifton@lander.edu
London Thomas	Director of Human Resources, Deputy Title IX Coordinator for Employees	511 Willson St	864-388-8051	lthomas@lander.edu
Jalysa Green	Director of Student Conduct, Deputy Title IX Coordinator for Students, Civil Rights Investigator	Grier Center, 344	864-388-8905	jgreen@lander.edu
Ebonee Dendy	CARE Case Manager, Civil Rights Investigator	Grier Center, 343	864-388-8241	edendy@lander.edu
Vernon Peppers	Deputy Chief, Lander University Police Department	Genesis Hall	864-388-8222	vpeppers@lander.edu
Dena Gossett	Captain, Lander University Police Department	Genesis Hall	864-388-8222	mgossett@lander.edu
Kim Shannon	Executive Director of Wellness and Holistic Support, RN, MPH	Genesis Hall	864-388-8885	kshannon@lander.edu

Off-Campus Resources

The following community resources are also available for students, faculty, staff, and visitors:

- Beyond Abuse (Sexual Trauma Counseling), 864-229-2763, contact@beyondabuse.info
- Meg's House (Domestic Violence Assistance), 24 Hour Emergency Hotline, 1-888-847-3915
- Beckman Mental Health, 864-223-8331
- Self-Regional Healthcare, 1325 Spring Street, Greenwood, SC 29646
- Montgomery Center for Family Health, 155 Academy Ave, Greenwood SC 29446
- Express Care, 864-725-5020

BACKGROUND

A Legislative History of the Clery Act

The Student Right to Know and Campus Security Act (Public Law 101-542) was signed into law by President Bush in 1990 and went into effect on Sept. 1, 1991. Title II of this act is known as the Crime Awareness and Campus Security Act of 1990. This act amends the Higher Education Act of 1965 (HEA) by adding campus crime statistics for the most recent three years, as well as disclosure of the institution's current security policies. Institutions are also required to issue timely warnings when necessary.

All public and private Title IV eligible institutions must comply with the requirements of this act, which is enforced by the U.S. Department of Education. This law was amended when Congress enacted the Campus Sexual Assault Victim's Bill of Rights as part of the Higher Education Amendments of 1992. (Public Law 102-325, Section 486 (C), giving victims of sexual assault on campus certain basic rights). In addition, institutions are required to develop and distribute a policy statement concerning their campus sexual assault programs targeting the prevention of sex offenses. This statement must also address the procedures to be followed if a sex offense occurs.

The most recent version of this law was passed as part of the Higher Education Amendments Act of 1998 (Section 486 (e) of Public Law 105-244). The official title under this act is the Jeanne Celery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. 1092 (f)). On Nov. 1, 1999, ED issued the final regulations that went into effect on July 1, 2000. The amendments require ED to collect, analyze, and report to Congress on the incidences of crime on college campuses. The amendments also expand the requirement of the Student Right to Know and Campus Security Act of 1990 that all institutions of higher education participating in the federal student aid programs must disclose to students, faculty, staff, and prospective students upon request, information regarding the incidence of crimes on campus as part of their campus security report.

The 1998 amendments made several changes to the disclosure requirements. Among these changes were the addition of two crimes (Arson and Negligent Manslaughter) and three locations (residence halls, non-campus buildings or property not geographically contiguous to the campus, and public property immediately adjacent to a facility that is owned or operated by the institution for education purposes) that schools must include in the reported statistics. Institutions that have a campus police or security department are required to maintain a daily crime log that is available to the public.

The Clery Act was further amended in October 2000 by the Campus Sex Crimes Prevention Act (Section 1601 of Public Law 106-386). The changes went into effect on Oct. 28, 2002. Beginning in 2003, institutions are required to notify the campus community where law enforcement agency information provided by a state concerning registered sex offenders who are on campus may be obtained.

The Campus Security Act (Legal Requirements)

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by October 1, which contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms.

- Gather statistics from campus police or security, local law enforcement, and other University officials who have significant responsibility for student and campus activities.
- Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees.
- Disclose in a public crime log any crime that occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department.

The Higher Education Opportunity Act

In 2008, the Higher Education Opportunity Act required that statements of emergency response and evacuation procedures be included in the annual security report, in addition to information regarding emergency notifications on campus, expanded hate crime statistics, a statement of policy on law enforcement authority of campus personnel, and established safeguards for “whistleblowers.”

The Violence Against Women Reauthorization Act

In 2013, the Violence Against Women Reauthorization Act (VAWA) mandated the following:

- Campus-wide sexual violence, domestic violence, dating violence, and stalking education and prevention.
- Annual training for officials handling disciplinary proceedings.
- Campus crime reports to include domestic/dating violence and stalking.
- Ongoing prevention programs for domestic/dating violence and stalking.
- Defined policies in place for the handling of domestic/dating violence and stalking.

ABOUT THE LANDER UNIVERSITY POLICE DEPARTMENT

Lander University Police officers are sworn and certified officers with comprehensive arrest powers in the State of South Carolina. These officers have graduated from the South Carolina Criminal Justice Academy and are tasked with law enforcement activities including patrolling campus and monitoring activity, responding to calls for service, and investigating criminal activity. University Police officers are appointed state constables by the Governor of South Carolina and are fully certified police officers with statewide authority. University police officers have the authority to enforce all applicable Federal laws, State laws, Greenwood County and Greenwood City ordinances, and University regulations.

Officers work closely with the Greenwood Sheriff’s Department and the Greenwood Police Department, and local contingent of the State Law Enforcement Division (SLED), to handle any incidents that occur off-campus or on-campus. The University Police Department and the Division of Student Affairs ensure that safety and security policies and procedures are uniformly executed and conveyed in a clear and consistent manner to the student body. Officers patrol the campus 24 hours a day by motor vehicle, golf cart, and on foot. Officers are in radio communication with each other and the Department.

The Communications Center is manned 24 hours a day, seven days a week, and is responsible for taking telephone requests for service, dispatching officers, and monitoring alarm and video systems. All personnel may be reached at the University Police Department by calling 864-388-8222. You can also come by our office, which is located in Genesis Hall.

The on-campus emergency phone number is 8911. This number directly connects any campus phone with the University Police Department and should be used when fire, police, or medical response is required. This number is published in

the University telephone directory and in the Student Handbook. In addition, there are outdoor emergency call boxes located around campus that provide one-button instant communication with the University Police Department.

Mission and Values

Our mission is to enhance the living, learning, and working experience at Lander University by protecting life, maintaining order, and safeguarding property. We fulfill this purpose by providing our community with a full range of services that meet the highest professional standards of campus public safety. We are committed to working with the community to define our priorities and build lasting partnerships.

The core values that guide us in this mission are detailed below.

- **Integrity:** We firmly adhere to the values set forth in this document and our professional ethics as outlined in the Law Enforcement Code of Ethics. We expect every member of our department to uphold the highest ethical standards at all times.
- **Respect:** We treat all members of the community and each other with courtesy, fairness, and dignity.
- **Professionalism:** We will continually develop our knowledge, skills, and abilities to the highest levels possible to enable us to provide the finest public safety services to the Lander University community. Our approach is based on a commitment to excellence, innovation, and continuous improvement.
- **Accountability:** We value the opportunity to serve the community and will ensure that our conduct always merits trust and support. We will accept full responsibility for our actions and will take appropriate actions to meet community and professional expectations.
- **Service:** We are committed to enhancing public safety and increasing the community's sense of security. We will work in partnership with the community to identify and solve problems that affect the quality of life on campus. We demonstrate our commitment to serve by placing the needs of others ahead of our own.
- **Mentoring:** We recognize that individual and team contributions are essential to a high-performing department. By sharing insight and guidance and creating learning opportunities, we acknowledge that each member of our department makes a valuable contribution to our purpose and vision.
- **Appreciation:** We are proud of our profession, our colleagues, our department, and Lander University. We recognize the sacrifices our members make to ensure the safety and security of the community. We will do all possible to ensure all our members feel appreciated and duly rewarded for their contributions.

GENERAL CAMPUS SAFETY INFORMATION

Access to Campus Facilities

During academic semesters, academic buildings at the University are open for access by students, faculty, staff, and visitors from 7 a.m. - 11 p.m. (M-F). Outside doors are locked at other times, although faculty and staff who work in a building may be given keys. The University encourages an open environment with limited constraints to ensure the reasonable protection of all members of the community.

Lander University is committed to campus safety and security. Landscape and exterior lighting control is a critical part of that commitment. Representatives from various departments and members of the student body conduct safety walks on campus during the fall and spring, checking the exterior lighting and the landscape to see if more lighting is needed on the campus. The University Police conduct routine checks of lighting on campus during regularly assigned patrol duties. If lights are out or dim, officers will initiate an immediate work order, which is acted upon by a representative of

the Physical Plant. We encourage community members to report any lighting problems to the Physical Plant at 864-388-8200. Any community member who has a concern about security should contact LUPD at 864-388-8222. The Physical Plant has a locksmith available to identify inoperative locking mechanisms, and maintenance staff available to respond to calls 24 hours a day regarding unsafe facility conditions or personal safety and property protection.

Student Residence Hall Safety

Maintaining a safe living environment is one of the fundamental missions of the Department of University Housing. Residence hall entrances are equipped with either a keyed access entry system or card access. As a safety measure, all exterior doors to the residence halls remain locked at all times. Centennial Hall, New Hall and Chipley Hall are staffed by Residence Hall Monitors and by Resident Assistants whenever these facilities are in use. Students entering the residence halls during these times will be subject to having their ID cards checked, and all guests will be required to sign in and identify the students whom they are visiting. Room keys control access to the residents' rooms and apartments. Many exterior doors are equipped with alarms and/or security cameras that are monitored 24 hours per day by University Police dispatchers and resident hall monitors. Finally, the University Police Officers conduct night walking patrols of all residence hall communities.

In addition to the above measures, it is essential that the University Police have the support and cooperation of all residents to maximize individual and community safety and security. Residents must never prop doors open or let unauthorized persons enter the buildings. Residents should always lock their room doors, and report suspicious persons or activities noted in or around their buildings. Students that are locked out of their rooms may call University Police (8222) for assistance. University Police will assist students in unlocking their room as a courtesy, one time only. Thereafter, there will be a \$5.00 charge for unlocking doors and the Housing Office will be notified. Students will be asked to identify themselves before a room is unlocked.

Employee Training

The Lander University Police Department facilitates in-person training twice annually for all University employees. The training consists of information regarding safety and security awareness in classrooms and other facilities, active-shooter education, and other general safety precautions. Additionally, departments are encouraged to request individualized training to identify area-specific needs.

The CARE Team

To extend efforts on emergency preparedness and prevention, Lander has established a CARE (Collaboration, Assessment, Response, and Evaluation) Team. The multi-disciplinary team is comprised of members throughout the University community. The mission of Lander's CARE Team is to promote a safe, caring and productive environment. This is accomplished by addressing the needs of individuals through collaboration, assessment, and when warranted, the implementation of individualized support plans.

The CARE Team addresses critical psychological, emotional, physical, behavioral, or other well-being concerns through review of situations/incidents, information gathering/sharing, and providing recommendations to ensure the safety of the campus community and/or the educational success of Lander students. A Welfare Concern/CARE report is not suitable for situations that require immediate police or medical attention. CARE Team initiatives do not preempt any other University department in performing its duties, enforcing the law, or managing crisis situations.

Tucker Hipps Transparency Act

It is the policy of Lander University to comply with the requirements as outlined by South Carolina's Tucker Hipps Transparency Act. The University is required to post the Tucker Hipps Transparency Report no later than 45 days prior to the beginning of each academic semester.

This Act, signed by South Carolina Governor Nikki Haley, states that all public institutions of higher education, excluding technical colleges, shall provide a public report of actual findings of violations of the institution's Conduct of Student Organizations by fraternity and sorority organizations formerly/currently affiliated with the institution. Reportable offenses include alcohol, drugs, sexual assault, physical assault, and hazing. Lander's report may be accessed at the following link: <https://www.lander.edu/student-life/clubs-organizations/greek-life/tucker-hipps-transparency-act>.

Off-Campus Safety

When a crime has been committed at an off-campus location of a recognized student organization, it should be reported to local law enforcement agencies. The University Police Department does not work off-campus crimes, but works with the local law enforcement agency, which conducts an investigation to obtain information about the incident after it has occurred. Victims of criminal acts may obtain a copy of the police incident report from the agency of jurisdiction. The Office of Student Affairs handles student violations of conduct that occur off-campus.

Community Partnerships

The University relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students off-campus. The City of Greenwood Police Department and the Lander University Police Department (LUPD) have an interest in cooperating and sharing law enforcement resources, to ensure proper reporting and investigations of crimes.

The Lander University Police Department (LUPD) will actively investigate any crime information it receives, concerning or involving a member of the campus community. If the University is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Campus Safety Alert, detailing the incident and providing tips so that other community members may avoid similar incident.

LUPD maintains a close relationship with the Greenwood Police Department and the Greenwood Sheriff's Office to ensure that Lander is notified of any crime report that is made directly to those agencies. The University Police will disclose any crime report made directly to any local law enforcement agency by a member of the campus community.

CRIME PREVENTION AND SAFETY TIPS

The active cooperation and participation of everyone in the Lander community to quickly report anything that appears suspicious is essential in order to successfully combat crime. Reports can be made to the Lander University Police Department or to any Campus Security Authority.

Safety Tips for On-Campus Students

The Lander University Police Department encourages everyone to be responsible for his or her own security and the security of others. Simple, common sense precautions are the most effective means of maintaining personal security.

Examples of such precautions include:

- Students (male or female) walking across campus or to parking lots at night should consider dialing 8222 to use the University Police escort services, particularly if they feel something is “not right.”
- Students living in residence halls should keep their room doors locked at all times and should never prop open room or external doors.
- Residents of the residence halls are expected to escort their guests at all times.
- Any harassing or obscene phone calls should be reported to the University Police Department at once, as such behaviors can escalate very quickly.
- Cars should be locked and parked in well-lighted areas with all valuable items removed or locked in the trunk.
- Students and employees should notify the University Police or University Housing staff of suspicious individuals on campus, or inside a residence hall, who appear to have no legitimate business there.

Safety Tips for Off-Campus Students

Although on-campus housing is often your best bet as far as safety and security are concerned, some students do prefer to find off-campus housing. When looking into rental properties, there are a few basic safety features and policies that you should consider before signing a lease.

- Exterior doors should be made of metal or solid wood construction.
- Deadbolt locks and peepholes are on exterior doors.
- Make sure the management changes locks, or permits the tenant to change the locks, when moving in.
- Sliding glass doors should be secured with pins through the frame or have a “Charlie bar” locking device.
- Apartments located on the second floor or higher, are safer. Being on the ground floor makes entry through windows easy. Ground floor windows should be secured with pins through the frame or key lock latches.
- Hallways and stairwells should be well lit at night. Mirrors to help you see around hallway corners are also important.
- Bushes and shrubbery should be well maintained and cut back below window height to reduce the risk of attackers hiding in them.
- Is access to the complex limited to residents and guests?
- Is there on-site security? Is there a neighborhood watch program?
- Have there been any burglaries in the complex, and if so, how did the burglars gain entry?
- Ask management about the availability of extra keys to your apartment. If there are extra keys, ask how they are secured and who has access to them.
- Ensure parking areas are well lit at night and afford a clear line of sight to your apartment door.
- Ask management if they have a policy against installing intrusion alarms in individual apartments. If not, installation of a simple alarm system might be a good option for additional security at a relatively low expense.

Keep in mind that looks can be deceiving. Just because a complex is new, does not mean that it is safe. Look closely at the apartments you are considering. If they don't have the majority of the safety features listed above, you should probably keep looking. When it comes to your safety, please do not compromise.

Preventing Sexual Assault

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk experiencing a non-consensual sexual act. Most rapes and sexual assaults are committed by acquaintances. The following are general suggestions for reducing your risk of sexual assault.

- **Be assertive, direct, and clear.** Be direct about reaching an understanding with a friend or date. Don't assume an earlier understanding is still clear. Knowing someone, even intimately, is no defense against a charge of sexual assault. Sex without consent is rape, whether the coercion used is physical or emotional. Non-stranger rape is a criminal offense.
- **Don't accept a ride from someone you have just met,** no matter how nice they seem.
- **Remember that alcohol and drugs impair not only your judgment, but also your ability to make that judgment clear to someone else.** If you are socializing with a group that is using alcohol or drugs, their judgment, and their ability to understand you, will also be impaired. On college campuses across the country, alcohol or drugs play a major role in 79 percent of sexual assault incidents.
- **Make a commitment to take care of one another.** If you come together, you should always leave together. Consider establishing a code word among your friend group so others will know you are in trouble.
- **If you see something, say something.** Never be afraid to speak up or contact a University official if something seems off.
- **Always be aware of your surroundings,** and plan an escape route in advance of the activity or event.

REPORTING CRIMINAL INCIDENTS AND EMERGENCY CONTACT INFORMATION

The University Police Department encourages all members of the university community to report criminal activity, suspicious situations or emergencies. Individuals may contact the Lander University Police Department 24/7 at (864) 388-8222 or may report any such incidents in-person by visiting the department's headquarters within the Genesis Building. All reports will be appropriately investigated. The University does not have procedures for voluntary, confidential reporting of crime statistics, but there is an anonymous reporting form that can be forwarded to the University Police Department for statistical reporting purposes.

Publicly available recordkeeping includes Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)). Violation of the law will be referred to law enforcement agencies and when appropriate, to the Office of Student Conduct for review. When a potentially dangerous threat to the University community arises, timely reports or warnings will be issued through text-messages, e-mail announcements, and posted on the website (www.lander.edu), as well as info-boxes.

Campus Emergency Contacts

- On-campus emergencies call University Police Department: 8911
- On-campus non-emergency 24 hour communications center: 8222 or (864) 388-8222
- Health Services: (864) 388-8885 or after hours (864) 388-8222
- Counseling Center: (864) 388-8885 or after hours (864) 388-8222
- Anonymous Tip Link: <https://lander.wufoo.com/forms/anonymous-tip/>

Campus Security Authority (CSAs)

In addition to campus law enforcement, students and employees are encouraged to report criminal offenses to Campus Security Authorities (CSAs) on our campus. The individual reporting the crime to the CSA may remain anonymous. All Lander employees are considered to be CSAs with very limited exceptions. Any employee notified of a crime is responsible for contacting the Lander University Police Department at (864) 388-8222. Information provided by the CSA will be used for statistical purposes in Lander's Annual Security Report. The CSA is responsible for providing statistical information on crimes reported to them for inclusion in this report. Statistical information will also be requested from area police agencies.

Exceptions - Certain individuals who would normally be CSAs are exempt from disclosing information when acting within the scope of their license or certificate. While not required to disclose confidential information, these individuals are encouraged to report non-identifiable statistical data, when appropriate. Such exceptions include the following:

- **Pastoral counselors:** A person who is associated with a religious order or denomination and is recognized by that religious order as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional counselors:** A person whose official responsibility includes providing mental health counseling to members of the institutions community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

Daily Crime Log

The University Police Department maintains a Daily Crime Log that documents, by the date the incident was reported, all crimes and other serious incidents that occur on-campus, in a non-campus building or property, on public property, or within the department's patrol jurisdiction. The Daily Crime Log is available for public inspection at the department's headquarters. The Daily Crime Log includes the nature, date, time, and general location of each crime reported to the department, as well as the disposition of the complaint, if this information is known at the time the log is created. The department posts specific incidents in the Daily Crime Log within two business days of receiving a report of an incident and reserves the right to exclude reports from the log in certain circumstances.

Timely Warning Notices (Campus Safety Alerts)

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Lander University must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community. Lander University will ensure that a complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of potential danger.

The University Police Department, in conjunction with other departments on campus, issues Campus Safety Alerts in a timely manner to notify the University campus about certain crimes in and around our campus. Members of the community that know of a crime or other serious incident should report that incident as soon as possible to the University Police Department so that a Campus Safety Alert can be issued, when warranted.

If community members report crimes or serious incidents to other University administrators, those administrators will notify the University Police. Representatives of these offices will promptly notify and collaborate with University Police to issue Campus Safety Alerts, if one is appropriate.

Emergency Telephone Network

Lander University has installed an emergency telephone network across campus to enable the Lander community to call for help or to notify the University Police Department in the event of an emergency. The system is comprised of stations. The system consists of white call boxes. Pressing a button will activate the emergency system and automatically dial the University Police Department. The location of the call will immediately be displayed in the University Police Department Office, enabling officers to respond (even if the caller is unable to speak). In addition, a blue strobe light will flash at the emergency station to alert others of the hazard.

Lander University Emergency System

Lander University has a number of communication systems (tools) that can be used to notify students, faculty, staff, and visitors in the event of a significant emergency or dangerous situation that involves an immediate threat to the health or safety of the campus community.

Once first responders confirm a significant emergency or dangerous action, Lander will initiate these systems, referred to as Lander Alerts, without delay. The Lander Alert system includes the following communication options: text message, email, and an outdoor siren system.

Taking into account the safety of the campus community, Lander officials will determine the content of the notification system and initiate the Lander Alert system unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Community members, upon receiving a notice of an alert, should seek additional information via the Lander University Emergency website at <https://www.lander.edu/student-life/campus-safety/lander-alert>. Members of the campus community are encouraged to take actions to protect themselves and to alert others. In a manner designed to educate both employees and students, the University publicizes and tests emergency response and evacuation procedures on an annual basis.

Lander Alert

The e2Campus includes text messages that will be sent to personal cell phones for those in the Lander community who register their cell phone number into the Lander Alert system. Email messages can be sent through the same system. (Two cell phone numbers and two email addresses can be registered per individual on the Lander Alert System.) The e2Campus system is tested twice a year, once during both the fall and spring semesters.

Campus Siren & PA System

The Lander Public Address System has been installed at the highest point on the campus to be able to broadcast sirens or voice alerts to be heard throughout the campus. The Campus Siren and PA system are set up to announce a test message automatically the first Monday of the month. Further, the system is also tested manually twice a year, once during both the fall and spring semesters.

Activation of Emergency Alert System

Once the supervisor or senior officer has determined a threat continues to exist, a message describing the threat and what actions need to be taken by the citizens are issued through the Lander Emergency Alert System (Siren/Voice Alert, Text Message, Emails, etc.). This Alert is issued as soon as is feasible by the on duty supervisor, senior on duty officer, or Chief.

The Lander Emergency System has twelve (12) pre-recorded messages that can be sent automatically or manually.

1. Test
2. All Clear
3. Armed and Dangerous Person
4. Severe Weather
5. Severe Thunderstorm
6. Tornado
7. Tornado Sighted
8. Tornado Warning
9. Tornado Warning-Cancelled
10. Chemical Release
11. Hazardous Material
12. Hazardous Material - Cancelled

UNIVERSITY POLICIES

Missing Student Notification Policy

Institutions with on-campus student housing facilities will be required to include an option for each student to identify a contact person or persons whom the institution shall notify within 24 hours of determination that the student is missing. Student will be advised that their contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. Local law enforcement will be notified that the student is missing even if they have not registered a contact person.

If the student is under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student; and advise student that, the institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

If a member of the University community believes that a student is missing, whether or not the student resides on campus, all possible efforts are made to locate the student to determine his or her state of health and well-being through the collaboration of the University Police and the Office of Student Affairs. If the student resides off-campus, the University Police will formally enlist the aid of the Greenwood Police Dept. and the Greenwood County Sheriff Dept. Concurrently, University officials will endeavor to determine the student's whereabouts through contact with friends, associates and/or employers of the student. Whether or not the student has been attending classes, labs, recitals, and scheduled organizational or academic meetings, or appearing for schedule work shifts will be established.

If located, verification of the student's state of health and intention of returning to the campus will be made. If appropriate, a referral will be made to Counseling Services and/or Student Health Services. If not located, notification of the family, immediately upon receiving the initial report, is made to determine if they know the whereabouts of the student. If the student is an off campus resident, appropriate family member or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction. The University Police will cooperate, aid and assist the primary investigative agency in all ways prescribed by law. If the missing student is an on-campus resident, the University Police will open an investigation as the primary investigation unit.

All pertinent law enforcement agencies (neighboring municipal, county or state) located along suspected travel corridors or place of original domicile will be notified and requested to render assistance, through direct telephone contact or visit, and/or radio transmission with comprehensive BOLO messages. Upon closure of the investigation, all parties previously contacted will be advised of the state of the case.

Alcohol and Other Drugs Policy

Alcoholic beverages are not allowed in any Lander University residence halls or public campus areas without specific permission from the university administration. "Public" is defined as areas that are readily accessible to students, faculty, staff and guests on campus. Consumption and possession is prohibited in all university residence hall facilities and grounds. To remain in the vicinity where alcohol and/or drugs are present even without consuming or possessing is prohibited. This includes individual rooms, kitchens, decks, stairs, parking lots, athletic fields/courts and adjacent parking lots. The unauthorized possession, use, manufacture, sale or distribution of any counterfeit, illegal, dangerous, "designer" or controlled drug or other substance is prohibited.

Lander University prohibits the unlawful use, possession, sale or distribution of alcohol and illegal drugs on the campus and property of Lander University, or during any function specifically sponsored by the university. Reporting to work or class under the influence of drugs or alcohol is strictly prohibited. Individuals violating this policy are subject to criminal prosecution as well as university disciplinary action up to and including separation from the university. Persons convicted in criminal court of illegal use, possession, sale or distribution of alcohol or drugs are subject to prison sentences up to life in prison, as well as substantial fines.

Administrative disciplinary action(s) for subsequent violation of this policy may be found on the [FAQ section](#) of the Student Conduct website or within the [Employee Substance and Testing Policy](#).

Lander University permits the sale of alcoholic beverages only at limited, pre-approved events. The serving of alcoholic beverages during any selected special events must be pre-approved by the appropriate university officials and adhere to federal, state and local laws regarding the sale, distribution, possession and consumption of alcohol. Possession and consumption of beer, wine and distilled spirits is prohibited with the exception of approval on a per event basis. Applications for approval of these events are made through the office of the vice president for Student Affairs, and must be made at least two weeks in advance in order to secure the appropriate approval. Only students 21 years of age or more will be permitted to possess or consume beer, wine or distilled spirits at approved events.

Lander University provides substance abuse counseling and referral services for any student or employee who wishes to use them. Such services are provided at no charge and in strict confidence. In addition to individual counseling and referral services, Lander University provides educational programs which address the health risks and criminal sanctions

associated with the use of drugs and alcohol. This policy is subject to change to comply with local, state or federal laws pertaining to the possession and consumption of beer, wine or distilled spirits.

Weapons/Firearms Policy

Firearms and dangerous weapons of any type are not permitted in the residence halls or other university facilities, except when carried by law enforcement officers within their jurisdictions. Possession of a firearm on campus is a felony within South Carolina. Intentional use, possession or sale of firearms or other dangerous weapons by students are strictly forbidden and violate university policy and state law.

Violations can result in arrest and confiscation/destruction of the weapon/ammunition/prohibited item. Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals whether on or off university premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others is a serious offense and is therefore applicable to this policy.

Students found responsible for violation of this policy, with regard to dangerous weapons, are likely to face suspension or expulsion, depending upon the severity of the incident. Other weapons of any kind (including but not limited to dirk, slingshots, metal knuckles, razors, BB guns, air guns, hatchets, bows/arrows, explosives, fireworks, dangerous/noxious chemical mixtures, incendiary devices, propelled missiles or other dangerous substances) are prohibited on campus.

**Any item used in a threatening manner may be considered a weapon and is therefore applicable under this policy.*

Notice of Non-Discrimination

Lander University adheres to federal and state laws and regulations prohibiting discrimination in public institutions of higher education. The University is committed to a policy of equal opportunity for all persons and does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender, gender identity, gender expression, pregnancy, childbirth or related medical conditions, national origin, age, disability, veteran's status, genetic information, or protected activity (e.g., opposition to prohibited discrimination or participation in any complaint process, etc.) in employment, educational programs and activities, admissions and financial aid. This includes a prohibition against sexual harassment and sexual violence as mandated by Title IX of the Education Amendments. Student conduct or employee discipline that fall outside the parameters of Title IX may also be applicable.

This policy of Non-Discrimination is intended to meet Lander University's responsibilities under Titles VI and VII of the Civil Rights Act 1964, the Pregnancy Discrimination Act of 1978, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, the Vietnam Veterans Readjustment Assistance Act of 1974, the Genetic Information Nondiscrimination Act of 2008, the Violence Against Women Act, the SC Pregnancy Accommodations Act and applicable provisions of the South Carolina Human Affairs Law.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, & STALKING

Statement of Compliance

Lander University seeks to foster a safe living, learning, and working environment for all members of the community and visitors to the campus. Sex-based discrimination and harassment, to include sexual assault, dating violence, domestic violence and stalking, are prohibited. Lander University communicates its comprehensive plan to address sexual misconduct through educational programs, trainings, publications, and other means of correspondence.

Applicable Definitions

Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of South Carolina regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice. Lander University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well. Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Sexual harassment includes conduct on the basis of sex/gender or that is sexual that satisfies one or more of the following:

Quid Pro Quo

An employee of Lander University that conditions the provision of an aid, benefit, or service of the University based on an individual's participation in unwelcome sexual conduct.

Sexual Harassment/Unwelcome Conduct

Unwelcome conduct determined by a reasonable person to be so severe, and pervasive, and, objectively offensive, that it effectively denies a person equal access to Lander University's education program or activity.

Sexual Assault

Sex Offenses, Forcible: any sexual act directed against another person, without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent.

- **Forcible Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object:** The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Forcible Fondling:** The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sex Offenses, Non-forcible:

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

Dating Violence

Violence, on the basis of sex, committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence

Violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of South Carolina], or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of South Carolina.

Stalking

Engaging in a course of conduct, on the basis of sex, directed at a specific person that would cause a reasonable person to fear for the person's safety, or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Force, Coercion, Consent, and Incapacitation

In accordance with the offenses outlined, the following definitions apply.

Force

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion

Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on such factors as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want it to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent

Consent is knowing and voluntary and involves clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time. Consent to some sexual contact (e.g., kissing, fondling) cannot be presumed to be consent for other sexual activity (e.g., intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on Lander University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Incapacitation

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including as a result of alcohol or other drug use. As stated above, a respondent violates this policy if they engage in sexual activity with a person who is incapable of giving consent. It is a defense to an allegation of a sexual assault policy violation that the respondent neither knew nor should have known the complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment. Incapacitation occurs when a person cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (i.e., to understand the "who, what, when, where, why, or how" of sexual interaction). Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk. This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

Campus Awareness Campaign

Lander University offers educational programs for students, faculty, and staff to promote the prevention and awareness of sexual violence and related misconduct. Programs are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. The Lander University Police Department and/or other responsible University departments provide primary prevention and awareness training for all incoming students and employees in addition to continued annual programming.

Topics of annual training include:

- Statements that the University prohibits sex discrimination, sexual harassment, sexual violence, dating violence, and stalking.
- Definition of domestic violence, dating violence, sexual assault, and stalking in this jurisdiction.
- Definition of consent in reference to sexual activity.

- Positive, safe approaches to bystander intervention.
- Information on risk reduction to recognize warning signs of abusive behavior.
- Information on how to report incidents of stalking, sexual violence, or relationship violence and seek support.
- Information about trauma, including neurobiological change.

The University provides an array of on-going educational programming, specifically focused on bystander intervention, safety awareness, substance use education, domestic violence, dating violence, sexual assault, harassment and stalking. Campaigns are culturally relevant; inclusive of diverse communities and identities; sustainable; responsive to community needs; informed by research or assessed for value, effectiveness or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programming

Representatives of the Title IX/VAWA Programming Committee include staff from the following areas: Student Affairs staff, Enrollment Management staff, Human Resources staff, Athletics, Office of Student Activities (to include Student Organizations and Greek Life), Campus Recreation, Wellness Center, University Police, Housing and Residence Life, Substance Abuse Counseling and personnel from off-campus agencies such as Beyond Abuse, Meg’s House and Victim Services (Greenwood County Sheriff’s Department).

The purpose of this committee is to oversee program opportunities related to Title IX/VAWA mandated topics. Efforts are to: determine needs and/or support that other committee members can provide, such as resources, event staffing, etc.; promote cross campus collaboration; and track topics, attendance, and number of qualifying programs offered.

When advertising programs, with the exception of residence hall specific activities, program sponsors are advised to extend invitations to students, faculty and staff to ensure the initiatives are promoted campus-wide. The below chart summarizes various programs provided that were designed to educate/inform students and employees about the prevention of crimes.

2019/2020 TITLE IX AND VAWA RELATED PROGRAMS AND OTHER OUTREACH INITIATIVES				
DATE	TITLE OF PROGRAM/OUTREACH	SPONSORS/PROMOTORS	OUTREACH TOPIC	OUTREACH TOTALS
August 7, 2019	One Love Escalation Workshop	Student Affairs	Intimate Partner Violence, Bystander Intervention	44
August 2019	Housing Check-In (Passive Outreach)	Student Affairs	Intimate Partner Violence/Stalking	1700
August 2019	LINK 101 Students (LINK Planner)	LINK Program	Coordinator Contact Information/Title IX Policy	950
August 22, 2019	General Education	Office of Student Conduct	Substance Use Education	100
August 26, 2019	Communiversity	Student Activities	Sexual Violence (Beyond Abuse and Meg’s House), Substance Use Education (Cornerstone)	600
September 23, 2019	House Calls	Wellness Center	Healthy v/s Unhealthy Relationships, Bullying, Safety, Campus Resources	750
September 25, 2019	Catfight in Stilettos	Spill the Tea	Crimes against women in South Carolina, Safety Tips, Bystander Intervention	75
September 15, 2019	Greek/Athlete Program (Tim Mousseau, Campuspeak)	Student Activities/Athletics	Sexual Violence, Redefining Masculinity, Bystander Intervention	600
September 26, 2019	REC-A-Palooza	Campus Recreation	Sexual Assault Awareness	350

2019/2020 TITLE IX AND VAWA RELATED PROGRAMS AND OTHER OUTREACH INITIATIVES				
DATE	TITLE OF PROGRAM/OUTREACH	SPONSORS/PROMOTORS	OUTREACH TOPIC	OUTREACH TOTALS
October 7-11, 2019	Mental Health Awareness Week	Wellness Center	Campus Resources and Coping Strategies	Unable to Track
October 17, 2019	Wear Purple Day (Domestic Violence Awareness)	Visions of Women	Intimate Partner Violence	50
October 28, 2019	Moonshine Run	Campus Recreation (Beyond Abuse, Meg's House, Victim Services, Cornerstone)	Substance Use Education, Domestic Violence and Sexual Assault Awareness, Community and Campus Resources	250+
November 7, 2019	Sexual Violence Awareness	Housing & Residence Life	Intimate Partner Violence and Sexual Assault Awareness	275+
November 12, 2019	One Love Escalation Workshop	Student Affairs	Intimate Partner Violence, Bystander Intervention	45
November 21, 2019	Consent and Incapacitation Workshop	Student Affairs	Substance Use Education, Sexual Assault Awareness, Bystander Intervention	15
February 11, 2020	Gender Equity and Awareness	LOUD	Celebrating Women in STEMS, Personal Pronouns Education/Awareness	50-75
February 24, 2020	Safe Spring Break	Wellness Center (Cornerstone, and Beyond Abuse)	Safety Tips, Substance Use Education, Sexual Violence	Unable to Track
February 24, 2020	Chalk About Love	Student Conduct, Student Activities, and Beyond Abuse	Sexual Assault Awareness	Unable to Track
February 24, 2020	Sex and Candy	Housing & Residence Life	Sexual Violence Awareness and Resources	20+
<i>NOTE: Various Spring 2020 programs and activities were canceled due to COVID-19.</i>				

Training and Other Outreach

NOTE: Training initiatives are tracked according to the academic year. Additional 2019 training efforts are included in the 2018 Annual Security Report.

- Notices and information about Title IX and Nondiscrimination were widely disseminated to the university community, including statements provided in faculty syllabi that were distributed to students. Information also included contact information for the Title IX Coordinators, as well as instructions about how to file a complaint.
- Educational materials were provided to the university community including various topic-based initiatives, available programs, and resources regarding opportunities for support and assistance.
- The Deputy Title IX Coordinator for students participated in four orientation events during the summer of 2019. Incoming students were provided general information regarding Title IX, VAWA, and the Tucker Hipps Transparency Act.
- The Title IX Team facilitated Resident Assistant Title IX/VAWA training on August 7, 2019. (Resident Assistants were trained on Title IX/VAWA through a video hosted on Blackboard, followed by a face-to-face training.)
**Approximately 50 Resident Assistants and Housing staff members were in attendance.*
- During the Launch into Lander series, the Deputy Title IX Coordinator for students provided information to approximately 200 incoming students on Title IX and available support services. Beyond Abuse and Greenwood County Victim Services were also represented.
- Title IX/VAWA training, including an overview of Title IX and Clery, was conducted for all new employees (both temporary and permanent status) during the onboarding process. This training was facilitated and tracked via an online platform.

- An online, employee-based Title IX and Campus Security Authority training was implemented and tracked. 100% of University employees fulfilled the training requirements by August 2019.
- All new, incoming students are required to complete an online Title IX/VAWA training upon their initial semester of enrollment. This training is implemented and tracked via Blackboard.

Reporting Procedures

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

Counseling and Supportive Measures

Resources will provide anyone impacted by sexual misconduct with a safe and confidential environment in which to discuss concerns and be made aware of possible procedures or outcomes for recourse. University counselors are available to help free of charge and can be seen on an emergency basis. A victim may seek assistance from these university officials without initiating a formal process beyond the victim's control, or a process that violates her/his privacy. In addition, impacted individuals may speak to members of the clergy or victim service providers off campus, who will also keep information confidential.

Lander University will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to Lander University's education program or activity, including measures designed to protect the safety of all parties or Lander University's educational environment, and/or deter harassment, discrimination, and/or retaliation.

Examples include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services.
- Referral to the Employee Assistance Program.
- Referral to community-based service providers.
- Visa and immigration assistance.
- Student financial aid counseling.
- Education to the community or community subgroup(s).
- Altering campus housing assignment(s).
- Altering work arrangements for employees or student-employees.
- Safety planning.
- Providing campus safety escorts.
- Providing transportation accommodations.
- Implementing contact limitations (no contact orders) between the Parties.
- Academic support, extensions of deadlines, or other course/program-related adjustments.
- Trespass notices, etc.
- [Timely warnings](#).
- Class schedule modifications, withdrawals, or leaves of absence.
- Increased security and monitoring of certain areas of the campus.
- Any other actions deemed appropriate by the Title IX Coordinator.

The institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. Further, the institution will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The institution will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement or file a formal complaint with the Title IX Coordinator.

Lander University will maintain the privacy of the supportive measures, provided that privacy does not impair the University's ability to provide the supportive measures. Lander University will act to ensure as minimal an academic impact on the parties as possible.

Lander University Police Procedures

The prevention, investigation and prosecution of sexual assault, dating violence, domestic violence, and stalking is high priority for the Lander University Police Department. Victims are strongly encouraged to report; however, the University will provide counseling, assistance, resources, and other support regardless of the victim's decision to proceed with formal charges. Lander University will comply with a student's request for assistance in notifying law enforcement authorities about an assault. Reporting incidents to University Police may help to prevent other assaults. Immediately following an attack, memorize as much detail as possible about the attacker. An off-campus assault should be reported to the local law enforcement authorities by dialing 911. If you are subjected to sexual assault, dating violence, domestic violence, or stalking on campus, report it to the University Police at 8222 or extension 8911 (emergencies) immediately. This does not obligate you to file charges or testify in court. If you prefer not to call University Police but you want to make it known that the assault occurred, you may contact the Title IX Coordinator or seek confidential support in the Wellness Center.

When you notify the University Police that you have been subjected to sexual assault, dating violence, domestic violence, and/or stalking, the following will occur:

- A uniformed officer will come to your location to help you obtain emergency medical treatment, assure your safety and obtain a description of the suspect. He or she will ask for the location and the time of the assault, a description of the assailant and a description of your injuries.
- The officer and/or investigator will be assigned to the case. All members of the University Police Department have been trained in the investigation of sexual offenses and the crime's impact on the victim. These officers will approach each case in a sensitive manner.
- University Police will request a medical examination to ensure that you have suffered no physical injury and so that a medical report can be completed for use in a court proceeding if charges are pressed. You will be examined by a trained sexual assault specialist.
- You will be interviewed. (You may specify the gender of the officer.) If you have asked a friend or counselor for support, he or she can be with you at this time.
- With your consent, a report of the incident will be sent to the Vice President for Student Affairs. If the suspect is a Lander student, disciplinary action may be initiated.

Notifying the police does not commit you to pressing charges against the assailant; this choice can be made later.

Victim Assistance Pledge

The Lander University Police Department makes the following pledge to anyone that feels they are a victim of sexual assault on campus.

- We will meet with you privately, at a place of your choice, to take a complete report.
- Our officers will not judge you, and you will not be blamed.
- We will treat you with courtesy, sensitivity, dignity, and professionalism.
- We will assist you in privately contacting counseling, advising you of personal safety, and ensuring you are familiar with other available resources.
- We will fully investigate your case and help you achieve the best possible outcome.
- We will continue to be available to you to answer your questions, explain the process, and be a listening ear.
- We will consider your case seriously.

Tips for Victims of Sexual Assault

Do not bathe, douche, change clothes or rinse your mouth. These actions may destroy evidence. You may call and request medical transportation without divulging that you have been sexually assaulted. Once reported, the operator will ask questions to help determine if you need emergency medical care for physical injuries and will arrange transportation to either a local hospital emergency center.

A sexual assault nurse examiner with special training in working with sexual assault victims will perform an evidence collection exam. This exam must be performed within 72 hours of the assault. The nurse will discuss pregnancy prevention, and the prevention of sexually transmitted infections. She will also provide information about follow-up testing for pregnancy and sexually transmitted infections, including HIV.

Even if you choose not to become involved with police, you should seek medical assistance at Health Service, Self-Memorial Hospital, Montgomery Family Health Center or Express Medical Care.

Law Enforcement Support for Victims of Sexual Misconduct

For victims of a sex offense or other intimate partner violence, the University Police Department or local law enforcement departments can provide guidance in obtaining services needed once the immediate medical requirements have been addressed.

Such guidance includes, but is not limited to:

- Rights of victims of such offense to notify proper law enforcement, including on-campus and local police.
- Rights of victim of such offense to obtain an order of protection, no contact order, restraining order, or similar lawful order issued by a criminal or civil court, or enforce an order already in existence.
- The University Police will honor any order of protection, no contact order, restraining order, or similar lawful order issued by any criminal or civil court.

Victim Notification

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

Administrative Complaint Procedure

Lander University is concerned about the safety of all students, faculty, staff, visitors and contractual workers and we are committed to creating a positive, respectful environment, free of discrimination and harassment. This is applicable to the administration of all campus programs, services, and activities including: athletics, admission, employment, and/or sponsored activities and programs. Reports may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Individuals experiencing sex-based discrimination and/or sexual harassment, to include sexual assault, dating violence, domestic violence, and/or stalking, within the institution's education programs or activities may submit a complaint via the online [Title IX Complaint Form](#). The applicable Title IX policies and procedures may be accessed at the following url: <https://www.lander.edu/about/title-ix>.

Individuals experiencing sex-based discrimination and/or sexual harassment, to include sexual assault, dating violence, domestic violence, and/or stalking outside of the institution's education programs or activities may submit a complaint via the online [Discrimination/Bias Complaint Form](#). *Note: Incidents of sexual harassment, to include sexual assault, dating violence, domestic violence, and/or stalking, that did not occur within the institution's education programs or activities may be applicable in accordance with the [Equal Opportunity, Non-Discrimination, and Non-Harassment Policy](#).*

The Title IX Coordinator contact information is referenced below.

Title IX Coordinator

Name: Tracy Clifton

Office of Student Affairs

Location/Address: Room 347, Grier Student Center, CPO Box 6012, 320 Stanley Avenue, Greenwood, SC 29649

Phone: (864) 388-8055

Email: tclifton@lander.edu

Web: <http://www.lander.edu/titleix>

Deputy Title IX Coordinator for Students

Name: Jalysa Green

Office of Student Affairs

Location/Address: Room 344, Grier Student Center, CPO Box 6012, 320 Stanley Avenue, Greenwood, SC 29649

Phone: (864) 388-8905

Email: jgreen@lander.edu

Web: <http://www.lander.edu/titleix>

Deputy Title IX Coordinator for Athletics

Name: Erin Nodine

Athletics

Location/Address: AC 105B, Athletics Center, 320 Stanley Avenue, Greenwood, SC 29649

Phone: (864) 388-8554

Email: enodine@lander.edu

Web: <http://www.lander.edu/titleix>

Deputy Title IX Coordinator for Employees

Name: London Thomas

Office of Human Resources

Location/Address: WN 102, Human Resources, 320 Stanley Avenue, Greenwood, SC 29649

Phone: (864) 388-8051

Email: lthomas@lander.edu

Web: <http://www.lander.edu/titleix>

Individuals experiencing harassment or discrimination always have the right to file a formal grievance with government authorities:

Office for Civil Rights (OCR)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-1100

Customer Service Hotline #: (800) 421-3481

Facsimile: (202) 453-6012

TDD#: (877) 521-2172

Email: OCR@ed.gov

Web: <http://www.ed.gov/ocr>

U.S. Department of Justice Civil Rights Division

950 Pennsylvania Avenue, N.W.

Educational Opportunities Section, PHB

Washington, D.C. 20530

By e-mail to education@usdoj.gov

By telephone at (202) 514-4092 or 1-877-292-3804 (toll-free)

By fax at (202) 514-8337

For complaints involving employees: Equal Employment Opportunity Commission (EEOC)

Greenville, SC Local Office

Location: 301 N. Main Street, Suite 1402, Greenville, SC 29601-9916

Phone: 1-800-669-4000

Fax: 864-241-4416

TTY: 1-800-669-6820

Institutional Procedures

Procedures for domestic violence, dating violence, sexual assault, and stalking are required by the Clery Act (as amended by the Violence Against Women Reauthorization Act). Regulations require grievance procedures that provide for the prompt and equitable resolution of sex-based discrimination and harassment complaints.

In most cases, a prompt, thorough, impartial, and equitable investigation should be completed expeditiously, normally within thirty (30) business days, though some investigations may take longer, depending on the nature, extent, and

complexity of the allegations, availability of witnesses, police involvement, etc. Lander University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation. Lander University may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include, but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of Parties and/or witnesses, and/or accommodations for disabilities or health conditions. Lander University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Lander University will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Lander University will implement supportive measures, as deemed appropriate.

In campus hearings, legal terms like “guilt,” “innocence” and “burdens of proof” are not applicable. Campus hearings are conducted to take into account the totality of evidence available, from all relevant sources. The evidentiary standard used is a preponderance of the evidence. Proceeding for campus disciplinary action in cases of an alleged sexual assault, dating violence, domestic violence, or stalking will include a prompt, fair, and impartial process from the initial investigation to the final result. The resolution process will be facilitated by officials who, at a minimum, receive annual training as required by Title IX, to include issues related to dating violence, domestic violence, sexual assault, and stalking.

Both complaining and responding parties are entitled to the same opportunities to have an advisor present during meetings and disciplinary proceedings. The advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose advisors from inside or outside of the Lander University community. The Title IX Coordinator will also offer to assign a trained advisor for any party if the party so chooses. If the parties choose an advisor from the pool available from Lander University, the advisor will be trained by Lander University and be familiar with the University’s resolution process. If the parties choose an advisor from outside the pool of those identified by Lander University, the advisor may not have been trained by the University and may not be familiar with Lander University’s policies and procedures.

Additionally, both parties must be simultaneously informed of:

- The outcome of any institutional disciplinary proceeding. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g), and, for the purpose of this paragraph, the outcome of a disciplinary proceeding means only the University’s final determination with respect to the alleged sex offense and any sanction that is imposed.
- Any procedures the University has for either party to appeal the result of the disciplinary proceeding.
- Any change to the result after an appeal.

At the completion of the investigation and administrative proceedings, appropriate determinations will be made regarding the resolution of the matter and parties will be informed concurrently of the resolution. If warranted, disciplinary action up to and including involuntary termination or expulsion will be taken. Any such disciplinary action shall be taken, as applicable, in accordance with the applicable policies.

Not all forms of sexual misconduct will be deemed as equally serious offenses and the university reserves the right to impose different sanctions. The sanctions imposed will be dependent upon on the severity of the incident, and taking into account any previous campus conduct code violations. The ranges of potential sanctions are delineated below.

Student Sanctions

The following are the usual sanctions that may be imposed upon students singly or in combination.

- **Expulsion:** Dismissal from the university without the ability to apply for re-admittance.
- **Suspension:** Denial of enrollment, attendance, and other privileges at Lander University for a specified period of time; permission to apply for admission upon termination of the period may be granted with or without conditions/restrictions. A student may be required to complete a period of disciplinary probation upon their return to Lander University. NOTE: Any student suspended or expelled for disciplinary reasons must vacate the campus within the period of time specified in the notice of suspension. The student may not return to the Lander University campus or property during the term of the suspension without prior written permission by the vice president for student affairs (or designee).
- **Disciplinary Probation:** A period of review and observation during which a student is under an official warning that subsequent violations of Lander University rules, regulations, or policies are likely to result in a more severe sanction, including suspension or expulsion from Lander University. While on disciplinary probation, a student is considered not to be in good standing and may lose specified privileges (see conditions/restrictions).
- **Residential Probation:** A formal notice that a resident's behavior is not in conformance with Lander University community standards. A student is expected to reflect upon their decisions and be mindful of how their choices and actions impact themselves, others, and the community. Any further violations are likely to result in more stringent disciplinary action. Residential probation may be accompanied by various conditions/restrictions, including, but not limited to, fines, educational sanctions, or loss of visitation.
- **Conditions/Restrictions:** Limitations upon a student's behavior and/or Lander University privileges for a period of time or an active obligation to complete a specified activity; this sanction may include, but not be limited to, restricted access to the Lander University campus or parts of the campus, denial of the right to represent Lander University in any way, denial of the privilege to live within a Lander University residence, a denial of parking privileges, no contact directives, and/or required workshop attendance and/or participation in public service. Further, a student may be restricted from certain leadership positions and/or seeking to campaign for or hold an elected student office at Lander University.
- **Written Warning:** An official reprimand that makes the misconduct a matter of record in Lander University files; any further misconduct could result in further disciplinary action.
- **Housing Sanctions:** These sanctions may include a written warning; visitation restrictions; fines; other conditions; probation; relocation; and Lander University housing contract cancellation, whether a temporary or permanent loss of residential privileges.
- **Revocation of Admission and/or Degree:** Admission to Lander University may be revoked for fraud, misrepresentation, or other violation of Lander University standards in obtaining admission. A degree awarded by Lander University may be revoked for fraud, misrepresentation, or other violation of Lander University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Withholding Degree:** Lander University may withhold the awarding of a degree otherwise earned until the completion of the process set forth in this student Code of Conduct, including the completion of all sanctions imposed, if any.
- **Other measures** may be taken if deemed appropriate by the hearing authority.

Groups/Student Organization Sanctions

The following are the usual sanctions that may be imposed upon groups/student organizations singly or in combination.

- **Written Warning:** An official placement of the group or organization on notice that any further misconduct could result in disciplinary action, including any combination of the consequences referenced below.
- **Organizational Probation:** A designated period of time during which the registered or sponsored Lander University student organization is required to comply with specified terms and conditions to address the behavior that led to the violation. During the probationary period, certain conditions/restrictions may apply. Further violations may result in deactivation of the organization.
- **Discretionary Sanctions:** Discretionary sanctions may include, but are not limited to, training, implementation of an educational program, or required participation in an educational program.
- **Conditions/Restrictions:** Limitations upon, or loss of, a Lander University student organization's privileges for a period of time, or an active obligation to complete a specified activity.
- **Deactivation:** Loss of all privileges, including recognition by Lander University, for a specified period of time.
- **Other measures** that may be taken if deemed appropriate by the hearing authority.

Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- Corrective action or warning.
- Required counseling.
- Required training.
- Demotion.
- Suspension with or without pay.
- Revocation of tenure.
- Termination.
- Other actions: In addition to or in place of the above sanctions, Lander University may assign any other sanctions as deemed appropriate.

Any employee found responsible for violation of policy may be subject to disciplinary actions, up to and including discharge based on the severity of the incident and considering any previous disciplinary issues. Action may include, but is not limited to, correction action or warning, performance improvement plan, required counseling, required training, demotion, suspension, revocation of tenure and termination.

Protecting the Confidentiality of Impacted Individuals

Every effort is made by Lander University to preserve the privacy of reports. Lander University will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Lander University reserves the right to determine which officials have a legitimate educational interest in being informed about incidents that fall within this Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA). Only a small group of officials who need to know will typically be told about the complaint, including but not limited to:

the Vice President for Student Affairs, General Counsel, Director of Human Resources, the Chief of Police, and the CARE Team. Information will be shared as necessary with Investigators, Hearing Panel members/Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy. Lander University may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk, but will usually consult with the student first before doing so.

Note that Lander University's ability to remedy and respond to notice may be limited if the complainant does not want Lander University to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing Lander University's obligation to protect its community.

In cases in which the complainant requests confidentiality/no formal action and the circumstances allow Lander University to honor that request, Lander University will offer informal resolution options, supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action. If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by Lander University, and to have the incidents investigated and properly resolved through the process.

Amnesty

Lander University encourages the reporting of misconduct and crimes by complainants and witnesses. Complainants or witnesses are sometimes hesitant to report to Lander University officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies (e.g., regarding underage drinking or the use of illicit drugs at the time of the incident). Respondents may hesitate to be forthcoming during the process for the same reasons. It is in the best interests of the Lander University community that complainants choose to report allegations of misconduct and crimes to Lander University officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

Students: Students may be hesitant to assist others for various reasons (e.g., an underage student who has been drinking or using marijuana might hesitate to assist an individual who has experienced sexual misconduct to speak with Lander University officials). To encourage reporting and participation in the process, Lander University may offer parties and/or witnesses amnesty, at its discretion, amnesty for any minor policy violations of the Student Conduct Code (e.g., underage consumption of alcohol or the use of illicit drugs) related to an incident).

Employees: Employees may be hesitant to report allegations of harassment or discrimination for various reasons. To encourage reporting and participation in the process, Lander University may, at its discretion, offer employee complainants amnesty for any (typically minor) policy violations related to an incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

Retaliation

Protected activities under this policy include reporting an incident that may be covered by this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this policy. Acts of alleged retaliation should be reported immediately to the Title IX coordinator and will be promptly investigated. Lander University is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation. Lander University or any member of the Lander University community is prohibited from taking or

attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

APPLICABLE SOUTH CAROLINA STATUTES AND SEX OFFENDER INFORMATION

State Statutes

Consent

South Carolina does not specifically define “consent.”

Aggravated force means that the actor uses physical force or physical violence of a high and aggravated nature to overcome the victim or includes the threat of the use of a deadly weapon. S.C. Code Ann. § 16-3-651(c).

Aggravated coercion means that the actor threatens to use force or violence of a high and aggravated nature to overcome the victim or another person, if the victim reasonably believes that the actor has the present ability to carry out the threat, or threatens to retaliate in the future by the infliction of physical harm, kidnapping or extortion, under circumstances of aggravation, against the victim or any other person. S.C. Code Ann. § 16-3-651(b).

Mentally defective means that a person suffers from a mental disease or defect which renders the person temporarily or permanently incapable of appraising the nature of his or her conduct. S.C. Code Ann. § 16-3-651(e).

Mentally incapacitated means that a person is rendered temporarily incapable of appraising or controlling his or her conduct whether this condition is produced by illness, defect, the influence of a substance or from some other cause. S.C. Code Ann. § 16-3-651(f).

Physically helpless means that a person is unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act. S.C. Code Ann. § 16-3-651(g).

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

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

- The actor uses aggravated force to accomplish sexual battery.
- The victim submits to sexual battery by the actor under circumstances where the victim is also the victim of forcible confinement, kidnapping, robbery, extortion, burglary, housebreaking, or any other similar offense or act.
- The actor causes the victim, without the victim’s consent, to become mentally incapacitated or physically helpless by administering, distributing, dispensing, delivering, or causing to be administered, distributed, dispensed, or delivered a controlled substance, a controlled substance analogue, or any intoxicating substance.

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

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

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

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

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

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

- The actor uses force or coercion to accomplish the sexual battery in the absence of aggravating circumstances.
- The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless and aggravated force or aggravated coercion was not used to accomplish sexual battery.
- Criminal sexual conduct in the third degree is a felony punishable by imprisonment for not more than ten years, according to the discretion of the court.
- Each degree of criminal sexual conduct is a felony and is punishable at the discretion of the court by imprisonment for not more than thirty years.

Each degree of criminal sexual conduct is a felony and is punishable at the discretion of the court by imprisonment for not more than thirty years.

Sex Offenders

Pursuant to South Carolina Code Ann. Paragraph 23-3-400 et seq.:

The intent of this article is to promote the state's fundamental right to provide for the public health, welfare, and safety of its citizens. Notwithstanding this legitimate state purpose, these provisions are not intended to violate the guaranteed constitutional rights of those who have violated our nation's laws.

The sex offender registry will provide law enforcement with the tools needed in investigating criminal offenses. Statistics show that sex offenders often pose a high risk of re-offending. Additionally, law enforcement's efforts to protect communities, conduct investigations, and apprehend offenders who commit sex offenses are impaired by the lack of information about these convicted offenders who live within the law enforcement agency's jurisdiction.

Information on all registered adult sex offenders (age 17 and over) in South Carolina is provided on South Carolina Sex Offender Registry. Information is also provided for registered sex offenders (age 16-12) who commit the offenses listed below:

- Criminal sexual conduct in the first degree (paragraph 16-3-652).
- Criminal sexual conduct in the second degree (paragraph 16-3-653).
- Criminal sexual conduct with minors, first degree (paragraph 16-3-655 (1)).
- Criminal sexual conduct with minors, second degree (paragraph 16-3-655 (2) and (3)).
- Engaging a child for sexual performance (paragraph 16-3-810).
- Producing, directing, or promoting sexual performance by a child (paragraph 16-3-820).
- Kidnapping (paragraph 16-3-910).

Requests for information on any other registered offenders under age 17 must be evaluated to determine whether the requestor qualifies for information on additional offenses for offenders under age 17 as victims of or witnesses to the offense, public or private schools, child day care centers, family day care centers, businesses or organizations that primarily serve children, women, or vulnerable adults, or whether the offender, if age 11 or under, has a prior conviction or adjudication of delinquent. Completing this evaluation requires the requestor to complete and furnish a written request on a specified form to SLED or a sheriff's office. A copy of this form may be obtained on-line and mailed or faxed to: Sex Offender Registry, c/o SLED, PO Box 21398, Columbia, SC 29221. The fax number is 803-896-7022.

The South Carolina Sex Offender Registry may be accessed at the following url: <https://www.lander.edu/student-life/university-police/sex-offenders>.

The National Sex Offender Registry may be accessed at the following url: <http://www.nsopr.gov/>

REPORTABLE CRIMES AND APPLICABLE DEFINITIONS

Reporting Requirements

Crime statistics reported under the Jeanne Clery Act include the following:

- Criminal Homicide
- Murder and Non-Negligent Manslaughter
- Negligent Manslaughter
- Sex Offenses (Forcible Rape, Sodomy, Sexual Assault with an Object, Fondling)
- Non-Forcible Sex Offenses (Incest and Statutory Rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Domestic Violence
- Dating Violence
- Stalking
- Arrests for Liquor Law Violations
- Drug Violations
- Illegal Weapons Possession

In addition to the above-mentioned crime categories, the Jeanne Clery Act further requires the University to report statistics regarding the occurrence of Hate Crimes on campus. The law requires the release of hate crime statistics by category of prejudice. If the commission of any of the above-referenced crimes, or any of the additional crime categories listed below, is motivated because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim, it will be categorized as a hate crime and reported as such in the Annual Crime Statistics.

**Additional Crime Categories - Hate crimes may also include: Larceny/Theft; Simple Assault; Intimidation; Vandalism/Destruction of Property; All other crimes involving bodily injury.*

Crime Definitions

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.

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 a means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.

Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.

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.

Other Offenses

- **Liquor law violations** - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. Drunkenness and driving under the influence are not included in this definition.
- **Drug abuse violations** - Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Weapon law violations** - The violation of laws or ordinances dealing with weapon offenses, regulatory in nature such as; the manufacture, sale or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; aliens possessing deadly weapons; and all attempt to commit any of the aforementioned acts.

CRIME STATISTICS

Location Definitions

On-Campus:

(1) Any building or property that is owned or controlled by an institution within the same reasonably contiguous geographic area and is used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in (1), that is owned by the institution, but controlled by another person, is frequently used by students and supports institutional purposes (examples include food or retail vendor). **Residential facilities as described above with the addition of parking lots, open areas, and non-residential facilities on the University's academic campus including Bearcat Village, Jeff May Sports Complex, and McGee Court.*

Non-Campus Building Or Property:

(1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. **Lander property not immediately adjacent to the main campus that is frequented by students (i.e. The Lander Equestrian Center, the American Legion Building, and Cambridge Hall)*

Public Property:

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. Reported crime statistics do not include crimes that occur in privately owned homes or businesses on or adjacent to Lander's campus. **Public streets passing through the campus; public property and streets immediately adjacent to and accessible from the campus as reported to the Greenwood Police Department.*

Residential Facilities:

Dormitory and apartment residences at the University, to include Bearcat Village.

The crime statistics reflect those offenses mandated by the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" that have been compiled by the Lander University Police Department. These include all reports made to Lander Police, as well as officials of the University who have significant responsibility for student and campus activities.

Campus Incident Statistics

In addition to providing the statistical information below, as required under the Student Right-To-Know and Campus Security Act of 1990, it should be noted that Lander University participates in the South Carolina Law Enforcement Division's Uniform Crime Report as well as the F.B.I. Uniform Crime Report. The crime statistics in the following tables are compiled based upon LUPD reports and those gathered from Campus Security Authorities (those with significant responsibility for students and student activity), as well as those incidents from local law enforcement agencies.

Statistics for Referred Violations - The Clery Act also includes statistics for weapons, drug, and liquor law violations as described above that are referred for disciplinary action. Clery defines "referred for disciplinary action" as the referral of

any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. All referrals are managed by the Office of Student Conduct.

Unfounded Crimes - Lander University may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where commissioned Lander Police officers or other sworn law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.”

LANDER UNIVERSITY: THREE YEAR CLERY CRIME STATISTICS						
Offense	Year	On Campus Property	Residential Facilities	Non-Campus Property	Public Property	TOTAL
Murder / Non-Negligent Manslaughter	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Negligent Manslaughter	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Sex Offenses, Forcible	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Rape	2017	0	2	0	0	2
	2018	0	2	0	0	2
	2019	0	2	0	0	2
Sex Offenses, Non-Forcible	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Incest	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Robbery	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Aggravated Assault	2017	0	0	0	1	1
	2018	0	1	0	0	1
	2019	0	0	0	0	0
Burglary	2017	0	2	0	0	2
	2018	0	1	0	0	1
	2019	2	0	0	0	2
Motor Vehicle Theft	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Arson	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Hate Crimes	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

LANDER UNIVERSITY: THREE YEAR VAWA CRIME STATISTICS						
Offense	Year	On Campus Property	Residential Facilities	Non-Campus Property	Public Property	TOTAL
Domestic Violence	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0
Dating Violence	2017	0	0	0	0	0
	2018	2	0	0	0	2
	2019	0	7	0	0	7
Stalking	2017	0	0	0	0	0
	2018	3	0	0	0	3
	2019	5	0	0	0	5
Liquor Law Arrests	2017	4	37	0	2	43
	2018	4	29	0	0	33
	2019	0	54	0	3	57
Liquor Law Arrests (Referred for Disciplinary Action)	2017	0	46	0	0	46
	2018	1	39	2	0	42
	2019	0	54	0	3	57
Drug Law Arrests	2017	3	7	0	1	11
	2018	5	5	0	1	11
	2019	0	13	0	3	16
Drug Law Arrests (Referred for Disciplinary Action)	2017	0	9	0	0	9
	2018	1	11	3	0	15
	2019	1	6	0	2	9
Illegal Weapons Possession Arrests	2017	0	1	0	0	1
	2018	1	0	0	0	1
	2019	1	0	0	0	1
Illegal Weapons Possession (Referred for Disciplinary Action)	2017	0	0	0	0	0
	2018	1	0	1	0	2
	2019	1	0	0	1	2

TOTAL Unfounded Crimes (ALL OFFENSE CATEGORIES)	2017	13
	2018	1
	2019	1

FIRE SAFETY REPORT

The Campus Fire Safety Right-to-Know Act requires universities with on-campus housing to compile fire data, report the data to the federal government, and publish an annual fire safety report. The following report is provided to the University community, prospective students and prospective employees. A copy of this report is kept on file at the Facilities Operations building room FO 108 as well as the University Police building. This report is prepared in cooperation with the Division of Student Affairs.

Responsible University Official:

Rodney Boyter, Resident State Fire Marshall

Email: rboyter@lander.edu Office: Facility Operations Phone: (864) 388-8009

Location of documentation: Facilities Operations Room FO108

** Policy and procedures last updated: May 11, 2016.*

Fire Safety Statistics and Background Information

For this reporting period there were zero (0) reported fires in on campus student housing. This resulted in no injuries deaths, or property damage.

Fire Protection

Lander University receives fire protection from the City of Greenwood Fire Department. The City of Greenwood Fire Department is an ISO Class 2 Department providing fire suppression, hazardous materials response, technical rescue, and EMS First Responder services to all areas within the city limits of Greenwood, SC.

Fire and Life Safety Code Enforcement

Lander University is under the jurisdiction of the South Carolina Office of State Fire Marshal. In addition the University employs a Resident State Fire Marshal, who is responsible for providing routine inspections of all campus buildings, conducting fire drills, maintenance of fire protection equipment, and providing employee training. Routine fire and life safety inspections are made of campus buildings are made independently as well as in conjunction with inspectors from the State Fire Marshal's Office and the City of Greenwood to ensure a safe learning and living environment for our students.

Life Safety System Maintenance and Inspection

Lander University utilizes qualified 3rd party contractors to perform the required annual inspection, testing, and maintenance of all fire sprinkler, fire alarm, fire extinguisher, and kitchen suppression systems on campus.

Summary of On Campus Housing Fire Safety Systems

- **Bearcat Village Apartments:** Bearcat Village Apartments are equipped with an intelligent addressable fire alarm system, as well as hood suppression systems over the stoves in these apartments.
- **Brookside:** Brookside is equipped with an intelligent addressable fire alarm system.
- **Centennial Hall:** Centennial Hall is equipped with a full-coverage fire sprinkler and standpipe system, as well as an intelligent addressable fire alarm system. The building is also serviced by an emergency generator.
- **Chiple Hall:** Chiple Hall is equipped with a full coverage fire sprinkler system as well as an intelligent addressable fire alarm system. The building is also equipped with emergency egress lighting.
- **Lide Apartments:** Lide Apartments are equipped with a fire sprinkler system as well as an as intelligent addressable fire alarm system. In addition, there is a hood suppression system in these apartments.

- **McGee Court apartments:** McGee Court is equipped with an intelligent addressable fire alarm system as well as hood suppression systems over the stoves in each apartment.
- **New Residence Hall:** The NRH is equipped with a fire sprinkler system as well as an intelligent addressable fire alarm system. The building also has carbon monoxide detection. A kitchen suppression system is located in the resident manager's suite. The building is also serviced by an emergency generator.
- **Thomason:** Thomason is equipped with a fire alarm system.
- **University Place:** University Place is equipped with an intelligent addressable fire alarm system as well as hood suppression systems over the stoves in each apartment.
- **Williamston:** Williamston is equipped with an intelligent addressable fire alarm system.

NOTE: Portable fire extinguishers are located in all residence halls. Apartments with kitchens have a fire extinguisher located inside of each room.

Fire Protection in Housing Facilities

On Campus Residential Facilities	Fire Alarm Monitoring by LUPD	Automatic Sprinkler System	Standpipe System	Fire Pump	Fire Alarm initiating	Battery Operated Single Station Smoke	CO Detection	Portable Fire Extinguishers	Kitchen Suppression	Number of fire drills each year
ChIPLEY Hall	x	x			x		x	x		2
Centennial Hall	x	x	x	x	x			x		2
Thomason	x					x		x		2
New Residence Hall opened August 2015	x	x			x		x	x	x	2
Lide Apartments	x	x			x			x	x	2
Williamston	x				x		x	x		2
University Place	x						x	x	x	2
McGee Court	x							x	x	2
Bearcat Village	X				x			x	x	2
Brookside	x				x			x		2

Fire Safety Policies for Campus Housing

Cooking and Food Preparation

The ability to cook and prepare food in most residence halls is limited. Food preparation in residence halls without kitchens is limited to what can be prepared with a microwave or a toaster oven.

In apartments with a kitchen such as Lide Apartments, University Place, and Bearcat Village, the residents may use normal cooking appliances such as George Foreman Grills™, blenders, Panini presses, slow cookers, and toasters. Students living in all residence halls are also allowed to have coffee makers, Keurig™ and other similar appliances. All appliances must be plugged directly into a receptacle.

The use of household extension cords in residence halls is strictly prohibited. The use of hot plates, induction cookers, toaster ovens or other similar cooking appliances with exposed heating elements are prohibited. Violation of these policies will result in a fine placed against the student's account by the Department of Housing and Residence Life. Charcoal or propane grills are prohibited in all University housing areas.

Controlled Cooking Plan for Bearcat Village, Lide Apartments, McGhee Court and University Place

The Controlled Cooking Plan is enacted to prevent a fire in the kitchen area and is required by the International Fire Code.

- Surface frying on the range in the kitchen is prohibited.
- Range areas may be used for warming; however, no cooking activity which produces grease-laden vapors is allowed.
- Violation of this plan will result in an automatic fine of \$250 plus payment of any damages (smoke, water, fire, etc.) that may occur due to violation of this policy.

Electrical Appliances

Residence halls have limits on the capabilities of their electrical systems. Overloading these systems presents fire and safety hazards. Furthermore, electrical heating elements are dangerous when used in residence hall rooms.

The following guidelines govern the use of electrical appliances, outlets and extension cords in residence hall rooms:

- Any electrical appliance with an exposed heating element is prohibited.
- Household extension cords are NOT PERMITTED.
- Surge protector/outlet strips with built in breakers are to be used when the number of outlets needed is greater than the number of outlets in the student's room.
- Privately owned air-conditioners are not permitted.
- Resident owned refrigerators are allowed in residence hall rooms provided that they do not exceed 1.2 amps.
- Other appliances such as radios, lamps (no halogen lamps), computers, TVs, electric razors, hair dryers, hair curlers, fans and clocks are permitted provided the total electrical requirements do not exceed the capability of the system.
- All electrical equipment and cords must be kept in safe operating condition.
- Irons may be used only with ironing boards.
- Microwaves are limited to 1.0 cubic feet maximum capacity, 700 watt maximum power.

Electrical Equipment

No student shall alter or repair electrical equipment or fixtures that belong to the University. Defects in University electrical equipment should be reported to the Resident Assistant.

Firearms / Explosives / Flammable Fluids

The possession or use of firearms, explosives, fireworks, propelled missiles, flammable fluids, dangerous chemical mixtures, or the heating of cleaning products in a manner not consistent with the products intended purpose, is prohibited. Students possessing or using any of these items face suspension, fines, or expulsion from the University.

Fire Safety / Alarms / Drills / Smoke Detectors

The triggering of false fire alarms or tampering with smoke detectors, fire extinguishers, hoses, EXIT signs, posted fire safety information, and the alarm system are all prohibited. Those individuals suspected of such offenses are subject to criminal prosecution, eviction from University housing, and/or separation from the University. The Housing department should be notified immediately if there is a problem with any type of fire safety equipment.

Fire drills are conducted at the beginning of each semester in the residence halls. Lander University Police Department, Physical Plant and Housing personnel will supervise the evacuation of the residence halls and report any noncompliance by residents.

Anytime the fire alarm is sounded, students are to leave buildings immediately and congregate outside their buildings until advised to return to buildings by University officials. A complete listing of evacuation assembly areas is provided to resident students in their Housing Guide. Failure to leave buildings may result in a fine of \$50.00 and/or disciplinary actions. **ELEVATORS ARE NOT TO BE USED IN CASE OF EITHER A FIRE DRILL OR AN ACTUAL FIRE.** Due to fire regulations, beds are not permitted in loft areas of Brookside Residence halls. Residents violating this policy will be subject to disciplinary action.

Fire Safety Education

Employees of the University as well as all Resident Assistants are provided fire safety training. The Resident Assistants provide information on safety equipment and evacuation procedures during hall meetings with students living in campus housing. In addition, the University provides all employees and students information on the University webpage regarding emergency procedures for a multitude of potential situations.

Plans for Life Safety Upgrades

Lander University completed the installation of a modern fire alarm system at the Bearcat Village Apartments in the summer of 2011. The University completed an upgrade of the fire alarm and sprinkler system at Chipley hall in 2012. The University opened a new 208 bed residence hall which opened for the Fall 2015 Academic Term that included a fire sprinkler system, an intelligent, addressable fire alarm system, and an emergency generator. The University completed the installation of a modern fire alarm system at Brookside Residence Hall buildings 1, 2, and 3 in the summer of 2016. A modern fire alarm system was installed at Brookside Residence Hall buildings 4, 5, 6, and 7 in the summer of 2017. In the summer of 2019, the University installed a modern fire alarm system at University Place and McGee Court Apartments.



320 Stanley Avenue, Greenwood, SC 29649