Gardner-Webb University


This report is prepared to fulfill the requirements of Title IV of the Higher Education Act of 1965, the provision of an Annual Security Report as described under Chapter 668.46(b). This report is available to all current and prospective students or anyone requesting a copy. This report is also available for prospective employees; a copy may be obtained in the office of Human Resources or in the office of University Police. A copy may be found at the University Police web site: www.gardner-webb.edu/police/index.html. Statistics in this report are obtained from the incident reports of the University Police, incident reports of other local law enforcement agencies, and information from other campus officials. The University Police maintains an anonymous program called Campus Watch Hotline for reporting crime information. The phone number is 406-DOGS (3647). If the caller wishes to leave an identifying code and the information leads to successful prosecution or recovery of property, a cash award may be available. This program can be used to report previous crimes that have not been reported to the University Police and the victim or witness is reporting for inclusion in the annual statistics. This phone number should not be used to report crimes in progress or emergencies. Call 4444 or 9-911.

Freedom means many things to many people. All of us expect the freedom of personal safety – the right to enjoy life free of crime. Unfortunately, violent crime is becoming more prevalent in our society. Each of us must become aware of the precautions necessary to reduce the likelihood that we will become victims of crime. Remember that no one is free from the danger of crime on or off campus. You are the key to your own safety and the safety of others in the Gardner-Webb Community.

1. **BE ALERT.** Your safety depends mostly upon your own attitude and actions. Use common sense and do not place yourself in a location or situation that might cause you to become a victim of crime.

2. **IF YOU OBSERVE ANY SUSPICIOUS ACTIVITY OR WISH TO REPORT ANY CRIMINAL ACT, CALL THE UNIVERSITY POLICE IMMEDIATELY AT 4444.** For police, fire, or medical emergencies, you may contact University Police by calling 4444 from any campus phone or by calling 704-406-4444 from any off-campus phone or on-campus pay phone. You may also use any of the emergency call boxes throughout the campus. Simply push the button, or follow the instructions on the phone, to be in direct contact with University Police. The campus community is encouraged to report all crimes and safety-related incidents to the University Police as quickly as possible. University Police is located in the Poston Center.

3. **IF YOU BECOME AWARE OF CRIME, OBSERVE A SUSPICIOUS PERSON OR SITUATION, OR ARE A VICTIM YOURSELF, PROMPTLY REPORT IT TO THE POLICE.** Timely reports increase the likelihood that critical evidence will be obtained, stolen property will be recovered, and the offender will be successfully prosecuted. This is especially important in cases involving sex
offenses. A prompt report to the police will ensure that you are made aware of the available victim support services.

4. **AVOID WALKING ALONE AT NIGHT.** Make arrangements to walk in groups. If you must travel alone at night, stay on well-lighted paths and sidewalks. Whenever necessary, use Bulldog Escort Service by calling University Police at 4444.

5. **KEEP YOUR ROOM DOOR LOCKED AT ALL TIMES.** Locking your door with your key, wherever you reside, in an effective way to reduce theft and enhance personal safety. The vast majority of thefts occur from unlocked rooms when the occupant is gone only briefly. Do not prop open exterior doors, and close any doors you find propped open. Propped doors are a high risk and greatly increase chances of your victimization. University Police monitors doors with key card readers and door alarms. Officers are dispatched immediately to investigate any propped doors. Propping doors could result in loss of campus housing and other sanctions. Do not open your door to someone you do not know. If you observe or discover a malfunctioning lock or prop alarm, please notify University Police or Facilities Maintenance.

6. **DO NOT LEND YOUR KEY CARD TO ANYONE.** Your action could result in both you and/or an innocent victim being referred to the campus judicial system. Report a lost or stolen key to the police and your R.A. immediately.

7. **REPORT OBSCENE, ANNOYING, OR HARASSING PHONE CALLS OR E-MAIL MESSAGES IMMEDIATELY.** Police will investigate, and as patterns develop, they will work closely with telecommunications and the telephone company to apprehend offenders.

8. **REPORT ALL SECURITY-RELATED MAINTENANCE PROBLEMS.** Locks, doors, windows, and exterior lights in need of replacement, shrubbery in need of trimming, or other unsafe conditions should be reported immediately to the Facilities Maintenance at 4330. Campus facilities and landscaping are maintained in a manner to minimize hazardous conditions. Any conditions found are reported to the Physical Plant.

9. **IDENTIFY YOUR VALUABLES USING OPERATION ID.** Use engravers available from University Police to mark your valuables. Then record their serial numbers on the provided form. Promptly return this form to the University Police for filing.

10. **PARK YOUR CAR IN WELL-LIGHTED AREAS AND KEEP IT LOCKED.** Lock all valuables in your trunk.

11. **REGISTER YOUR BICYCLE WITH UNIVERSITY POLICE.** They will issue a registration sticker to affix to your bicycle to deter theft and aid in recovery if it is stolen. University Police strongly recommends a U-style lock. A registered and properly locked bicycle is much less likely to be stolen. Registration is fast and free.
12. **PARTICIPATE IN PERSONAL SAFETY AND SECURITY AWARENESS PROGRAMS.** The University Police frequently conduct programs that promote crime resistance skills. Just one of the programs available to the students is a personal defense class. For information on this or other programs, please call University Police at 4444.

13. **BE AWARE OF CAMPUS CRIME TRENDS.** Information on campus crime is available at the University Police web site and in its monthly crime report.

**Note:** The following definitions apply to the crime statistics charts.

**On Campus** – Any building on campus.

**Non-Campus Building** – Any off-campus building or property owned or controlled by a student organization that is officially recognized by the University. Any off-campus building or property owned or controlled by the University that is used in direct support of, or in relation to, the University educational purpose and is frequently used by students.

**Public Property** – Any public property within the campus, immediately adjacent to the campus, or accessible from the campus.

**Other Campus Officials** – University Officials who have significant responsibility for student and campus activities. Crimes reported to these officials and referrals (arrest and referral charts) to judicial hearing are listed under this category. Clergy, physicians, and counselors are exempt from this reporting requirement.

**Residential Facilities** – Any university owned building on campus that serves as a residence for students.

**Local Law Enforcement** – Police agencies that have authority in the areas surrounding the campus or on campus when necessary. These agencies include, but are not limited to, the Boiling Springs Police Department, Cleveland County Sheriff’s Office, Shelby Police Department, Alcohol Law Enforcement, North Carolina Highway Patrol, and State Bureau of Investigation.

**Arrests** – The physical arrest or issuing a citation to a person accused of violating a state law.

**Referred for Disciplinary Action** – The referral of a student who has violated state law or University Policy to the Code of Student Conduct action.
University Police publishes a monthly newsletter that contains valuable crime prevention techniques, monthly crime statistics, and other safety related information. University Police also offers seminars on various topics, including property identification, safety in outdoor exercising, personal safety, travel safety, self-defense, dorm safety, and drug and alcohol education. During National Alcohol Awareness Week, University Police staged auto accidents around campus, performed DWI Checkpoints, and presented the “Drunk Eyes” in the University 101 classes.

University Police

University Police (on campus).................. 4444
University Police (off campus)............... 704-406-4444
Chief Barry Johnson............................ 704-406-4440
Captain Larry Thomas.......................... 704-406-3822
Lieutenant Barry Lane.........................704-406-4442
Officer Tabitha Pearson....................... 704-406-3823
Officer Kenneth Phelps....................... 704-406-3823
Officer Nathan Clark.......................... 704-406-3823
Officer Danny McClain....................... 704-406-3823
Officer Randy Willis.........................704-406-4444

Information

Switchboard (Monday-Friday 8 a.m. – 5 p.m.).....704-406-4000
Automated Attendant after hours............... 704-406-4000

Resource Numbers (On campus)

Residence Education..........................704-406-4300
Counseling Center............................ 704-406-4563
Campus Minister.............................. 704-406-4279
Student Activities............................. 704-406-4268
Dean of Student Development...............704-406-4373
Title IX Coordinator..........................704-406-2155
Resource Numbers (Off campus)

Abuse Prevention Center (24 hr.).......................... 704-481-0043
Cleveland Regional Hospital Emergency Room...... 704-406-3131
Boiling Springs Police Department......................... 704-434-9691
Shelby Police Department...................................... 704-484-6845
Cleveland County Sheriff’s Office......................... 704-484-4888

University Police Department

The University Police Department is a multifunctional service agency whose primary purpose is to protect the University Community and enforce state, federal, and local laws designed for the safety of life and property. The Gardner-Webb University Campus Police Department is comprised of professional men and women whose purpose is to provide a safe environment in which students, faculty, and staff may live, learn, and work. The professionally trained officers of this department often work with local, state, and federal authorities to resolve cases. The University Police Department operates 24 hours a day, 7 days a week, 365 days a year.

When reporting a crime or emergency on campus dial 4444. When calling from an off-campus phone or using an on campus pay phone dial 704-406-4444. When you observe a crime or emergency, call these numbers or call 911. University Police Officers are fully sworn police officers under the laws of the state of North Carolina by the Attorney General’s Office. They have full arrest powers on University property and property adjacent to the University. The University Police Department works closely with other law enforcement agencies. University Police maintains a mutual aid agreement, under the laws of North Carolina, with the Town of Boiling Springs, Shelby Police Department, and the Cleveland County Sheriff’s Office. This agreement allows each department to provide assistance to the other when necessary.

University Police maintains 19 emergency call boxes on campus. Anyone using a call box is directly connected with the on-duty police officer. If the officer is out of the office, the call will be transferred to his portable radio. Call boxes and campus lighting are routinely checked by University Police Officers and repair requests are made to the University’s Plant Operations Department.

Mission Statement

The mission of the Gardner-Webb University Police Department is to enhance the quality of life within the University community by providing a safe and secure environment through professional law enforcement services and proactive crime prevention. These responsibilities are to be met with integrity and character consistent with the authority and direction of the Attorney General of the State of North Carolina.
Number of Students Enrolled
4390

Number of Students in Campus Housing
1348

Number of Non-Student Employees
540

GWUPD AUTHORITY AND JURISDICTION

74G-6. Oaths, powers, and authority of campus police office (a) requirements. –An individual who is commissioned as a campus police officer must take the oath of office required of a law enforcement officer before the individual assumes the duties of a campus police officer. The person in each campus police agency who is responsible for the agency’s campus police officers must be commissioned as a campus police officer. (b) Powers and Authority of Officers. – Campus police officers, while in the performance of their duties of employment, have the same powers as municipal and county police officers to make arrests for both felonies and misdemeanors and to charge for infractions on any of the following:

(1) Real property owned by or in the possession and control of the institution employing the officer.
(2) Any portion of any public road or highway passing through the real property described in subdivision (1) of this subsection or immediately adjoining it, wherever located.
(3) Any other real property while in continuous and immediate pursuit of a person for an offense committed upon property described in subdivision (1) or (2) of this subsection.

In exercising the powers conferred by this subsection, campus police officers shall apply the standards established by the law of this State and the United States. (c) Powers and Authority of Institutions. – The governing body of any private educational institution that has a campus police agency may:

(1) Enter into joint agreements with the governing board of any municipality to extend the law enforcement authority of campus police officers into any or all of the municipality’s jurisdiction and to determine the circumstances in which this extension of authority may be granted;
(2) Enter into joint agreements with the governing board of any county and, with the consent of the sheriff, to extend the law enforcement authority of campus police officers into any or all of the county’s jurisdiction and to determine the circumstances in which this extension of authority may be granted; and
(3) Enter into joint agreements with the governing board of any other public or private educational institution that has a campus police agency pursuant to this Chapter or
pursuant to G.S. 116-40.5 to extend the law enforcement authority of its campus police officers into any or all of the other institution’s jurisdiction and to determine the circumstances as to which its extension of authority may be granted.

(d) Concealed Weapons. – Campus police officers shall have, if duly authorized by their campus police agency and by the sheriff of the county in which the campus police agency is located, the authority to carry concealed weapons pursuant to and in conformity with G.S. 14-269(B)(5).

(e) Public Institutions Option. – Notwithstanding any of the provisions of this Chapter, the board of trustees if any constituent of the University of North Carolina may elect to have its officers certified under Chapter 17C and Chapter 116 of the General Statutes, and the board of trustees of any community college may elect to have its officers certified as a campus police agency and campus police commission pursuant to the provisions of this Chapter.

(f) Exclusive Authority. – Notwithstanding any other provision of law, the authority granted to campus police officers certified under this Chapter shall be limited to the provisions of this Chapter. (2005-231, s. 1.)

GENERAL PROCEDURES FOR REPORTING A CRIME OR EMERGENCY

Community members, student, faculty, and staff are encouraged to report all crimes and public safety related incidents to the University Police Department in a timely manner. To report a crime or emergency situations on campus call University Police by dialing 4444 from any campus phone. If off campus, or on a cell phone dial 704-406-4444. If a life threatening situation occurs such as fire, medical emergency, etc. response time of responding agencies can be reduced by dialing 911.

TIMELY WARNINGS

In the event a situation arises, either on or off campus, that, in the judgment of a University Police Officer, constitutes an ongoing or continuing threat to the safety and security of Students, Faculty, and Staff a campus-wide “Timely Warning” will be issued. This Timely Warning will be issued using the mass notification system (Bulldog Alert).

RESIDENCE HALL ACCESS

All residence halls are equipped with keyless entry system. GWU student ID cards are programmed to allow students access to their assigned residence hall. Emergency personnel and essential staff (Res. Ed.) will also have access to residence halls. The exterior doors are equipped with prop alarms to alert residence that a door is not secure. Each residence hall room is equipped with its own fire detection device. The alarm system is centralized at the University Police Department located in the Poston Center and monitored 24 hours a day. If a fire alarm is activated residence should evacuate the building immediately and call 4444. If residences observe fire or smoke they should call 911 first to reduce response time then 4444 to alert University Police.
**DOOR AND WINDOW SECURITY**

Residence hall windows are equipped with locks, and room keys are issued to each resident upon move-in. In the event that a key is lost or stolen, that loss must be reported to the director of Residence Education and to the University Police as quickly as possible. Keys are to be duplicated.

**CRIME PREVENTION PROGRAMS**

Crime prevention programs about personal safety and theft prevention are sponsored by various GWU campus organizations throughout the academic year. GWUPD officers practice community oriented policing and facilitate awareness/safety programs for students, faculty, and staff.

**SECURITY EDUCATION, INFORMATION, AND COMMUNICATION**

During orientation, new students are informed about security procedures and were to find all security related materials. They are trained to accept responsibility for maintaining security for themselves and given written guidelines reinforcing the Universities policies and procedures via the student handbook.

**ALCOHOLIC BEVERAGES**

*Alcohol is prohibited by students, employees, and guests on Gardner-Webb University Property or as any part of the University’s activities.* As a condition of enrollment, Gardner-Webb, Gardner-Webb will impose disciplinary sanctions on students and employees who violate the terms of paragraph one. Upon conviction, the appropriate disciplinary action, up to and including expulsion from the University and/or satisfactory participation in a drug and alcohol abuse assistance or rehabilitation program approved for such purpose by a federal, state, or local health, law enforcement, or appropriate civil authorities for prosecution under, local, state, and federal law. Local, state, and federal laws prohibit the unlawful possession, and distribution of illicit drugs and alcohol. The applicable legal sanctions for various offenses are listed in the North Carolina Law and Procedure book. A reference copy is maintained at University Police. Additional information and individual counseling is available through the University’s Counseling Center in the Tucker Student Center. If necessary, at the student/employee’s expense, referrals can be made to an outside agency.

The legal age to possess, consume, purchase, alcohol in the state of North Carolina is 21 years of age, however, Gardner-Webb University is a “dry” campus and alcoholic beverages regardless of age of student, are expressly prohibited on campus and campus owned property. The University Police Department can/will issue a North Carolina Uniform citation to those in violation of this state law. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. More information pertaining to North Carolina alcohol legislation can be found at ncleg.net.
**ILLEGAL DRUGS**

Gardner-Webb University supports, and is fully committed to, the concept of a drug and alcohol-free campus community. In order to comply with the Drug-Free Schools and Communities Act Amendments of 1989, Gardner-Webb publishes the following and makes it available to each student, as well as, to employees. This policy applies to the campus of Gardner-Webb University and all University sponsored events at off campus locations. Administrators, alumni, faculty, guests, staff, and students must adhere to all applicable federal, state, and local law as well as University regulations related to the sale and use of alcoholic beverages or drugs. Any person found in possession of felony drugs, or manufacturing, or selling alcoholic beverages or drugs on the University campus or at University sponsored events will be referred to local law enforcement officers for prosecution. Any student or employee convicted of violation of state and local law may be subject to suspension from the University. The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances include, but are not limited to, the following: narcotics (heroin, morphine, etc.), cannabis (marijuana, hashish, etc.), stimulants (cocaine, diet pills, etc.), depressants (tranquilizers, etc.), hallucinogens (PCP, LSD, designer drugs, etc.), designer (MDA, ECSTASY, ICE, ETC.).

**SEXUAL ASSAULT and SEXUAL HARASSMENT**

North Carolina state law clearly states that rape, as well as other sexual offenses, is against the law. Rape is described as vaginal intercourse without your consent or against your will. Sexual offense is any other sexual act against your will. Statistics show that 80% of all rapes involve the use of alcohol. Rape and sexual offenses are serious crimes that are punishable by law. A charge of rape can only be brought by a recognized police agency which is recognized by the Attorney General’s Office of North Carolina. However, as a member of the Gardner-Webb University community, you have a variety of options in reporting a sexual assault. Discussed further in this section are four options: confidential counseling, through the Title IX Coordinator, through any law enforcement agency including University Police, or a combination of Title IX Coordinator and any law enforcement agency.

Close to 80% of all rapes and sexual assaults are committed by someone known by the victim. Often a rapist will be someone the victim knows, trusts, or someone who tries to befriend the victim. Therefore, a person should follow guidelines to protect oneself and be assertive by saying “No”. Do not be afraid to take care of yourself by resisting unwanted advances. If you say “no” or “stop” and the person continues, get up and say you want to leave, or just leave. Exercise precaution.

**The following are some guidelines to help prevent sexual assault or rape:**

- Look in the backseat of your car prior to getting in
- Lock your doors and windows in your car, home, and dorm room
- Get to know your date
- When dating alone, ask yourself: “where are we going?”, “if I need to get back to campus, do I have enough money?”, or “how will I get back to campus?”, “how well do I know this person?”, “will we be alone, and if not, with whom will we be?”, “who knows where I’m going?”
- Travel with companion whenever possible
• Be aware of your surroundings at all times
• Have your keys or ID ready before leaving a safe environment
• Call University Police or stop by for an escort

Advance thinking can prevent you from being in a vulnerable situation. Often rape/sexual offenses can be prevented because victims are observant, and act quickly and decisively. It is much more effective if a person tried to prevent risky situations than try to defend oneself after the assault has begun.

*If an attack takes place:*

• Remain calm
• Notice the details of the rapist, especially if he is a stranger
• Give some thought to your physical, mental, and emotional abilities in case you have to deal with an attacker
• Only you can decide whether the greater harm comes from resisting or submitting to the attack

*After an attack:*

• No victim is responsible for being raped. You did not ask to be assaulted, want to be assaulted, nor deserve to be assaulted.
• Find a safe place to go after an attack
• Contact family, friends, University staff, or the APC Crisis line for emotional support
• Because you want to preserve as much evidence as possible, avoid the following prior to going to the hospital or Abuse Prevention Center: showering, bathing, douching, changing clothes, urinating, or defecting, gargling, eating, or drinking
• Notify the police
• Take a change of clothes with you so that your clothes may be kept as evidence
• Get medical attention as soon as possible

*Sexual Offenders:*

Information concerning convicted sexual offenders can be attained at: [http://sbi.jus.state.nc.us/DOJHAHT/sordefault.htm](http://sbi.jus.state.nc.us/DOJHAHT/sordefault.htm). If you would like more information contact University Police at ext. 4444.

**Sexual Misconduct and General Harassment Policy**

**Notice of Nondiscrimination**

Various federal regulations, including the regulations implementing Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, require that each recipient of federal financial assistance, such as Gardner-Webb University, publish this Notice of Nondiscrimination. Gardner-Webb University does not discriminate on the basis of race, color, national origin, sex, disability, or age in employment for any of its programs and activities. The person designated to
oversee policies, procedures and complaints related to possible discrimination on the basis of sex (including sexual harassment and sexual misconduct) is referred to throughout this document as the Title IX Coordinator.

The Title IX Coordinator for Gardner-Webb University is:

Dr. Cary Poole,
Tucker Student Center, Room 303
Ext. 2155
cpoole3@gardner-webb.edu

Gardner-Webb University believes the journey to acquire knowledge can only flourish in an environment free from sexual misconduct or gender-based discrimination. Sexual Misconduct includes, but is not limited to sexual assault, sexual harassment, domestic violence, dating/acquaintance violence and stalking. All forms of sexual misconduct are viewed as acts of aggression and repression and are not conductive to a positive educational environment and therefore prohibited on campus.

Individuals, including students, faculty and staff, who have been alleged to have violated this policy are subject to a Title IX investigation. This investigation may involve actions taken by the Offices of Title IX Compliance, Student Development, University Police and/or Human Resources administrators as well as prosecution by law enforcement officials. Gardner-Webb University will take immediate action to eliminate the harassment or violence directed at members of its academic community; will take action to prevent its recurrence and address its effects.

If members of the Gardner-Webb University experience any of the above listed forms of sexual harassment, sexual violence or other forms of violence, you should notify the University Title IX Coordinator, Dr. Cary Poole at 704-406-2155 or cpoole3@gardner-webb.edu or at the Title IX Compliance office located in the Tucker Student Center, room 303, or any of the Deputy Coordinators whose names and contact information is listed at the conclusion of this policy statement.

Definitions

Sexual misconduct incorporates a range of behaviors including sexual assault, sexual harassment, gender-based harassment, intimate partner violence, stalking, voyeurism, and any other conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person.

Such sexual misconduct includes nonconsensual sexual contact, but this is not a necessary component. For example, threatening speech that is sufficiently severe or pervasive to constitute sexual harassment will constitute sexual misconduct. Making photographs, video, or other visual or auditory recordings of a sexual nature of another person without consent constitutes sexual misconduct, even if the activity documented was consensual. Similarly, sharing such recordings or other sexually harassing electronic communications without consent is a form of sexual misconduct. Both men and women are protected from sexual misconduct, and sexual misconduct is prohibited regardless of the sex of the harasser. Gardner-Webb University prohibits the crimes as defined under the Clery Act of 1990.
**Sexual Harassment** is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- The conduct has the purpose or could be reasonably judged to have the effect of creating an intimidating, hostile or offensive environment for work or learning.
- The conduct has the purpose or could be reasonably judged to have the effect of interfering with a person’s work or educational performance or experience.
- Submission to or rejection of the behavior is a factor in an employment or educational decision such as hiring, promotion, or grading a course.
- Submission is made an express or implied term or condition of employment or status in a class, program, or activity.
- Examples of sexual harassment include, but are not limited to physical assault, direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion or grades. Examples also include direct propositions of a sexual nature, a pattern of sexually explicit statements, questions, jokes or anecdotes not related to classroom or pertinent work related matters. Touching, patting, hugging or brushing against a person’s body as well as remarks of a sexual nature about a person’s clothing, body, sexual activity or previous sexual experience will constitute an act of sexual harassment.

**Examples of Gender-Based Harassment** -- Specifically, under this policy, in providing any aid, benefit, or service to a student or employee, the University shall not:

- a. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- b. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- c. Deny any person any aid, benefit, or service;
- d. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- e. Apply any rule concerning the domicile or residence of a student or applicant, including eligibility for fees and tuition;
- f. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of gender in providing any aid, benefit or service to students;
- g. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

**Sexual Assault** means an offense classified as either a forcible or non-forcible sex offense under the definitions as defined under the Uniform Crime Report (UCR) system as identified by the Federal Bureau of Investigation.
Forcible Sex Offenses
A forcible sex offense is any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. **Forcible Rape** is the carnal knowledge of a person, forcibly and/or against the person’s will or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity and or because of their youth. **Forcible Sodomy** is the oral or anal sexual intercourse with another person, forcibly and/or against that person’s will, or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. **Sexual Assault with an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, either forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Non-forcible Sex Offenses
Unlawful, non-forcible sexual intercourse which includes:
**Incest** is the non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by state law. **Statutory Rape** is the non-forcible sexual intercourse with a person who is under the statutory age of consent for the State of North Carolina, which age 16.

Consent
Gardner-Webb University as a private, Christian, Baptist-related university does not encourage nor promote nor condone sexual relations outside of marriage. Due to federal requirements, a definition of Consent must be defined within the Sexual Misconduct Policy. As per the requirement, Consent is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent cannot be inferred from the absence of a "no"; a clear "yes," verbal or otherwise, is necessary. Consent to some sexual acts does not constitute consent to others, nor does past consent to a given act constitute present or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time.

*Consent cannot be obtained by threat, coercion, force, or by someone who is either intoxicated or under the influence of drugs. Agreement under such circumstances does not constitute consent.*

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual activity with a person whom you know, or reasonably should know, to be incapacitated constitutes sexual misconduct.

Guidance Regarding Sexual Consent
Consent can only be accurately gauged through direct communication about the decision to engage in sexual activity. Presumptions based upon contextual factors (such as clothing, alcohol consumption, or dancing) are unwarranted, and should not be considered as evidence for consent.
Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent. Talking with sexual partners about desires and limits may seem awkward, but serves as the basis for positive sexual experiences shaped by mutual willingness and respect.

Under North Carolina State Law, Consent may never be given by a person who is:

- Anyone under the age of 16
- Anyone who is mentally disabled. This means that the person has a mental disorder that either;
  (1) prevents the person from being able to evaluate the nature of his or her conduct; (2) prevents the person from being able to resist the sexual act; or (3) prevents the person from being able to communicate unwillingness to engage in the sexual act.
- Anyone who is unconscious.
- Anyone who is physically unable to resist the sexual act or to communicate unwillingness to engaging in the sexual act. Please note: The inability to resist or communicate unwillingness may result from the use of either alcohol or drugs or both. A person may not engage in sexual activity with another individual if the person knows, or reasonably should know, that the other individual is incapacitated by the use of alcohol or drugs or both. Being intoxicated or under the influence of drugs does not eliminate the requirement for obtaining effective Consent for sexual activity.

North Carolina sex offense laws are found in Chapter 14 of the North Carolina General Statutes. As such, any sexual act that violates North Carolina criminal laws is not consensual in nature and in some instances the statutes specifically state that consent is not a defense.

**Domestic Violence** as defined by North Carolina Law can be either a felony or misdemeanor, depending upon the circumstances, a crime committed by the following perpetrators:

- A current or former spouse or intimate partner of the victim.
- A person with whom the victim shares a child in common.
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under the Violence Against Women Act of 2013.
- Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family laws of this jurisdiction, including all Federal and State laws.

**Dating Violence/Relationship Violence/Intimate Partner Violence** are all defined on an equal basis as acts of violence committed by the following persons:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship
  - The type of relationship
- The frequency of interaction between the persons involved with the relationship.

**Retaliation:** Employees (including faculty and staff) and students of Gardner-Webb University shall not retaliate, intimidate, threaten, coerce, discriminate or otherwise take action against any individual for
exercising his/her rights under the University’s Sexual Misconduct Policy or Student Handbook policies/procedures.

**Stalking** is repeated or obsessive unwanted attention directed toward an individual or group that is likely to cause alarm, fear, or substantial emotional distress. Stalking may take many forms, including following; lying in wait, monitoring, and pursuing contact. Stalking may occur in person or through a medium of communication, such as letters, e-mail, text messages, or telephone calls. In some circumstances, two instances of such behavior may be sufficient to constitute stalking. Stalking is a type of sexual violence that can lead to physical or sexual assault. It is a crime in all states and should be reported to the Title IX Coordinator, University Police or a Deputy Coordinator for action. Examples of stalking include, but are not limited to the following examples:

- Contacting someone excessively by phone, texts, Facebook, email, etc., especially after being asked to cease the activity.
- Sending a person unwanted gifts/cards/letters.
- Following you or showing up unexpectedly.
- Damaging your property
- Threatening your family, friends or pets.
- Threatening you with physical harm.
- Trying to publicly humiliate your with information whether true or not.
- Following or tracking you on social media sites to keep up with your activities.

**REPORTING SEXUAL MISCONDUCT TO INCLUDE SEXUAL ASSAULT, SEXUAL HARASSMENT, DATING/INTIMATE/RELATIONSHIP VIOLENCE, DOMESTIC VIOLENCE AND STALKING.**

**Responsible Employees under Title IX (RE) and Campus Security Authorities under the Clery Act (CSAs)**

Responsible Employees are those with supervisory responsibility to address or rectify misconduct or those whom students might reasonably believe to possess such supervisory or responsibility or authority. It is your responsibility as a Responsible Employee to report any Sexual Misconduct information which is brought to your attention. For the purpose of Clery Act reporting, Responsible Employees may be considered to be Campus Security Authorities (CSAs) and will function in the same manner. Listed below are examples of Responsibly Employees:

- Members of the Board of Trustees, The President and Provost, Vice Presidents, Assist./Assoc. Vice Presidents, Title IX Coordinator/Deputy Coordinators, University Police, Director and Assist./Assoc. Director of Human Resources, Departmental Directors and Assist./Assoc. Directors, Residence Education Staff (including GRDs and RAs), Athletic Coaches, Assistant Coaches, Athletics Administrators and Athletic Trainers, Studio Managers, Lab Managers, Deans and Assistant/Associate Deans, Academic Department Chairs, Academic and Non-Academic, Program Directors/Coordinators Faculty/Staff Leading or Chaperoning Travel or Overnight Trips, Faculty/Staff Advisors to Student Organizations, and faculty as a whole.

**Privileged Employee (PE)**

A Privileged Employee is one who is employed in the counseling services or pastoral fields. Confidential reports of Sexual Misconduct filed or reported to employees in these fields will not be forwarded for investigation.
Seeking Assistance

- If either you or someone you know, have experienced sexual misconduct for any of the above listed categories, tell someone on campus what happened. There are both individuals and various offices that can assist you in these matters.
- Gardner-Webb University’s primary concern is to the wellbeing of a victim and to provide immediate medical, emotional and counseling assistance.
- Victims are strongly encouraged to report incidents of sexual harassment, sexual assault, domestic violence, dating/relationship/intimate dating violence and stalking, however, you are not required to. Decisions about reporting a formal complaint can be made later and seeking immediate assistance can make that option viable at a later date. As a Good Samaritan Policy*, students are urged not to allow concerns about being charged with illegal drug or alcohol consumption deter them from seeking assistance and help for themselves and others.

*Good Samaritan Policy
Gardner-Webb University’s Good Samaritan Policy is intended to encourage students to seek immediate medical assistance for themselves and others without fear of penalty. Our primary concern is the health and safety of our students. We urge students to not only take care of their own wellbeing, but to behave in an equally responsible way with their peers.

There may be times when safety concerns arise from a student’s excessive drinking or drug use, and in those situations, students should not hesitate to call for emergency assistance (911). Under the Good Samaritan Policy, neither the student in distress nor the student seeking assistance will ordinarily be subject to disciplinary action for possession, provision, or consumption of illegal drugs or alcohol.

This policy refers to isolated incidents only, and does not excuse or protect those who flagrantly or repeatedly violate University Policies, nor does it exclude disciplinary action arising from violations of other University Policy. However, Gardner-Webb University will consider the positive impact of reporting an incident as well as the health and safety needs of the involved student/s when determining the appropriate course of action.

This policy cannot protect students from action taken by law enforcement personnel, but it is consistent with a law enacted by North Carolina in April 2013 that provides limited criminal immunity from prosecution to a witness or victim of a drug or alcohol overdose who seeks medical assistance to save the life of an overdose victim. For more information about this law, please see http://www.ncga.state.nc.us/Sessions/2013/Bills/Senate/HTML/S20v7.html.

Options for Assistance Following an Incident of Sexual Misconduct

If you are a victim of sexual misconduct, there are on-campus and off-campus resources available to you. An on-campus resource is informally referred to as SART (Sexual Assault Response Team) and a counselor is on-call 24/7. This schedule is known to the University Police and a counselor may be reached by calling 704-406-4444. The on-call counselor and members of the Student Development staff will be available to serve as an advocate.

Off-campus resources include the local hospital, known as the Carolinas Healthcare System-Cleveland which is located in Shelby, NC at 201 E. Grover St., Shelby, NC. 980-487-3000. After being admitted, ask
the staff to have a rape kit conducted by a Sexual Assault Nurse Examiner (SANE). Local, state and national advocate groups are listed at the end of this policy statement for your convenience.

OPTIONS FOR REPORTING SEXUAL MISCONDUCT ON CAMPUS
There are four options in reporting a violation of Gardner-Webb University’s Sexual Misconduct Policy:

Option 1-Confidential Reporting

Option 1 allows a student to confidentially report an incident to the following departments or individuals on a confidential basis. However, in certain cases, total anonymity cannot be guaranteed, but privacy will be respected.

• A University counselor is on-call 24 hours a day at 704-406-4103.
• A trained clergy member from the Office of Christian Life and Services can be reached at 704-406-2176 for students and at 704-406-4279 for faculty and staff.
• Contact any member of Student Development, Residence Education or University Police. These contact numbers are listed at the end of this document. While these areas are not confidential sources, they can refer you to a confidential source. If an immediate threat is assessed to be directed at the Gardner-Webb community, a campus alert may be issued, but without any information identifying the victim.
• Please note—if you do not initially wish to pursue charges, you may do so at a later time. If you choose Option 1 and do not wish to pursue charges, all efforts to bring the accused to a student conduct board or criminal charges will not commence or go forward since this information will be considered to be confidential.

Option 2-University Title IX and or Student Conduct Investigation

This process is for students who believe they have been the victim of sexual harassment, sexual violence, domestic or dating violence or stalking by another member of the Gardner-Webb University educational community. This process may involve an investigation by the Title IX Compliance Officer or by his designee and the student conduct process.

• Contact the Gardner-Webb University Title IX Compliance Officer, Dr. Cary Poole at 704-406-2155 or cpoole3@gardner-webb.edu
• You may contact any member of the Student Development staff, Residence Education staff, or University Police who will contact the Title IX Compliance Officer on your behalf.
• Gardner-Webb University will conduct a thorough and prompt impartial investigation into any reports of sexual harassment, sexual violence, domestic or dating violence and stalking incidents.
• Contact information for the various reporting departments is contained at the end of this policy.
Option 3-Criminal Investigation

- Contact University Police at 704-406-4444.
- Contact the Boiling Springs Police Department at 704-434-9691 if the incident occurred off campus, but in town.
- An investigation will be conducted by University Police with the possible assistance of the Title IX Compliance Officer.
- A completed investigation report will be forwarded to the Office of the Cleveland County District Attorney for review and possible prosecution under applicable law of the State of North Carolina.
- Please Note—All prosecution under Option 3 occurs in the criminal courts and not through the campus conduct process. Gardner-Webb University will support law enforcement as requested and will abide by lawful orders and directives.

Option 4-Pursue both University Student Conduct Charges and Criminal Investigation

- This is a combination of Option 2 and Option 3 which means investigations may occur simultaneously on campus and off campus.
- Student Conduct and Criminal investigations processes will occur independently of each other.
- Option 4 is the most in-depth of the options, but it may involve the victim having to participate in two separate investigations and processes.
- Gardner-Webb University reserves the right to conduct its investigations independent of the Criminal process which means the University’s investigations may occur prior to, simultaneously with, or following civil or criminal proceedings which will occur off campus.

Victim’s Rights

- Be treated with respect and dignity by all parties privy to the information regarding the incident.
- You can refuse to answer any questions about the sexual assault, your sexual orientation, your sexual history, your medical history (including HIV status), and your mental health history.
- Decide whether or not you want the police to investigate the assault.
- Not be judged based on your race, age, class, gender, or sexual orientation.
- Have a sexual assault counselor/advocate accompany you to medical, law enforcement, and legal proceedings.
- Request that someone you are comfortable with stay with you in the examination room.
- Ask questions and get answers regarding any tests, exams, medications, treatments, or police reports.
- You have the right to request orders of protection, no contact orders, restraining orders, and similar lawful orders issued by law enforcement.
- You have the right to request options for available assistance which include but are not limited to Academic, Living, Transportation and Working Environment. Specifically this means you have the right to request through Gardner-Webb University the right to a temporary change in housing assignment, your work environment, academic class arrangement and living arrangement with a no contact order.
- The records kept by Gardner-Webb University are confidential and any identifying information about the victim is kept confidential to the extent permissible by law.
The crime log does not include victim’s names and timely warnings issued to the campus do not include the victim’s names.

Timely Warning—when a sexual assault is reported, the administration will make a determination if this action constitutes a threat to the campus and will provide the university community the necessary information to make an informed decision regarding their personal health and safety as defined by the Clery Act.

Please note: You are to be considered a victim/survivor of sexual assault, regardless of the offender’s relationship to you. Gardner-Webb University reserves the right to also determine that interim protective measures and actions may be necessary to prevent or stop any form of sexual misconduct. As such, the Provost and Senior Vice President, Vice President for Student Development, Dean of Students, Chief of Police and the Title IX Compliance Officer may determine that a threat to the safety and health of either individuals or the campus community as a whole may exist, and additional measures may be warranted and implemented.

Important Considerations! Preserve all physical evidence!

- DO NOT, IF AT ALL POSSIBLE, BATHE, SHOWER, BRUSH YOUR TEETH, SMOKE, COMB OR BRUSH YOUR HAIR OR GO TO THE RESTROOM.
- SAVE YOUR CLOTHING. It is preferred that you do not remove your clothes, but if you have already done so, place them in a paper bag and take them with you to the hospital. “Do not place in a plastic bag as it will not preserve the evidence as well as a paper bag.
- CHANGE IN VICTIM’S ACADEMIC AND LIVING SITUATION
  - The University will make every effort to make changes in a victim’s living situation if requested and reasonably available. Changes in an academic situation are made through the Provost. Housing changes are made through the housing officer.

PROCEDURAL GUIDELINES FOR SEXUAL MISCONDUCT

Process for Filing a Complaint

Students who believe they have been the victim of sexual harassment, sexual violence, domestic violence, dating violence or stalking by another member of the Gardner-Webb University community, including other students or employees (staff/faculty), should file a complaint with the Title IX Compliance Officer.

The University Title IX Compliance Officer or Deputy Coordinators will oversee any investigation related to Title IX matters and a thorough investigation will occur. The Title IX Compliance Officer may request you place your complaint in writing and submit to:

Dr. Cary Poole,
Assistant Vice President for Title IX Compliance
704-406-2155
cpoole3@gardner-webb.edu
Tucker Student Center, Room 303
Employees, both faculty and staff, who believe they have been the victim of sexual harassment, sexual violence, domestic violence, dating violence or stalking by another member of the Gardner-Webb University community, including other students or employees (staff/faculty), should file a complaint with the Office of Human Resources. Contact information is:

Frances Sizemore  
Associate Director of Human Resources  
106 Webb Hall  
Ext. 3502  
fsizemore@gardner-webb.edu

Anonymous Complaint
Anonymous complaints may be filed and an investigation will be conducted. However, since the complaint is anonymous, no action will be taken through the student conduct process. In an anonymous complaint, the University’s ability to fully respond may be limited. All complaints, including anonymous complaints, will be reported to Gardner-Webb University for inclusion in the annual campus crime report. All complaints received by the University, with the exception of those made to confidential resources (counseling center or Office of Christian Life and Services, will require the University to automatically investigate the allegations.

Retaliation against anyone of Gardner-Webb University community who filed a sexual misconduct complaint is strictly prohibited by the University. The definition of retaliation should include, but not limited to intimidation, threats, coercion, or otherwise discriminate against any individual for exercising their rights and responsibilities under provision as protected by the Title IX Act, Clery Act, Violence Against Women Act and the Campus SaVE Act or campus policies and procedures under the authority of Gardner-Webb University.

Student Conduct Procedures for Sexual Assault Accusations

If the person accused of sexual misconduct is a current member of the University’s student body, the case will be heard by the appropriate Student Conduct Office. If the person accused is an employee of the University, the case will be heard by the University Committee on Sexual Misconduct (see below). If the person accused is both an employee and a student, the case will be heard by the University Committee on Sexual Misconduct in the case of full-time employees and by the Student Conduct Office in the case of part-time employees.

As a private institution, the University adheres to fundamental fairness or fair procedures in terms of the Student Conduct process. Gardner-Webb University uses a *preponderance of the evidence standard* in determining responsibility of sexual harassment, sexual assault, domestic violence, dating violence and stalking complaints. This standard means that the offense is more likely than not to have occurred. This standard is satisfied if there is greater than 50 percent chance that the accusation is true.

After notification the student will determine whether he/she is responsible for the charge(s) and respond accordingly.
The hearing officer has the right to add charges based on information presented during the investigation.

**Hearing Procedures**

After a report is filed with the Student Conduct Officer, the student is notified and meets with the appropriate hearing officer. Please see below for your appropriate hearing officer designated by classification and graduate enrollment:

<table>
<thead>
<tr>
<th>Program</th>
<th>Hearing Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>TUG-residential</td>
<td>Assistant Director for Student Conduct</td>
</tr>
<tr>
<td>TUG-non-residential</td>
<td>Assistant Director for Student Conduct</td>
</tr>
<tr>
<td>DCP</td>
<td>Associate Provost for Distance and Adult Education</td>
</tr>
<tr>
<td>Graduate School</td>
<td>Dean of the Graduate School</td>
</tr>
<tr>
<td>Divinity School</td>
<td>Dean of the Divinity School</td>
</tr>
</tbody>
</table>

The student is made aware of the specifics of the report, their student rights, and then he/she will provide a response of responsible or not responsible to the charge at hand. At this time, a list of Student Rights will be presented to the accused; however, due to the nature of a Sexual Misconduct violation, section F will be waived in order to prevent personal cross-examination between the accused and accuser.

Upon completion of the administrative intake, a specific time and location for the hearing is provided orally or in writing to the student. Upon completion of the hearing, the Hearing Officer will formulate a decision. Afterward a letter will be sent from the Chief Hearing Officer informing the student of the outcome. In addition, the letter will outline specific sanctions and the University appeals process, if necessary. If a student fails to appear for the hearing, the case will be heard in the student’s absence and decision/sanction rendered.

**Note:** Cases involving alleged victims may be administered by the Hearing officer to ensure privacy as well as cases heard near or around academic breaks or when it is deemed in the best interest of the student and the university.

**Appeals**

A student may appeal a decision by the hearing officer. The only time a student may not appeal a decision is when the student pleads responsible and the minimum penalty is assessed or a responsible verdict in absentia is non-appealable. The student must decide and submit a written appeal within 24 hours of verbal or written notification of the sanction if they wish to appeal. An appeal can be made for any of the following reasons:
1) Irregularity in proceedings

2) Punishment inconsistent with the nature of the offense

3) Additional evidence not available at the hearing

Disciplinary action taken by the appropriate Hearing Officer or his/her designee for the undergraduate student body is appealable to the University Appeal Board. The authority of the University Appeal Board is drawn by its appointment by the University President to serve in such capacity. The University Appeal Board consists of three students, two faculty members, and two staff members. The reason for the appeal is distributed to the University Appeal Board. By a simple majority vote, the University Appeal Board may vote not to hear an appeal and, thereby, uphold the original decision and sanction. In the event the University Appeal Board votes to hear the appeal, the Board reserves the right to decrease or increase the sanction at its discretion. Employees, graduate students and Degree Completion Program (DCP) students must appeal to the University Committee on Harassment and Sexual Misconduct following the same procedures as outlined above. The composition of the University Committee on Harassment and Sexual Misconduct is identified on page 19 under the same heading. The decision of the Appeal Board is final.

**Sanctions for Students Found Responsible of a Violation of the Sexual Misconduct Policy**

- Any student found responsible for violating the Sexual Misconduct Policy in the case of Non-Consensual or Forced Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.
- Any student found responsible for violating the Sexual Misconduct Policy in regards to Non-Consensual or Forced Sexual Intercourse will likely receive a recommended sanction of suspension or expulsion.
- Any student found responsible for violating the Sexual Misconduct Policy on will likely receive a recommended sanction ranging from written warning to expulsion; depending on the severity of the incident, and taking into account any previous campus conduct code violations.

For Clery Act reporting purposes, all cases of sexual assault will be reported on the Annual Campus Crime report as filed with the Department of Education. These cases are based on what is reported to Responsible Employees and not what is adjudicated through Student Conduct or through the criminal system.

**Employee Conduct Procedures for Sexual Assault Accusations**

If the person accused is an employee of the University, the case will be heard by the University Committee on Harassment and Sexual Misconduct. The complaint will be heard using the formal complaint procedure detailed under the Non-Harassment Policy (below p. 17).
Educational Programs

Gardner-Webb University will direct educational programming for primary sexual harassment/sexual assault prevention and awareness for all incoming students and new employees. In addition, there will be on-going campaign programs for all students and University employees on a yearly basis. This programming will constitute a “campaign” in the sense it is ongoing and will cover a depth of related subjects and issues related educating the campus community as a whole about the topics of sexual harassment/sexual assault. Monthly themed awareness programs will be aimed at the following, but not limited to Safe Campus Awareness, Domestic Violence Awareness, Dating Violence Awareness and Sexual Assault Awareness programming.

The Title IX Coordinator will coordinate educational programming directed at meeting the requirements of the Campus SaVE Act through this specific office. However, it is expected other University offices such as Residence Education, Student Development, University Police, First Year Programs, Counseling Center and other departments will contribute to the educational campaign. A comprehensive list of the educational programs will be kept in the Title IX Coordinator’s office.

Title IX Training

The campus as a whole, including faculty and staff will undergo training regarding Title IX on a yearly basis. All new employee hires will be required to complete Title IX training within the first month of employment. The current provider for on-campus training for faculty, staff and students is Campus Awareness, which conducts Title IX training on over 600 college campuses. Other mandatory programs will be directed at the First –Year Experience class in order to capture the student body.

The Title IX Coordinator should keep a certification by the Association of Title IX Administrators (ATIXA) current as well as undergoing additional training on a yearly basis. This training should include a mixture from ATIXA as well as from the Clery Center from Campus Safety so that a balance is achieved in knowing the most current developments related to Title IX and related areas.

In addition, campus law enforcement and other “responsible” employees, victim advocates and anyone else who is involved in responding to or adjudicating sexual misconduct must receive adequate training on a yearly basis.

Registered Sex Offenders

Registered Sex Offender information may be found at the following website: http://sexoffender.ncdoj.gov/. Since the Sex Offender Registry may change over time, it is suggested you check with the registry on a periodic basis. Gardner-Webb University is not required under the Title IX Act or the Clery Act to disseminate this information, however, the University feels it is in the best interests of the University community to periodically review the North Carolina Department of Justice’s website to answer any concerns. However, as part of the Clery Act requirements, if any Registered Sex Offenses occur on campus, this data will be included in the Annual Security Report.

Bystander Intervention

Making the first move falls under a psychological theory called Bystander Intervention. Many situations have been studied, and there are certain steps that are the same in every situation.
The 9 steps to go through when we deciding whether to make practice Bystander Intervention:

1. **Notice the event.** You need to notice that something is wrong. You have to be aware of what's going on around you, which is harder than it looks. You might notice that one of your friends has had too much to drink, is wandering off with a guy you don't know, or that one of your friends is posting some things on Facebook that would indicate he is depressed.

2. **Interpret the event as a problem.** If you've ever been to a party and heard a girl scream, what just happened? Is she being threatened, or has she just seen a spider, run into a good friend, or loves the song being played? You don't know if there is a problem unless you take a moment to glance over and determine why she was screaming. If no one else thinks it's a problem, should you?

3. **Assume personal responsibility.** Once you notice an event and interpret it as a problem, you need to make it your problem. This can be very hard. People are much more likely to help when they are alone than when others are present. Each one of us has the responsibility to make the first move.

4. **Know how to help.** You can't help if you don't know what to do. Bystander intervention can assist in these various areas of campus life, sexual assault, dating violence, depression/suicidal discussions, hazing, alcohol/drug abuse, eating disorders and poor academic performance.

5. **Implement the help.** Remember to make moves that are safe for you (calling University Police or 911 might be the only safe thing you can do) and that will help you accomplish your goal.

6. **Be Knowledgeable.** Serve as a knowledge resource for complainants and be able to direct them to appropriate resources on campus.

7. **Say something!** Speak up when you hear people making statements that blame victims. Talk to male friends about confronting violence against women.

8. **Don’t laugh.** Laughing at sexist jokes empowers the person telling the joke and implies you are in agreement with the offensive joke.

9. **Be an extra set of ears and eyes.** At both on-campus and off-campus events, serve as an extra set of eyes and ears for friends.

Remember, you do have a responsibility to intervene. However, you are not responsible for the outcome of the intervention.

**NON-HARASSMENT POLICY FOR ALL STUDENTS, FACULTY AND EMPLOYEES**
It is the goal of Gardner-Webb University to be an institution in which all persons – students, applicants, staff members, faculty members, administrators, and guests – are respected as individuals, without regard to gender, ethnic background, disability, national origin, sexual orientation, religion, veteran status, age, or any other characteristic protected by applicable federal, state, or local laws. The integrity...
of an institution of higher learning depends upon maintaining an environment in which all members of the University community can work toward their God-given potential, free from intimidation. Harassment, including sexual harassment defined below, includes any conduct which a recipient feels is offensive, unwelcome, demeaning, rude, or threatening including but not limited to such behavior which is directed at the individual due to his or her gender, ethnic background, disability, national origin, sexual orientation, religion, veteran status, age, or any other characteristic protected by applicable federal, state, or local laws.

Harassment will not be tolerated at Gardner-Webb, nor will it be ignored. Harassment is incompatible with the principles and values of a Christian institution. Furthermore, harassment is a form of discrimination, which is in violation of Title VII of the Civil Rights Act of 1964 and the Educational Amendments of 1972 as well as possibly other state and federal laws. Gardner-Webb University is committed to maintaining a positive, safe, and comfortable workplace and an academic environment free from any form of harassment.

The basic premise of the harassment policy is that a sexual element must not be introduced into what should be a sex-neutral situation causing the boundaries which normally exist between the professional role and the personal relationship to become blurred.

Sexual harassment can occur in all types of circumstances and relationships:
- Between or among individuals of different sexes or of the same sex.
- In relationships of unequal power (between supervisor and employee, faculty member and student, employee and job applicant, and between graduate assistants and student) including when the person in the less powerful position harasses a person in a more powerful position.
- In relationships of equal power (between fellow employees or fellow students).

**Responsibilities:**

Gardner-Webb will make every reasonable effort to see that our workplace and academic environment is free from prohibited harassment of students, faculty, employees, applicants, and guests. The University will take appropriate corrective actions in instances in which it learns of such harassment with the objective of eliminating the harassment, preventing its recurrence, and addressing its effects. For Gardner-Webb to fulfill its obligations, all employees and students have responsibilities.

School Officials will:
- assure employees and students that all forms of harassment are expressly prohibited;
- avoid prohibited harassment including the appearance of such harassment, by refraining from actions, language and jokes and by disposing of materials, such as posters or magazines, which may offend an employee or applicant for employment; and
- immediately report any reports or suspected occurrences of prohibited harassment as set forth in the Complaint procedure.

- Follow-up with senior administration in the event that no action has been taken to address the harassment in a timely manner.

Faculty, Staff and Students Will:
- Immediately inform Gardner-Webb officials (as set forth below) of the facts regarding any occurrence of harassment so that officials may promptly and thoroughly conduct an investigation;
- Avoid prohibited harassment, including the appearance of such harassment, by refraining from actions, language and jokes and by disposing of materials, such as posters or magazines, which may offend an employee or applicant for employment.

**Complaint Procedure:**
Gardner-Webb relies on and expects prompt reporting of all incidents of harassment. Employees and students may choose an informal or formal process to report harassment. If a member of the Gardner-Webb community has been subjected to harassment, but the perceived harassment is not sexual in nature, the following procedures are advised to be followed.

**Informal Process**

*NOTE:* It is not necessary to proceed first with an informal complaint. The informal process is simply an option available to a complainant. Further, a person who has begun the informal process to address a complaint may elect to terminate the informal process at any time and begin the formal process. In cases of alleged sexual assault the Formal Process must be followed.

Anyone who feels that she or he has experienced harassment (sexual or otherwise) may:
(a) Tell (or write) the accused person, indicating that the behavior is considered offensive, and ask the person to stop the behavior; if reluctant to write or speak directly to the accused, or if the harassment does not stop after having written, the person should:
(b) Speak to someone in the appropriate administrative structure (i.e. the complainant’s supervisor or department chair, the Director of Human Resources, any Vice President of Gardner-Webb University, the Director of the Counseling Center, the chair of the faculty, or a member of the University Committee on Harassment and Sexual Misconduct). This reporting of the harassment must be made as soon as possible after the conduct begins and/or becomes unwelcome or offensive.

The person(s) to whom the complaint is brought will counsel the complainant on the rights and options available under this policy, and at the complainant’s request, (a) help her or him resolve the complaint informally, or (b) help her or him file a formal complaint. The person to whom the complaint is brought will advise the Provost or the Office of Human Resources immediately that a complaint has been filed. Resolution of the complaint should be made as soon as possible, and when appropriate, steps will be taken to prevent further harassment and/or contact pending an investigation. A record of the informal complaint will be maintained in a file kept by the Office of Human Resources and will be kept confidential as allowed by law.

The objective of the informal process is to resolve the matter informally and to the satisfaction of both the offended person and the person accused of the offense. All information will be kept as confidential as possible. In the event that the complaint is not resolved to the satisfaction of the complainant, the following formal process should be followed:

**Formal Process**

The following procedures apply in the formal complaint process:
(1) The complainant should write in detail all the facts and circumstances in support of the complaint, including the name of the accused and the names of any witnesses, and submit the information to the
University Committee on Harassment and Sexual Misconduct chair and to the Provost and/or to the Office of Human Resources.

(2) The Committee on Harassment and Sexual Misconduct will then investigate the alleged incident by interviewing the complainant, the accused, and any witnesses put forth by the complainant or the accused. (If a member of the Committee is the accused or the complainant, the Provost will appoint an alternate to participate in the investigation.) The Committee shall provide a written copy of the complaint to the accused. A University employee of his or her choosing may accompany the complainant or the accused in the formal hearing. The Committee also has the right to interview anyone it feels can provide helpful information. The chair of the Committee will assign someone on the Committee to keep minutes of the interviews, etc., to include in the case file. The Committee should make its report as soon as possible, but no later than 60 days from the filing of the complaint. If this date is impossible to keep, the Committee must inform both the complainant and the accused of the date the recommendations will be made.

(3) After the investigation is complete, the Committee will review formal hearing. The Committee also has the right to interview anyone it feels can provide helpful information. The chair of the Committee will assign someone on the Committee to keep minutes of the interviews, etc., to include in the case file. The Committee should make its report as soon as possible, but no later than 60 days from the filing of the complaint. If this date is impossible to keep, the Committee must inform both the complainant and the accused of the date the recommendations will be made.

(3) After the investigation is complete, the Committee will review the results of the investigation and will determine whether the case can be resolved. If the case is resolved with the resolution being agreed to by both the complainant and the accused, the matter will be closed and the investigation will be kept confidential to the extent allowed by law. If the case is not resolved, for whatever reason, the Committee shall make a recommendation (of the majority, or if a tied vote, so indicated) to the Provost who will consult with the employee’s (or employees’) Vice President(s) or Associate Provost(s) and with the Vice President and Dean of Student Development if either party is a student, before making a determination on how to resolve the case. The Provost will inform the complainant, the accused and the Committee on Harassment and Sexual Misconduct of the final decision within 30 days of receiving the committee report.

(4) The Provost’s decision may be appealed if (1) any of the parties (i.e., complainant or the accused) believe procedures were not properly followed, or (2) any of the parties has new information which was not part of the original decision. The appeal should be filed with the President of the University within 30 days of the Provost’s decision. The President will determine whether the conditions (stated above) for an appeal have been met and will make a final determination for the case. The decision of the President is final.

University Committee on Harassment and Sexual Misconduct

The Committee will be composed of six members. Three of the members will be tenured faculty members and will be appointed by the Faculty Administrative Advisory Committee. The Office of Human Resources will appoint one senior administrator, one campus police person or staff counselor, and one staff member. There must be an equal number of males and females represented on the Committee, and one of the faculty members selected by the Committee will serve as chair. The chair will have the responsibility of keeping the Provost advised concerning matters before the Committee. Members
should be persons highly regarded and trusted by the University. The Title IX Coordinator will advise the committee as necessary on issues of University policy and procedures, particularly with regard to the Sexual Misconduct and Harassment Policy. The Committee will serve for two (2) years, subject to continuous renewal. The sole responsibility of this Committee is to deal with harassment and assault issues on campus by serving as an investigative committee to help resolve complaints.

Statement on Child Protection and Minors on Campus

All members of the Gardner-Webb University community should be protected while on campus. In many cases, students are employed in various capacities such as Resident Assistants, laboratory assistants and summer camp workers. In this capacity, a student is viewed as an employee of the Gardner-Webb University. With the University campus being open to visits by church groups, high school/junior high school students, campus visitors and underage perspective students visiting for recruiting purposes, the campus should be aware Minors are present on the campus. A Minor or child is defined as someone who is under 18 years of age and for consistency, the term “Minor” will be used to describe this category of campus visitor. As such, the University does not tolerate the abuse of children or those considered to be Minors. Child abuse in North Carolina constitutes the actions of someone who “inflicts or allows to be inflicted or creates a substantial risk of injury other than by accidental means or commits, permits, or encourages any type of sexual abuse, or creates or allows serious emotional damage to juvenile or does not provide proper care or necessary medical care or abandons child, uses inappropriate devices or procedures to modify behavior or encourages, directs, or approves of delinquent acts involving moral turpitude.” Sexual abuse may be perpetrated by an adult or another child and includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the act.

North Carolina State Law includes the following areas of abuse: Behavior Modification, Emotional Abuse, Physical Abuse, and Sexual Abuse. This law further requires “any person or institution” to report any abuse to the appropriate authorities at the North Carolina Child Protection Agency or the Director of the Department of Social Services of Cleveland County. It is a crime to not report child abuse in the State of North Carolina. More information may be found at http://ncdhhs.gov/dss/cps/about.htm#Reporting

Members of the Gardner-Webb University who work with Minor children will be made aware of Child Protection Policies and Practices and will be required to undergo approved training.

With the North Carolina specifically requiring child abuse to be reported, Gardner-Webb University employees are called upon to render aid or medical assistance to any child found to be in need of such attention. It is the University’s position in addition to the state law, that all personnel should immediately report any known or suspected child abuse or neglect immediately.

If you know or suspect that a child is a victim of child abuse or neglect, you must act upon your suspicions. In deciding whether or not to report an incident or situation of suspected abuse or neglect, it is not required that you have certain proof that abuse or neglect has occurred. If uncertain in
deciding to report suspected abuse or neglect, rule in favor of making a good faith report. Any person who makes a good faith report of child abuse or neglect shall not be subjected to retaliation. Under North Carolina law, a person cannot be held liable for a report made in good faith.

Gardner-Webb University conducts background checks on all currently hired employees and conducts additional background checks on current employees every 3-5 years as an on-going security measure. These background checks must be completed and evaluated prior to commencement of employment and contact with Minors. As an employee of Gardner-Webb University, you are expected to serve as a positive role model for Minors on campus and act according to the following policies and procedures:

- Do not be under the influence of alcohol or illegal drugs while on duty or when responsible for a Minor’s welfare.
- If placed in a position to transport a Minor, another adult should be present in the vehicle unless multiple Minors are present.
- Possession of or use of a weapon of any kind is prohibited around a Minor.
- Do not engage in any sexual activity, tell sexual jokes, share sexually explicit material or make sexual comments around Minors.
- Do not engage or allow Minors to engage you in romantic or sexual conversation or other forms of communications, including email, text messages, social networking websites, internet chat rooms or other forms of social media. The only exception would be if these forms of communication are directly related to the educational program being conducted on campus.
- Do not meet with Minors outside of established times for programmed activities. If exceptions are given, you must have written parental authorization for these exceptions.
- Do not be alone with a single Minor. If a one-on-one situation develops or is required, meet in an open area which has room with windows observable by other adults.
- Do not invite a Minor to your personal home. Any exceptions require parental authorization and rationale as to why this must take place.
- Do not touch Minors in fashion that a reasonable person could interpret as inappropriate. This includes, but is not limited to “backrubs, shoulder rubs or neck rubs.”
- Do not engage in any conduct which may be interpreted as abusive by a Minor such as verbal abuse, striking, hitting or punching, spanking or restraining a Minor. If an exception is made as in protecting a Minor from him/herself and others, this must be documented and disclosed to both the director of the program and to the parents.
- If working with Minors, it is a requirement from Gardner-Webb University that you have specific training to work with this population.
- If an employee is suspected of violating the Child Protection and Minors on Campus policies, will be subject to termination, as well as civil and criminal prosecution under the fullest extent of the law.
- Lastly, always employ common sense if a situation develops which has not been covered in the information listed above. When in doubt, always err on side of the Minor and document your decision to the program director.

As an employee, regardless of being full-time or part-time, you have an obligation under North Carolina State Law to report abuse or neglect. You may report in the following manner:
Division of Child Development and Early Education at 919-527-6500 or 1-800-859-0829 for a state-wide report.

University Police at 704-406-4444 to report any activity observed on the Gardner-Webb University campus.

Children’s Advocacy Center of Cleveland County, NC at 704-600-6024 for a local reporting agency.
Gardner-Webb University
List of Title IX (Sexual Harassment and Sexual Assault)
Campus, Local, State, and National Resources

Title IX Coordinator

Dr. Cary Poole, Assistant Vice President for Title IX Compliance,
Tucker Student Center, room 303. 704-406-2155.
cpoole3@gardner-webb.edu

Title IX Deputy Coordinator—for complaints related to faculty or academic personnel within their respective areas.

Dr. Doug Bryan, Associate Provost for Academic Development
Tucker Student Center
Ext. 4398
dbryant@gardner-webb.edu

Title IX Deputy Coordinator—for complaints related to athletics

Ms. Pam Scruggs, Associate Athletics Director and Senior Women’s Administrators
Lutz-Yelton Convocation Center
Ext. 4341
pscruggs@gardner-webb.edu

Title IX Deputy Coordinator—for complaints against non-faculty employees

Ms. Frances Sizemore, Associate Director of Human Resources
Webb Hall
Ext. 3502
swhite@gardner-webb.edu

Title IX Deputy Coordinator—for complaints related to students

Ms. Sarah Currie, Dean of Students
Tucker Student Center
Ext, 2385
scurrie@gardner-webb.edu

Title IX Deputy Coordinator—off-campus and distance learning students

Dr. Bobbi Cox, Associate Provost for Adult and Distance Education
Washburn Hall
Ext. 4627
b.cox@gardner-webb.edu
University Resources

SART (Sexual Assault Response Team)
   Please contact University Police at 704-406-4444 who will contact a 24/7 counselor on call

Campus Counseling Center
   Cindy Wallace, 704-406-4103 cwallace@gardner-webb.edu

University Police
   Chief Barry Johnson, 704-406-4440 bjohnson@gardner-webb.edu

Vice President for Student Development
   Dr. Dee Hunt, 704-406-4373 dhunt@gardner-webb.edu

Dean of Students
   Sarah Currie, 704-406-2081 scurrie@gardner-webb.edu

Residence Education
   John Johnson, 704-406-4303 jrjohnson@gardner-webb.edu

Cleveland County Resources

Cleveland County Abuse Prevention Council
   24-hour crisis line 704-481-0043

Boiling Springs, NC Police Department
   http://www.boilingspringsnc.net
   704-434-9691

Shelby, NC Police Department
   Non-emergency 704-484-6845
   Emergency 9-1-1

Cleveland County Sheriff’s Office
   http://www.clevelandcounty.com/sheriffs_office
   704-484-4888

Cleveland County District Attorney’s Office—Victims’ Rights
   http://www.ncdistrictattorney.org/27B/victims_rights.htm
   704-476-7810

State and National Resources

North Carolina Sexual Assault Response Team
   http://www.nccasa.org

North Carolina Department of Public Safety
   https://www.ncdps.gov
SAVAN- Statewide Automated Victim Assistance and Notification. SAVAN is a free, anonymous, computer-based telephone program that provides victims of crime with two important services: information and notification. The SAVAN program is designed to provide you with a quick easy access to offender information and to alert you when an offender’s custody status changes.

www.ncsavvan.org

National Sexual Assault Hotline
1-800-656-HOPE (4673)

National Domestic Violence Hotline
1-800-799-7233

Educational Programming

GWUPD sponsors programs throughout the academic year on topics related to crime and safety awareness for the entire campus community.

Educational programs offered include, but are not limited to:

- New Student Orientation
- Resident Life Staff Training
- No-Texting while driving campaign
- Alcohol and Drug Awareness
- DWI Awareness & Prevention Workshops
- Student Athletes Training
- Disaster Drill Planning
- Safety Committee
- Fire Safety/ Fire Extinguisher Training
- Operation ID/ Engraving of valuables
- Bicycle Registration
- University 111 classes
- Self-Awareness & Safety Workshops
- National Safe Campus Awareness Month (September, 2015)

Evacuation Procedures

Evacuation of the University will generally fall into two categories:

- Limited evacuation of a building or designated area
- General evacuation of the entire campus (see the campus evacuation plan)

In general, you should plan ahead for possible evacuations. Know every evacuation routes from your office or classroom and the campus.

33
Buildings

• If the fire alarm is activated, leave the building immediately. Do not assume is a false alarm
• Do not return for personal items
• Do not go into the restroom
• Do not use the elevators
• Direct visitors or anyone needing assistance to stairwells and exit
• When you are outside, check in with your supervisor, department personnel, or instructor so everyone can be accounted for
• Make sure you have your GWU and personal identification with you

Campus evacuation

If the entire campus is evacuated:

• Faculty and staff should proceed to a safe destination unless told otherwise
• Students who can provide their own transportation should leave the campus and return home or to another safe destination unless told to do otherwise
• Students who cannot provide their own transportation should report to Lutz-Yelton Convocation Center where transportation will be provided to shuttle students to a safe area. This staging area may change due to the circumstances of the emergency. Students will be informed of such a change by e-mail, text message, and campus telephones.
• Notification of a campus wide evacuation will be done through Bulldog Alert

MONITORING CRIMES AT OFF CAMPUS LOCATIONS

The Boiling Springs Police Department provides police services to the immediate areas surrounding the main campus in Boiling Springs. University Police will respond and assist the BSPD at their request. Statistics regarding any reported crime in these areas are provided by the BSDP and are included in the Non-Campus Building column of the “Crime Statistics”.

Voluntary Confidential Reporting:

If you are the victim of a crime and do not wish to pursue action within the University system or the criminal justice system, you still may want to consider making a confidential report. With your permission a report will be filled without revealing your identity. The purpose of this report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. Reports filled in this manner are counted and disclosed in the annual crime report.
Limited Voluntary Confidential Reporting:

The Gardner-Webb University Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Police reports are public record and cannot be held in confidence. Confidential reports of crime can also be made by calling University Police @4444.

Encouragement of Accurate and Prompt Crime Reporting:

The Gardner-Webb community is encouraged to report all crimes and safety related incidents to the GWUPD in a timely manner. Information on reporting criminal activity will be encouraged thru means of e-mail and educational programs held throughout the academic year. Web-net and educational flyers will also be used. Student’s faculty and staff are encouraged to call 911 in the event of a criminal/medical emergency and utilize 4444 for non-emergencies. The University Police department will investigate all reports of criminal activity and determine with the assistance of the district attorney’s office if criminal charges are in order.

Crime Prevention Program:

It shall be the Policy of the University Police Department to conduct various crime prevention programs

Residence Hall Meetings

University 111 class meetings

Faculty staff meetings

Programs will cover a wide variety of criminal/medical/safety topics. Self-defense class will also be offered to students, faculty, and staff.

Missing Student Policy

In compliance with the Missing Student Procedures 20 USC 1092 (j) Section 488 of the Higher Education Opportunity Act of 2008, it is the policy of Gardner-Webb University to investigate any report of a missing student who resides on campus at the University. Gardner-Webb University takes student safety very seriously. To this end, the following policy and procedure has been established to assist in locating Gardner-Webb students living in University owned on-campus housing who, based on facts and circumstances known to Gardner-Webb, the University has determined to be missing.

Student Emergency Contact Form

• At the beginning of each academic year, Gardner-Webb will inform students residing on-campus housing that the University will notify either a parent or an individual selected by the student not later than 24 hours after the time the student is determined to be missing. This information will include the following:
  
• Students have the option of identifying an individual to be contacted by Gardner-Webb personnel not later than 24 hours after the time the student has been
determined to be missing. Students can register this confidential contact information through the Housing and Residence Education Office.

- If the student is under 18 years of age, and not an emancipated individual, Gardner-Webb is required to notify a custodial parent or guardian not later than 24 hours after the time that the student is determined to be missing.
- Gardner-Webb will notify the appropriate law enforcement agency not later than 24 hours after the time that the student is determined to be missing.
- If Gardner-Webb University Police or law enforcement personnel has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to campus, Gardner-Webb will initiate the emergency contact procedures in accordance with the student’s designation.

- The University will follow the following notification procedure for a missing student who resides in on-campus housing:

  - Once the University receives a missing student report via the Dean’s Office, University Police, Housing Office or other source, the following offices will be notified:
    - University Police
    - Undergraduate/Graduate Dean’s Office
    - Housing and Residence Education Office
  - Any official missing person report relating to this student shall be referred immediately to university Police.
  - If University Security, after investigating the official report, determines the student has been missing more than 24 hours, Gardner-Webb will contact the individual identified by the student, the custodial parent or legal guardian of the student is under 18 and not emancipated or local law enforcement if these do not apply.

Upon notification from any entity that any student may be missing, Gardner-Webb may use any of the following resources to assist in locating the student. These resources may be used in any order and combination.

- Through the Housing and Residence Education Office, the Resident Assistant may be asked to assist in physically locating the student by keying into the student’s assigned room and talking with known associates.
- University Police may search on campus public locations to find the student (library, cafeteria, etc.).
- University Police may issue an ID picture to assist in identifying the missing student.
- The Dean’s Office may try to contact known friends, family, or faculty members for last sighting or additional contact information.
• Student Development or academic departments may be contacted to seek information on last sighting or other contact information.
• University Police may access card access logs to determine last use of the card and track the card for future uses.
• University Police may access vehicle registration information for vehicle location and distribution to authorities.
• IT may be asked to look up email logs for last login and use of Gardner-Webb email system.
• If there is any indication of foul play, the local police department will immediately be contacted for assistance.

The Campus Crisis Communication Plan includes, but is not limited to, the following:

• Emergency computer message pop-up
• University email
• Campus-wide emergency call boxes
• Code blue Emergency Outdoor Poles
• Emergency text message
• Outdoor warning system (OWS)
• Residence Hall Staff
• University homepage
• University Police website
• University Radio Station WGWG (wgwg.org)
• WebNet TV
• Webb-Safe (Facebook site)

The information shared above is intentionally non-specific and very general. A limited number of University officials on a need-to-know basis have the fullest knowledge of specific details. The primary purpose of this information is basically to assure students, parents, faculty and staff that the University takes safety seriously and is reviewing our Emergency Response and Crisis Communication Plan of a regular basis. While an individual’s overall safety cannot be guaranteed, the University is making every effort to maximize its ability to minimize loss of life and property. Personal safety is shared responsibility. There is a sense in which safety is the responsibility of every member of this academic community. For additional information, you may visit the University Police Website.

Gardner-Webb Notification System

GWU ALERT is Gardner-Webb University’s emergency notification system. If there is a condition which threatens the health and safety of persons on campus, university officials will warn the campus community using one or more of the following methods:
Primary:

1. [www.gardner-webb.edu](http://www.gardner-webb.edu) Home Page
2. Alerts.gwu.edu Alerts Page
3. Outdoor Sirens
5. Text message
6. E-mail
7. Blue-Light Safety Phones
8. Campus Watch Hotline 704-406-3647
9. 88.3 WGWG.org
10. Reverse-Dialing (Global Connect)

Secondary

1. Webb-Net-Information Channel
2. Television
3. Radio WGWG 88.3.org
4. Vehicle Public Address Speakers

**Gardner-Webb University Home Page:**
During an emergency at Gardner-Webb University, the main university web site [www.gardner-webb.edu](http://www.gardner-webb.edu), will include prominent links to the Alerts Page.

- Red GWU ALERT box
- Complete override of the Front Page. Alerts.gardner-webb.edu

**Alert Page:** Everything points here. This is the official source for the most up to date emergency information and announcements. As soon as possible emergency and administration officials will post details regarding the emergency, protective action recommendations, and official announcements regarding cancellations, closures, etc. This page is available 24/7/365 with the latest information about any potential threats, and links to preparedness information.

**Outdoor Warning Sirens:** GWU has an outdoor warning siren that covers the Main Campus in Boiling Springs.

**Text Message:** By registering your cell phone number with the university you will receive emergency text messages alerting you to a current or imminent threat. GWU encourages you to select a unique ringtone on your cell phone for emergency text messages.

- GWU Students, Faculty and Staff opt in thru **Webb Connect**

**E-mail:** GWU can alert students, faculty, and staff of emergency conditions by sending an e-mail to your official gardner-webb.edu e-mail address. 704-406-3647 Campus Watch Hotline: Official emergency information may also be accessed by calling (704) 406-3647. Please keep in mind that this recording may take several minutes to update.
**Global-Connect:** Commonly referred to as "Reverse-911," the University has the capability to call telephones with a recorded message. Computer Network Pop-Up Windows (Bradford box): Technology Enhanced Classrooms and student computer labs and a large majority of computers on campus can be targeted with emergency information pop-up windows on the screens of computers. This feature will soon expand to include all computers on campus as well.

**Variable Message Boards:** These are the boards you are used to seeing along the roadside, which alert you to construction ahead. GWU has access to these boards which can be deployed toward campus entrances to notify inbound drivers of any emergency conditions, such as road closures, which may exist.

**Electronic Card-swipe Door Access:** The doors on campus which are electronically controlled with the university's access control system can be locked or unlocked with a push of the button by university officials when deemed necessary. For example, during a Tornado Warning, exterior building doors may be automatically unlocked to allow people to seek shelter inside. Likewise, these doors can be simultaneously locked.

**Television:** Depending on the nature and severity of the emergency, local television news stations may carry live breaking news or periodic updates regarding an emergency on campus. Their websites may also carry live streaming video, video clips, or text updates.

**Radio:** Depending on the nature and severity of the emergency, local radio news stations may carry live breaking news or periodic updates regarding an emergency on campus. Their websites may also carry live streaming audio, audio clips, or text updates.

- 88.3 WGWG.org

**Vehicle Public Address Systems:** In cases where an isolated or targeted message may be required, university vehicles equipped with public address speakers (i.e. GWU Police) may be utilized.

**Network Login Pages:** Two Web sites that most every student, faculty, or staff members visit on a regular basis are Blackboard. Emergency information may be posted on the login screens for these Web Sites.

**Media Release / Press Conference:** As soon as practical, University Officials will brief the media on any emergency situation. While your favorite local news sources are important, official university notification methods such as the Web Site should be your primary source.

**Counselors Professional /Pastoral:**

Campus Pastoral and Professional counselors when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.
Pastoral Counselor: An employee of an institution who is associated with a religious denomination, recognized by that religious denomination as someone who provides confidential counseling.

Professional Counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the community within the scope of his or her license or certification.

POLICY ON HATE CRIMES

Hate crimes are those crimes that manifest evidence that the victim was selected because of the perpetrator’s bias. Hate crimes can be reported for the following subcategories: race, religion, gender, sexual orientation, ethnicity/National origin, or disability. Weapons: the carrying of concealed handgun or weapon on (Educational property) University property is prohibited pursuant to NCGS 14-415.23 and NCGS 14-415.11.
Gardner-Webb University Annual Campus Crime Report

(Jeanne Clery Disclosure of Campus Security Policy and
Campus Crime Statistics Act)

Boiling Springs, NC Campus

<table>
<thead>
<tr>
<th>Crime Category</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offense (Forcible)</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offense (Non-Forcible)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Robbery</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Burglary</td>
<td>18</td>
<td>5</td>
<td>14</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug/Narcotic Violations</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Alcohol Violations</td>
<td>0</td>
<td>21</td>
<td>57</td>
</tr>
<tr>
<td>Weapons Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hate Crimes</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Race</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Gender</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Religion</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ethnicity/National Origin</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disability</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Simple Assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Intimidation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>*University Damages/Vandalism</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

*Not currently required to be reported by federal regulations. Property adjacent to Boiling Springs, NC campus crime statistics have been collaborated with the Boiling Springs, NC Police Department.
<table>
<thead>
<tr>
<th>Crime Category</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offense (Forcible)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Charlotte, NC Campus
*Not currently required to be reported by federal regulations. Property adjacent to Charlotte, NC facility crime statistics have been collaborated with the Charlotte Mecklenburg Police Department.

**Gardner-Webb University Annual Campus Crime Report**


*Statesville, NC Campus*

<table>
<thead>
<tr>
<th>Crime Category</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offense (Forcible)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offense (Non-Forcible)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Crime</td>
<td>Count</td>
<td>Count</td>
<td>Count</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug/Narcotic Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Alcohol Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Weapons Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hate Crimes</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Race</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Gender</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Religion</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ethnicity/National Origin</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disability</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Simple Assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Intimidation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>*University Damages/Vandalism</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*Not currently required to be reported by federal regulations. Property adjacent to Statesville, NC facility crime statistics have been collaborated with the Statesville Police Department.