

**MARS HILL
COLLEGE
CAMPUS SECURITY
2011-2012
ANNUAL SECURITY
AND FIRE REPORT**

*Dedicated to Serving
Our College Community*

All emergency and routine calls

should be directed to:

689-1230

Mars Hill College is concerned about the safety and security of all members of the College community and is committed to providing a safe environment in which all members can achieve their goals. Mars Hill College is not immune from all crime, but due to our rural physical location adjacent to the town of Mars Hill, and because of the attitude of community shared between the College and the town, we do not experience a significant amount of crime.

Mars Hill College has developed a series of safety and security policies that have been implemented to ensure that every possible precaution is being taken in protection of our College community. Although we have been very fortunate in not experiencing any major crimes on Campus, it would not be accurate to state that we have no crime on Campus. As the crime statistics in this report reveal, most of our crimes consist of petty larcenies where a student did not lock his or her dormitory room and an earring or a watch, etc. was taken. The majority of crimes occurring on this Campus could be prevented if the student population followed the security measures posted in each residence hall that reminds them to lock their doors whenever they leave the room.

In an effort to prevent such incidents, a full staff of residential living personnel is located in each residence hall to oversee the behavior of the residents and to inspect the condition of the fire safety equipment, exit lighting and to report any safety hazard. Residential living staff personnel also conduct mandatory floor meetings with the residents that cover crime prevention practices and define what type of behavior is expected. They also monitor access to the buildings through the enforcement of the visitation policy.

CAMPUS SECURITY

Mars Hill College has its own Campus security department under the direction of a Director of Safety and Security, with a staff of three full-time security officers. The Campus Security Department is located on the top floor of the Wren College Union. The Department is open 24 hours a day, 7 days a week, 365 days per year to provide security to our College community. The Department's primary goal is to strive toward providing a safe and secure environment for the College community to accomplish its mission.

The Department has cellular phone capabilities and a mobile phone/radio system that will allow a person to talk directly with the

officer on duty, which enables the officer to respond quickly to incidents reported. Our radios are equipped with a scanning function that will allow the officer to monitor other emergency radio traffic in the area. This also allows our Department to be in constant direct contact with emergency medical services, local fire department personnel and law enforcement agencies. The college security department has a memorandum of understanding with the Mars Hill Police Department that outlines the agreed upon mutual services each department can provide for each other ,and how both parties will cooperate on criminal offenses and missing students reports as required by law.

Emergency telephones are located in strategic areas of the Campus so that Campus Security can be reached quickly. A Campus map designating these locations is available at the Campus Security Office.

Safety and Security is everyone's responsibility and must be viewed as a joint effort for our programs to be successful!

CRIME STATISTICS

As can be seen from the figures, Mars Hill College is a very safe Campus. There are, however, incidents that do occur on this Campus. If they are considered a threat to our community, we will report on it through our College e-mail system, Our Contact Now emergency notification system, and through the posting of orange Security Alert Bulletins in strategic areas of the Campus. **Mars Hill College does not recognize any off-Campus groups or own student housing off the main Campus.**

Mars Hill College Campus Security – Crime Statistics

Criminal Offenses - On-campus *****

Criminal Offense	Total Occurrences on Campus		
	2010	2009	2008
A. Murder/Non-negligent manslaughter	0	0	0
B. Negligent manslaughter	0	0	0
C. Forcible sex offenses (including forcible rape)	1****	3	1
D. Nonforcible sex offenses	0	0	1
E. Robbery	1	0	0
F. Aggravated assault	2	0	1
G. Burglary	20**	6**	7**
H. Motor vehicle theft	1	0	0
I. Arson	0	0	0

Criminal Offenses - On-campus Residence

Criminal Offense	Total Occurrences in Residence Halls		
	2010	2009	2008
A. Murder/Non-negligent manslaughter	0	0	0
B. Negligent manslaughter	0	0	0
C. Forcible sex offenses (including forcible rape)	1****	2(1*****)	0
D. Nonforcible sex offenses	0	0	0
E. Robbery	1	0	0
F. Aggravated assault	2	0	1
G. Burglary	20**	6**	7**
H. Motor vehicle theft	1	0	0
I. Arson	0	0	0

Criminal Offenses - Non-campus (Public Property)

Criminal Offense	Total Occurrences off Campus		
	2010	2009	2008
A. Murder/Non-negligent manslaughter	0	0	0
B. Negligent manslaughter	0	0	0
C. Forcible sex offenses (including forcible rape)	0	0	1
D. Nonforcible sex offenses	0	0	1
E. Robbery	0	0	0
F. Aggravated assault	0	0	0
G. Burglary	0	0	0
H. Motor vehicle theft	0	0	0
I. Arson	0	0	0

Hate Crimes - On-campus, In Residence Halls, Non-Campus, and Public Property

Criminal Offense	Total Occurrences		
	2010	2009	2008
A. Murder/Non-negligent manslaughter	0	0	0
B. Negligent manslaughter	0	0	0
C. Forcible sex offenses (including forcible rape)	0	0	0
D. Nonforcible sex offenses	0	0	0
E. Robbery	0	0	0
F. Aggravated assault	0	0	0
G. Simple Assault	0	0	0
H. Intimidation	0	0	0
I. Burglary	0	0	0
J. Motor vehicle theft	0	0	0
K. Larceny - theft	0	0	0
L. Arson	0	0	0
M. Destruction – Damage – Vandalism of Property	0	1AA	0

Arrests - On-campus ***

	Number of Arrests on Campus		
	2010	2009	2008
A. Illegal weapons possessions	2	1***	0
B. Drug Law violations	5	6	9
C. Liquor law violations	0	10	5

Arrests - On-campus Residence Halls

	Number of Arrests in Residence Halls		
	2010	2009	2008
A. Illegal weapons possessions	2	1***	0
B. Drug Law violations	5	6	9
C. Liquor law violations	0	10	5

Arrests - Non-campus (Public Property)

	Number of Arrests Non-campus		
	2010	2009	2008
A. Illegal weapons possessions	0	0	0
B. Drug Law violations	2	0	0
C. Liquor law violations	0	0	0

Disciplinary Actions/Judicial Referrals - On Campus ***

	Number of Disciplinary Actions/Judicial Referrals		
	2010	2009	2008
A. Illegal weapons possessions	5*	0	0
B. Drug Law violations	5	8	5
C. Liquor law violations	54	59	45

Disciplinary Actions/Judicial Referrals - On-campus Residence Halls

	Number of Disciplinary Actions/Judicial Referrals		
	2010	2009	2008
A. Illegal weapons possessions	5*	0	0
B. Drug Law violations	5	8	5
C. Liquor law violations	54	59	45

Disciplinary Actions/Judicial Referrals - Non-campus (Public Property)

	Number of Disciplinary Actions/Judicial Referrals		
	2010	2009	2008
A. Illegal weapons possessions	0	0	0
B. Drug Law violations	2	6	9
C. Liquor law	0	0	0

Fires - On-Campus Student Housing Facilities

Name of Facility	Number of Disciplinary Actions/Judicial Referrals		
	2010	2009	2008
Bailey Mountain Hall	0	0	0
Brown	0	0	0
Edna Moore	0	0	0
Fox	0	0	0
Gibson	0	0	0
Huffman	0	0	0
Myers	0	0	0
Stroup	0	0	0
Turner	0	0	0
Dixon-Palmer Apartments- Unit A	0	0	0
Dixon-Palmer Apartments- Unit B	0	0	0
Dixon-Palmer Apartments- Unit C	0	0	0
Jarvis	0	0	0

AA: Larceny-theft: 0; simple assault 0; intimidation: 0; destruction-damage – vandalism of property: 1(5-3-2009) A partial swastika was placed on a residents’ door ; no referral or arrests were made due to the lack of a suspect.

*(1) knife, (3) air soft guns, (1) blow gun.

**Burglary is defined by this report to cover an unauthorized entry into a residence hall room with the intent to take something of value. A majority of these incidents are where a student did not lock their dorm room, and someone entered the room and took an item of value.

***Weapons offense 3-2-2009; Asheville residents entered a room in Dixon Palmer apartments with a gun to settle a debt. The gun was discharged and the most serious charge was assault with a deadly weapon. All participants were subsequently arrested and prosecuted.

****The two forcible rapes were alleged to have occurred in campus residence halls. Both cases were referred to law enforcement and either the student or the law enforcement agency did not file charges. The students would not file a campus charge against the alleged assailants.

****Forcible fondling (oral sex) was alleged to have occurred in a residence hall during summer school. The student reported the crime and took out a sexual battery warrant in 2010.

***** This category includes all on-campus incidents, including those listed in the category below, "On-campus residence halls." Therefore, the two categories are not cumulative, but duplicative.

Any crime that is suspected to be a hate crime as defined by the FBI UCR is reported as such (to include larceny-theft; simple assault; intimidation; destruction-damage – vandalism of property).

Referrals: These are from incidents referred to our Campus judicial system and are required in this report. The definitions used for the above crimes are taken from the FBI Uniform Crime Report. A copy is on file in the Campus Security Office.

RES = Residential
PP = Public Property
TOTAL = Total Campus

POLICIES

ALCOHOL AND DRUG POLICIES

Mars Hill College is committed to providing an appropriate environment for the intellectual, spiritual, and personal growth of its students. The administration believes that illegal drugs – among any segment of the College population – conflict seriously with this institutional goal; therefore, the College strives to maintain a drug-free Campus and workplace environment as mandated by the provisions of the Drug-Free Workplace Act of 1988.

Alcohol and illegal drugs are **NOT** allowed on Campus. The complete policies on these and all offenses, to include sexual assault as found below are also covered in the Student Handbook

(<http://www.mhc.edu/uploads/File/security/annual-security-report-2011-12.pdf>).

- *The selling, transfer, possession, use or collection of alcoholic beverages or containers on the Mars Hill College Campus or at College sponsored events is prohibited. This includes off-Campus parties sponsored by Campus organizations. The student and/or sponsoring organization is subject to disciplinary action.*
- *Drugs and/or narcotics are not permitted on the Campus. The illegal manufacture, sale, transfer, possession and/or use of narcotics, marijuana, or other hallucinogens, amphetamines, barbiturates, steroids, or similar drugs is a violation of College policy. Any type of synthetic drug(s) i.e. K2, as defined and banned by the federal government or the state of N.C. is also a violation of this policy, and will be dealt with as a controlled substance. The possession of drug paraphernalia of any kind is prohibited. After due process, a student found responsible of possessing, or using such substances may be suspended for no less than the remainder of the current semester.*

The selling, manufacturing, or transfer of illegal drugs as indicated above is considered a more serious violation. After due process, a student found guilty of the selling, manufacturing, or transfer of illegal drugs shall be suspended for no less than one year and may be expelled. In the event that staff members (or any member of the College community) suspect that illegal drugs are being used or stored in the residence halls or apartments, Campus Security can be summoned. It is the responsibility of Campus Security to question the occupants of the

room and determine through approved policy if illegal drugs are present. Criminal charges may be filed against all occupants of a room where illegal drugs are found.

The use and/or possession and/or provision of a place for the use of illegal/controlled drugs is governed by local, state and federal laws and is strictly prohibited. All cases or evidence of use, possession, cultivation, distribution, or sale of drugs will be referred to the appropriate law enforcement agencies as well as being subject to College and Housing disciplinary policy.

DRUG/ALCOHOL TREATMENT

Mars Hill College has a multi-faceted approach to substance abuse. The first level involves referral for personal counseling coupled with alcohol and substance abuse education offered on Campus by the Director of Counseling.

In addition to the on-Campus educational programming, the institution works with New Vistas and Mission/St. Joseph's Hospital (Copestone). The College's health insurance plan also provides substance abuse services.

The College also schedules alcohol and substance abuse programs that are attended on a voluntary basis. The programs are scheduled through the semester and are organized by the Office of Student Life Counseling Center. Additional substance abuse education may be provided for the Campus population through health fairs sponsored by the College infirmary (Wellness Center).

LOCAL, STATE, and FEDERAL LAW - ALCOHOL

1. The North Carolina Alcoholic Beverage Control Laws make it unlawful for any person less than twenty-one (21) years of age to purchase, possess, or consume; or for anyone to aid or abet such a person in purchasing, possessing, and consuming any alcoholic beverage. (G.S. 18A-8)

2. Any person who is over the lawful age to purchase and who aids or abets another in purchasing or possession shall be guilty of a misdemeanor punishable by a fine of up to \$2000 or imprisonment for not more than two years, or both.

3. It shall be unlawful for any person to obtain alcoholic beverages when under the lawful age by using or attempting to use a fraudulent or altered driver's license or any other type of false identification.

4. It shall be unlawful for any person to permit the use of his or her license or any other identification document by any person who purchases or attempts to purchase alcoholic beverages while under the lawful age.

5. A driver may not consume any alcoholic beverage while driving. No person may transport in the passenger area any alcoholic beverage in any container other than the manufacturer's unopened original container.

LOCAL, STATE, and FEDERAL LAW – USE OF and TRAFFICKING IN ILLEGAL DRUGS

North Carolina Controlled Substances Act (G.S. §90-95) deals with the use and trafficking in illegal drugs by Schedule from I to VI.

(a) Except as authorized by this Article, it is unlawful for any person:

(1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver a controlled substance;

(2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance;

(3) To possess a controlled substance.

(b) With certain exceptions, any person who violates G.S. §90-95 with respect to:

(1) A controlled substance classified as Schedule I or II shall be punished as a Class H felon.

(2) A controlled substance classified as Schedule III, IV, V, or VI shall be punished as a Class I felon, but the transfer of less than 5 grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. §90-95 (a)(1). Cases involving controlled substances will be reported to the Mars Hill Police Department.

HEALTH RISKS

The abuse of alcohol causes symptoms ranging from decreased inhibitions, lack of muscle coordination, and slowing of reaction time to chronic disorders, such as cirrhosis, anorexia, mental deterioration with memory loss, tremors, uncontrollable fears progressing to hallucination, convulsions, and sometimes death.

Marijuana inhibits short-term memory, slows reaction time, and irritates the throat and lungs. It has twice the amount of “tar” as cigarette smoke. Frequent use has been linked to lung cancer, bronchitis, and emphysema. It has also been linked to low sperm count and irregular menses. Heavy use can also depress the immune system.

Cocaine can cause depression, intense anxiety, confusion, uncontrolled tremors, weight loss, and seizures. It also can cause destruction of the membranes and cartilages in the nasal cavity. It can lead to cardiac irregularities, heart attacks, and cardiac arrest. Other secondary problems associated with the use of cocaine are hepatitis, meningitis, and AIDS. These are usually caused by using contaminated needles to inject cocaine.

LSD and PCP are hallucinogens that can cause hyper excitability, hypertension, emotional instability, prolonged psychotic states, personality disorders, increased homicidal and suicidal risks and death.

Narcotics (i.e. morphine, Demerol, and Methadone) cause addiction in a very short time. These drugs depress the central nervous system. They can cause coma, convulsions, and death. Barbiturates and tranquilizers are also depressants and can cause similar problems. The combination of these drugs with alcohol can potentiate their effect and can often cause death.

Stimulants (i.e. amphetamines) can cause addiction, nervousness, exhaustion, depression, confusion, personality changes, convulsions, coma, and death.

Inhalants (i.e. glue, aerosols, and gasoline) can result in sudden death by doing damage to the brain and central nervous system. Prior to this, there may be nausea, vomiting, asphyxiation, and comatose state.

SEXUAL MISCONDUCT POLICY

Mars Hill College is dedicated to maintaining an environment wherein academic freedom flourishes and in which the rights of each member of the College community are respected. Mars Hill College recognizes and upholds the inherent dignity and value of every person, and each individual's inalienable right to personal sovereignty. As a recipient of federal funds, Mars Hill College is required to comply with title IX of the Higher Education Amendments of 1972, 20 U.S.C., 1681 that prohibits discrimination on the basis of gender (sex) in all educational activities or programs. Mars Hill College has appointed, Robin Cole, Assistant Dean of Students as the title IX coordinator for this policy. She may be contacted by phone 828 689-1408 or email, rcole@mhc.edu. *Both the accused student and the student victim will be notified of the outcome of any judicial hearing on campus. Acts of sexual misconduct can jeopardize the health and welfare of members of the College community.* In an effort to address such threats to the quality of Campus life, Mars Hill College adopts this policy:

The College will take seriously every report of sexual misconduct it receives, and if desired by the complainant, will conduct a careful and fair investigation and hearing. The College will work to ensure that complainants are given appropriate support and accused students treated fairly. All forms of sexual misconduct included in this Policy are also violations of North Carolina State Law. The College always encourages any student that reports an incident of sexual misconduct to also report the incident to Campus Security and law enforcement and pursue prosecution, and seek a timely medical exam to address any health issues and collect forensic evidence. In keeping with the Christian tradition of Mars Hill College, the existence of this Policy does not condone or encourage sexual activity of any kind among its students.

STATEWIDE SEX OFFENDER REGISTRY

The North Carolina Sex Offender Registry can be accessed online at the following address: <http://sbi.jus.state.nc.us/DOJHAHT/SOR>. The information in the registry is public information. If you have any questions about the registry, please feel free to contact Campus Security at 689-1230.

REPORTING SEXUAL MISCONDUCT for COLLEGE DISCIPLINARY ACTION

The Judicial Coordinator/Head of Security (689-1388) in the Student Life Office receives complaints of possible violations of this Policy. A student may report an incident of sexual misconduct anonymously (student does not identify themselves), confidentially (student identifies themselves but their identity is not shared with anyone else), or as a third party (student was not a victim in the incident but has knowledge that the incident occurred). Any and all such complaints will be filed and reported statistically as required by federal law (Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act). The College may be able to take other actions as well as to intercede.

However, in order for a complaint to be investigated and adjudicated through the College's disciplinary process, complainants must agree to be identified to the alleged perpetrator. Complainants should submit a written statement regarding the alleged incident. Complainants may meet with Judicial Affairs Staff before submitting a written statement. **Both the accused student and the student victim will be notified of the outcome of any judicial hearing on campus that deals with violence and or sexual assault. Both the suspect and victim/survivor are entitled to be represented/(attend with them) in the on campus student judicial hearing by another currently enrolled full time Mars Hill College student or the chief of defense as explained in the student handbook under student rights .A student found responsible for a sexual assault can be suspended. Mediation will not be used to adjudicate Sexual assault and sexual harassment cases.**

Mars Hill College recognizes incidents of sexual misconduct as not only violations of College policy but also as illegal and criminal acts. As such, the College will support and encourage a student to report any incident of a sexual violation to law enforcement, which does not preclude College disciplinary action.

However, the College will *not* automatically file charges with local law enforcement if it is made aware of an incident of a sexual violation *unless specifically requested by the reporting student*. The incident itself must be reported statistically and anonymously in the College's Annual Security Report, pursuant to federal Clery Act regulations. As well, the incident must be reported statistically to local law enforcement, but the decision to identify the complainant or have the case investigated remains with the complainant. ***Reporting the incident to law enforcement (Mars Hill Police Department, 689-2301, or 9-911 from the residential facilities) does NOT mean the complainant has to file charges and agree to prosecute the case.***

INVESTIGATION AND HEARING PROCEDURES

If a sexual misconduct complaint is filed, the Director of Campus Security or other designated judicial officer will conduct an initial investigation within five business days, which may involve meeting with the complainant to hear or clarify his/her account of the incident and review the student judicial/disciplinary process. Report of these findings will be turned over to the Dean of Student Life. The Dean of Student Life will decide if there is sufficient merit to the allegations of sexual misconduct. A determination will be made on whether to proceed with a hearing based on sufficient information to believe that a policy violation may have occurred. If sufficient merit exists, a hearing panel will be convened. **Hearings of an extremely severe or sensitive nature (as determined by the Dean of Students) may be held by a three (3) member board composed by the Dean of Students (from members approved to serve on the appeals board), and may be appealed to the Appeals Board.** Concurrently, a formal investigation will be launched, which includes an initial meeting with the accused and an opportunity for the accused to submit a written statement (generally within five business days) in response to the allegations. After written statements are received, the judicial officer or designee may ask further clarifying questions of the complainant, accused, or witnesses. During the investigation and until resolution of the matter, interim restrictions may be issued as deemed appropriate by the Dean of Students or judicial officer or designee, including restrictions on contact between the complainant and the accused, exclusion from areas of campus, removal or relocation from residential areas, etc.

Hearing Procedures. Every effort will be made to convene a hearing panel within four weeks of the formal complaint. **Both the suspect and victim/survivor are entitled to be represented/(attend with them) the on campus student judicial hearing(s) by another**

currently enrolled Mars Hill College student or the chief of defense as explained in the student handbook under student rights .A student found responsible for a sexual assault can be suspended.

NOTICE OF VIOLATION

The Dean of Students or Director of Student Conduct shall give written notice to the student of the complaint against him/her. Such a notice shall contain the particulars with respect to the facts constituting the alleged offense and the time and place of the hearing. Refusing to acknowledge the notice or otherwise ignoring official notice (i.e. not checking campus mail, avoiding attempted contact efforts by college officials, etc) will result in the judicial hearing being held in the student's absence. Sanctions shall be passed accordingly during this session (both for the original charge(s) and for failing to appear before a judicial body when required to do so). All students are required to appear at their scheduled hearings, unless an exception is made with the Director of Student Conduct in ADVANCE of the judicial session. Such exceptions are not to be expected or assumed, and shall be made on a case by case basis. It is the student's responsibility to contact the Director of Student Conduct to discuss any special considerations.

All determinations shall be by a simple majority vote. A failure to vote shall be registered as a negative vote.

RULES OF EVIDENCE

Rules of evidence shall be informal, and the hearing bodies shall have broad discretion with respect to the admissibility of testimony and documents. The standard of proof is that a conclusion of responsibility shall be sustained **by the preponderance of the evidence.**

PENALTIES

Any one or more of the following penalties may be given:

A. Warning: A sanction of warning is recorded on the disciplinary record of the student. Only ONE warning will be given for a specific provision violation.

B. Censure: A sanction of censure is recorded on your disciplinary record. ANY additional violations of the Student Code of Conduct shall, at a minimum, subject a student to a term of disciplinary probation.

C. Disciplinary Probation: Disciplinary probation permits continuation of the relationship between the student and the college, however, a further violation of the Code of Student Conduct will subject the student to suspension. Students placed on disciplinary

probation may lose the privilege to represent the college in any way (sports teams, student organizations, music/theatre groups, band, choir, cloggers, etc.) All students placed on disciplinary probation must submit an appeal to the appeals board concerning representation of the college.

D. Creative Discipline: Procedures designed in consultation with the student in an effort to fit the discipline to the individual and the circumstances surrounding the particular case. This sanction may be used in conjunction with other penalties.

E. Restitution: Compensation for damages to persons or property caused by the student's actions, which is to be paid to the appropriate person or institution.

F. Fine: A student may be fined any amount deemed appropriate by the sanctioning body. All violations above a written warning shall carry a minimum fine of \$45.00.

G. Cancellation of housing contract.

H. Suspension: A sanction of suspension is recorded on a student's disciplinary record. Students who are suspended from the college have two days following the day of their hearing to vacate the college campus. If this sanction is appealed and denied, students have two days to vacate the campus following the denial of the appeal, unless otherwise notified. After the determined suspension time period has passed, the student may apply to the college for re-admission. The Dean of Students must confirm this readmission.

I. Expulsion: Mandatory and permanent separation of the student from the College. This penalty may be recommended by the appropriate hearing body, but can be imposed only by the President. A student who is re-admitted after being suspended for disciplinary reasons, and is held responsible of a subsequent violation of the Code of Student Conduct, which would ordinarily result in suspension, should expect to be expelled. These principles will be followed from the Student Code of Conduct (Guide to Judicial Procedures in the Student

Handbook. (<http://www.mhc.edu/uploads/File/security/annual-security-report-2011-12.pdf>) with the exception of the following:

Special Hearing Procedures for Sexual Assault and Sexual Misconduct Cases:

In recognition of the particularly difficult and sensitive nature of these types of cases, the hearing panel for these cases will be different than for other student judicial hearings. Specifically, the panel will be comprised of three members: **Hearings of an extremely severe or sensitive nature (as determined by the Dean of Students) may be held by a three (3) member board composed**

by the Dean of Students (from members approved to serve on the appeals board) , and may be appealed to the Appeals Board. At least one Hearing Board member must be the same sex as the complainant (survivor) and one Hearing Board Member must be the same sex as the respondent (accused perpetrator). The Dean of Student Life or his designee will be present as a non-voting, *ex officio* member of the panel. A finding of responsibility must be based on a simple majority>>> based on a preponderance of the evidence; any sanction must be decided by a majority vote with the exception of suspension or expulsion, which must be supported unanimously. Only the Dean of Students can actually suspend a student and will act upon the tribunal's recommendations. All decisions are based on the preponderance of the evidence not beyond a reasonable doubt, ie, that it is more likely to have occurred than not. Romantic or sexual history of either the accused or the complainant with others will not be allowed in a hearing, except that testimony offered by the accused or complainant about his/her own sexual history. If such information is offered, the other party has the right to respond to that testimony.

Participants are reminded that any information shared during a hearing is confidential. The hearing panel will decide what testimony, witnesses, or other information is relevant, and may exclude information or a witness that is deemed duplicative or immaterial. Witnesses must submit a brief statement to the judicial officer outlining their testimony in advance of a hearing. Witnesses should avoid hearsay.

Please refer to the full and complete version of the official *Sexual Misconduct policy* at

<http://www.mhc.edu/studentlife/security/smp.html>

The college's investigation will NOT wait for the case to be adjudicated in the courts, but will conduct their own investigation as soon as possible without interfering with the criminal investigation. Mars Hill College will also investigate timely when they are aware of information of sexual harassment, even if not officially reported, and off campus reports that may cause a hostile environment on campus.

Reporting the incident to law enforcement (Mars Hill Police Department, 689-2301, or 9-11 from the residential facilities) does NOT mean the complainant has to file charges and agree to prosecute the case.

Student Rights:

The guiding principle of college regulations is that of student responsibility.

It is a firm belief of Mars Hill College that its students should be guaranteed certain rights. Those rights are as follows:

- A. Right of sanction by the Student Judiciary, except during the first and last 10 days of each semester and the summer session, during which time all incident reports shall be handled by a three member Hearing Board. This board shall be composed by the Dean of Students.
- B. Right to be presumed innocent until proven responsible.
- C. Right to refuse to respond to questions that tends to be self incriminating.
- D. Right to a speedy hearing.
- E. Right to an advisor, this must be a current full-time Mars Hill College student.
- F. Right to summon a maximum of five material witnesses from the college community. (Material witnesses are those possessing direct knowledge of the situation under consideration or those having technical or expert information relevant to the case.)
- G. Right to a separate hearing upon request.
- H. Right to face the accuser (must notify the Chief Justice in writing 48 hours before scheduled hearing).
- I. Right to question any material witnesses or evidence.
- J. Right to plead innocent without fear of being held responsible for lying in relation to that plea if proven responsible. (This does not disallow being tried for lying if the defendant lies in order to support a plea.)
- K. Right to disqualify one member of the Student Hearing Board and allow the Chief Justice to vote in the member's place.
- L. Right to be free from re-hearing for the same violation after acquittal.
- M. Right of subsequent appeal as enumerated in the Guide to Judicial Procedures (unless the Appeals Board is the judicial body of original jurisdiction).
- N. Right to waive any of the above rights provided that it is done of the student's own free will and in writing.

Rights of Complainants: Complainants will be treated with respect and sensitivity before, during, and after the disciplinary process. The College will make all reasonable efforts to ensure the preservation of confidentiality, restricting information to those with a legitimate need for it. Complainants will be informed of the College's disciplinary process and possible outcomes. Complainants also have the right, and

are encouraged, to report criminal sexual conduct to local law enforcement, which does not preclude College disciplinary action. Both complainants and suspect have the right to be advised by and or have attend any hearing proceedings by a currently enrolled Mars Hill College student as enumerated in the students right section of the student handbook listed above.

*** Reporting the crime to Law Enforcement, Mars hill Police Department 689-2301 or 9-911 from the residential facilities does NOT mean you have to prosecute the case.

Complainants have the right to (and are strongly encouraged to seek) counseling and support available through resources such as the Counseling Center, the Chaplain's Office, and the local sexual assault services agency. Complainants may request changes to academic and living situations through the Dean of Students Office and will be notified as to what changes are reasonably available, upon request. Allegations of sexual misconduct will be investigated in a thorough and timely manner. Complainants will be kept updated of the status of an investigation and the outcome of a hearing. Complainants have the right to review all written evidence in the presence of the judicial officer within 48 hours prior to a hearing. Complainants may offer relevant witnesses to speak on his/her behalf (the testimony of one character witness is permitted) during a hearing. (Note that a hearing panel may exclude witness testimony deemed irrelevant or duplicative.) Complainants will be given the opportunity to make opening and closing statements to a hearing panel.

Mars Hill College recognizes incidents of sexual misconduct as not only violations of College policy but also as illegal and criminal acts. As such, the College will support and encourage a student to report any incident of sexual violation to law enforcement. However, the College will *not* automatically inform law enforcement if it is made aware of an incident of sexual violation *unless specifically requested by the reporting student. The crime itself must be reported on our annual security report, pursuant to Clery Act, regulations. It, crime itself, must be reported to local law enforcement, but the decision to have the case investigated, and your name given to the police is your decision.*

Rights of accused students: Students accused of sexual misconduct have the same rights as any student accused of a policy violation (see Students rights listed previously in this document and in "Guide to Judicial Procedures" in the *Student Handbook*), which includes the right to a 48-hour notice in advance of a hearing, the right to bring witnesses to speak on his/her behalf (the oral testimony of one

character witness is permitted), and the right to ask questions (directed through the hearing panel) of any witness present. (Note that a hearing panel may exclude witness testimony deemed irrelevant or duplicative.) A complainant may have an advisor (a full-time current Mars Hill College student) present during a hearing, but as with the accuser's advisor, he/she may only confer quietly or through notes with the complainant and may not address the panel. Accused students can expect a presumption of innocence throughout the disciplinary process unless found responsible through an impartial and fair hearing, and will be treated with respect throughout the process.

CAMPUS SAFETY AND SECURITY PERSONNEL:

Denise Griffin, Director of Security
Jeff Jamerson, Security Officer
Steve Edwards, Security Officer
Dana Holcombe, Security Officer
Crystal Webb, Security Officer
Jamie Cooke, Security Officer
Dr. Craig Goforth, Assistant Vice President for Student Development/Dean of Students

VICTIM SERVICES:

If you are a victim of a crime, please contact Campus Security at 689-1230 or one of the person(s) listed below. We are all here to help you.

- Director of Security 689-1388 Denise Griffin
- Director of Counseling 689-1196 Cassie Pavone
- Campus Ministry 689-1128
- Dean of Students 689-1405 Craig Goforth
- My Sisters Place (Domestic Violence and Rape Crisis Center)
649-3912 Joyce Cody
- Infirmary (Wellness Center) 689-1243 Stephanie Shelton

State Victim Compensation for Reported Crimes:

An Innocent Victim of Crime *may* be eligible for financial assistance from the STATE N.C. Department of Crime Control and Public Safety- Victim compensation Services Division. 1-800-826-6200 or 1-919-733-7974 or www.NCCrimeControl.org.

HOUSING AND ACADEMIC SCHEDULE CHANGES

If your situation requires that adjustments be made to your academic schedule or living arrangements, please see Mindy Bliss, Director of Residence Life for room changes, or the Dean of Students, Dr. Craig Goforth for class schedule adjustments. We will make every effort to accommodate requests.

Campus Security Services:

Campus Security is responsible for security and emergency response at Mars Hill College.

It is also responsible for providing services tailored to meet the unique needs of the Mars Hill College Community. These services include:

- Provide battery jump-starts.
- Offer **ANNUAL** classes in:
 - A. Self defense
 - B. Protection against sexual assault
 - C. Motor vehicle laws
 - D. Alcohol related problems
- Give personal safety lectures.
- Maintain a vigorous College-wide fire safety and crime prevention program.
- Engrave and photograph student valuables free of charge.
- Render emergency first aid.
- Manage and update our Campus parking system.
- Escort individuals to their cars or from building to building.
- Make emergency notifications.
- Provide transportation to Asheville Regional Airport and the Asheville bus station. **A three day advance notice and a \$50.00 prepaid fee are required. This service is provided only at the beginning and ending of semesters and in emergency situations.**
- Investigate or refer all reported criminal incidents on Campus.
- Provide rape crisis volunteer training; proactive sexual assault education; and, victim assistance and referral services.
- Available **24 hours a day** to provide these and other services.

We can't help if you don't call 689-1230

HOW TO REPORT CRIMES & EMERGENCIES

Steps in Reporting CRIME:

1. Call Mars Hill College Security (689-1230) and the Town of Mars Hill Police Department (689-2301) immediately.
2. Report the crime timely to Residence Life Staff, Security, Police, Dean of Students, and/or Faculty.

3. Invoke your rights on and off Campus (law enforcement, medical, counselor, and judicial).
4. Maximize your support team by reporting the crime timely and asking for help. Reporting timely maximizes chances of catching the offender(s).
5. Everyone on Campus wants to assist you, BUT we can't assist you if we do not know about the crime.

Remember to dial 9-911 for emergency services if you are using a phone on Campus.

On Campus...

- Individuals should always report a crime (even if they are not sure whether or not to press charges), or other emergencies, by calling 689-1230 as soon as possible.
- Each incident is **investigated** by a Security Officer.
- Criminal cases may be referred to the local law enforcement agency.
- Follow-up investigations strive to identify and adjudicate cases, recover stolen property and encourage restitution, when possible.

Off Campus...

- A crime that occurs off Campus should be reported to the law enforcement agency having jurisdiction for that area.
- If there is uncertainty which department to call, call Campus Security at 689-1230 and assistance will be given in identifying the appropriate department.
- Off Campus crime is monitored by Campus Security, the Mars Hill Police Department and the Madison County Sheriff's Department. These departments report arrests that are relevant to the College to Campus Security.

If You Have Been Sexually Assaulted

Sexual assault is an act of violence. Students who are victims of an assault may be in a state of shock and disbelief and may be feeling a variety of emotions such as fear, anger, and helplessness as well as shame and guilt. A victimized student may not know who to trust or turn to for help. This information is designed to give students resources to help in recovery as well as to reduce the risk of an assault from happening again.

Students are encouraged to seek help from the resource people as listed below. There are trained professionals available at Mars Hill College who can provide information and support. Students are

encouraged to use these resources. The College will respect the wishes of the student and will not force them toward any action. Both the suspect and victim/survivor are entitled to be represented/(attend with them) in the on campus student judicial hearing by another currently enrolled full-time Mars Hill College student or the chief of defense as explained in the student handbook under student rights .A student found responsible for a sexual assault can be suspended.

Sexual Assault:

If a student is sexually assaulted, she or he is encouraged to:

1. Get to a safe place as soon as possible.
2. Understand that the assault was not your fault, nor did you do anything to cause it or deserve it.100% of the responsibility lies with the person who assaulted you.
3. Try to preserve all physical evidence. Do not wash, douche, use the toilet, or change clothing if it can be avoided. If changing clothes is a must, put all clothing worn at the time of the attack in a *paper* bag, not plastic (this is important for evidence collection).
4. Report the crime to the police. This is a personal decision that only the student who has been assaulted can make. *Understand that making a report does not require the victim to press charges.* Consider that the perpetrator may have had previous victims, and if attention is not brought on their behavior, it is likely that there will be more victims in the future.

*****Mars Hill Police Department 689-2301 or 9-911 from the residential facilities.**

5. Contact Campus Security by calling 1230. A call to Security does not mean that one has chosen to bring criminal charges. Security Officers are trained to assist in securing medical attention and professional counseling while assuring that evidence of the incident is collected and preserved in the event of a later decision to prosecute.
6. Get medical attention as soon as possible to address physical health needs and to collect important evidence in the event of a later decision to take legal action. For the purpose of effective evidence collection, physical examination at a local emergency

room must take place as soon as possible and no later than seventy-two (72) hours after the assault.

7. Talk with a counselor who can provide emotional support and give information about resources while clarifying confidentiality. For on Campus counseling services, call the Counseling Center at 689-1196 (Monday-Friday, 8 a.m. – 5 p.m.). For off Campus counseling and support services, call My Sister's Place, Madison County's sexual assault services agency, 649-2582 (Monday-Friday, 8:30 a.m. – 5 p.m.) or 649-2446 (24 hour hotline).
8. Confide in someone who can be trusted, a close friend or resident assistant, to turn to for support through recovery. If preferred, a member of the College staff who is knowledgeable about recovery resources can be chosen as a support person.
9. Both the suspect and victim/survivor are entitled to be represented/(attend with them) in the on campus student judicial hearing by another currently enrolled student or the chief of defense as explained in the student handbook under student rights. A student found responsible for a sexual assault can be suspended.

CRIME PREVENTION

CAMPUS FACILITIES MAINTENANCE

Campus Security Officers patrol the Campus to assure a high level of physical security. As a regular part of their patrol duties, they look for any safety problems such as defective lighting, inoperative doors or locks, and any other conditions which might detract from one's personal well-being. All such conditions can be reported, in writing or by phone, to the Facilities Department at 689-1246 for correction or to Campus Security at 689-1230.

Efforts from students, faculty, and staff greatly enhance Security's efforts to keep criminal activity at the lowest possible level on Campus.

- **DO** report all crimes and/or suspicious activities to Campus Security as soon as possible at 689-1230.
- **DO** register your car with Campus Security.
- **DO** protect your personal property just as you would money.
- **DO** call Campus Security if you are being stalked or harassed.
- **DO** preserve all evidence of a crime. If you are a victim of a crime, don't touch anything, call 689-1230 immediately. This includes your person if you are a victim of a sexual assault. Do not bathe, brush your teeth, go to the restroom, or change your clothes.
- **DO** register all of your valuables with Campus Security on the form available at the Security Office or call 689-1230 for assistance.

- **DO** mark your property with some form of identification number (such as your driver's license number). Campus Security can assist you with this.
- **DO** attend the Department's annual Safety and Security presentations.
- **DON'T** leave books, jewelry, purses, wallets, backpacks or other valuables unattended.
- **DON'T** leave personal property in a locker unattended without locking it.
- **DON'T** leave your residence hall room unlocked.
- **DON'T** loan your keys.
- **DON'T** leave purses or wallets in desks or file cabinets unattended unless the desk or cabinet is locked.
- **DON'T** leave valuables on a chair behind you while at a study carrel.
- **DON'T** walk alone after dark....**THINK....** walk with a friend or call Campus Security for an escort. Familiarize yourself with the locations of Security phones on Campus (obtain a Campus map with the locations marked).

Remember...by always protecting your property, you reduce the opportunity for a thief to commit a crime.

CRIME REPORTING/NOTIFICATIONS

Numerous efforts are made to advise members of the Campus community on a timely basis, about Campus crime and crime related problems. These efforts include:

Annual Report: A comprehensive Annual Report of crime related information is compiled, published on our web page and widely distributed. This Annual Report is available to any member of the Campus community. The information included in the Annual Report is available on the Mars Hill College, Campus Security Web page. **The complete address for the report on line is: (<http://www.mhc.edu/uploads/File/security/annual-security-report-2011-12.pdf>).**

Modes of Emergency Communication with the College Community:

Contact Now (Fall 2008) is our emergency notification system that will call provided cell numbers of students, faculty and staff when an emergency is occurring on campus. The system will re-dial until contact is made. We will without delay notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, as defined in the Clery Act, unless issuing a notification will compromise efforts to contain the emergency. Our evacuation plans and this system will be tested annually. The system was tested twice in Fall 2008 as tests and one real alert in November 2008.

Authority to activate Emergency Notification System:

The contact now system can be utilized by several staff members to include the Director of public information, Mike Thornhill, Director of security Denise Griffin, Dean of Students, Dr. Craig Goforth and the President of the college Dr. Dan Lunsford, after confirming there is a threat. The decision to activate this system rests primarily with the president but can be activated by these other individuals as well and the system can be activated by cell phone or in their offices. Upon confirmation of a threat, any of the above can initiate the contact now system. The Contact Now system was utilized- tested in December 2009; December 2010(2)-weather related issues.

Additional Channels used to notify the college community:

Emergency Siren Policy:

A full 3 minute blast is the warning for lockdown conditions. Stay where you are or get behind a locked door. Remain there until you hear short 1 half minute bursts (3). Contact now will also be sounding at this time as well to let the college population know what is happening.

The Director of public information will produce news releases and utilize the contact now system to keep the campus, and larger community updated.

Annual Fire Safety Report:

Fire drills were conducted each semester for all residential facilities. There were no fires in the buildings this year and therefore no property damage. All of the residential facilities are hard wired by a simplex fire system to the local 911 center, and simplex immediately contacts our campus security person on duty. Our newer residential facilities (Brown, Turner and Bailey Mountain) are equipped with a sprinkler system. Emergency fire service is provided 24/7 from the Mars Hill Fire Department. ALL fires or suspicion of smoke should be reported to campus security at 689-1230 or call 911.

Fire Safety Programs:

The residential living staff is trained in the proper use of fire extinguishers during their annual fall (prior to school) opening session and how to implement evacuations from their buildings. This staff conducts mandatory meetings with all new residents the first weekend they arrive that includes fire safety and fire evacuations training. Training for the faculty/ staff is offered at their fall training sessions emphasizing the PASS (Pull pin, aim, squeeze, and spray) method in operating a fire extinguisher.

Rules on Appliances/ Open flames/ Fire Safety in the Residential Facilities:

OPEN FLAMES: Due to the risk of starting a fire, the burning of any candle(s), incense, use of open flames, or use of open element cooking equipment is strictly prohibited. Outside grills are not permitted inside the building or within ten feet of any structure including decks and porches.

ELECTRICAL APPLIANCES: Air conditioning units, ceiling fans, dishwashers, cube freezers, full size refrigerators and large microwaves are not allowed. Small microwaves (max 700 watts) and mini refrigerators no larger than 1.2 to 2.0 amps or 4.0 cubic feet are permitted. Extension cords are not allowed. You can use Multiple Outlet Power Strips which are U/L Listed for 15 amps/120 volts, and they must have a heavy-duty cord with a built-in circuit breaker in the unit. An increase in the number of fires in residence halls across the country requires us to be restrictive on cooking appliances in the residence halls. Except in the apartment kitchens, cooking appliances with open heating elements/surfaces such as toasters, toaster ovens, Forman grills, electric fry pans/woks, and hot plates are not allowed in student rooms. Space heaters, halogen lamps, small extension cords, sun lamps, are also fire risks and are not allowed in any residential hall rooms. Cooking appliances with contained heating elements such as percolators and hot pots are permitted.

FIRE SAFETY: Fire safety equipment should only be used in cases of emergency. Misuse of fire and/or safety equipment is strictly prohibited. This includes fire escapes, fire fighting equipment, and alarms. Tampering or altering smoke detectors in any way, including removing the batteries, is also strictly prohibited. Violations will result in disciplinary action, restitution for any damages caused by the act and/or removal from the residence halls. Violations may also be referred to city or state agencies for action.

FIRE AND BUILDING EVACUTION: Fire is a serious threat to life, health, and property. Because of this, all students and their guests are expected to follow the building evacuation guidelines whenever an alarm is sounded. Evacuation plans are posted on all floors. Fire drills are conducted twice a semester per building. The first drill will be announced and the second drill will be unannounced. The drill will be a complete exercise of the fire evacuation plan. It is mandatory to evacuate a college building when a fire alarm sounds.

Building Evacuation Guidelines:

1. Wear shoes and coat (if possible, do not return to the room to get them).
2. Leave your room and shut the door behind you
3. Proceed outside to your designated meeting area
4. Check in with your RA/RD staff members at the meeting point
5. Remain at the meeting point until further instructions are given by Residence Life Staff Members.

In case of Fire:

1. Sound an alarm for the building by activating a pull station
2. Leave the building
3. Notify the Fire Department OR
4. Advise an RA or the Hall Director that a fire condition exists

Meeting Points for Residence Hall Fire/Building Evacuation (Not disclosed here for safety reasons)

EXPLOSIVES/FLAMMABLE MATERIALS: Explosives, including firecrackers or other fireworks, lighter fluid, charcoal, and other highly flammable material are not allowed in the residence halls. This includes motorized vehicles such as motorcycles, or motor scooters.

(Smoking nor open flames are allowed in any of the residential buildings)

Fire Log:

No fires occurred in our buildings this year so there was no physical injury or property damage due to fire. However, one fire, (**Fire:** defined as an open flame not related to arson or the burning of a structure,), One student did cause a fire to occur in leaves on steps while smoking a cigarette; the fire department was not called out.

Fire Statistics:

Number of fires: 0

Deaths due to fires: 0

Injuries due to fires: 0

Property damage due to fire: 0

Missing Student Notification Policy

Federal Statute: The Higher Education Act Reauthorization bill was signed into law by the president on August 14, 2008. This act requires institutions that both participate in any federal higher education programs and maintain on-campus housing to establish a missing student notification policy for students who reside in on-campus housing and have been determined after an investigation by campus security officials to be missing for 24 hours.

Mars Hill College Policy: This policy, with its accompanying procedures, establishes a framework for cooperation among members of the college community focused on locating and assisting students who are reported missing. Mars Hill College defines a student as missing when he or she is absent from the College for more than 24 hours without any known reason. Every member of the college community is responsible for reporting a missing student to the campus security office at 828 689-1230. All reports of missing students shall be directed to Campus security when a member of the community suspects as student is missing, and that office shall investigate each report and make a determination whether the student is missing in accordance with this policy. All students shall have the opportunity to identify an individual to be contacted by the College in case a student is determined to be missing. *WE will utilize the confidential emergency contact number listed on Our Contact Now system if no other number is provided.* If a missing student is under 18 years of age, Campus Security is required to notify the

parent or guardian of the missing student no later than 24 hours after the student is determined missing by the Campus Security Investigation.

If campus security determines that the student is missing, Campus Security will also notify the listed parent or guardian that the student is missing. The Dean of Students and the Director of Security have the responsibility to make the provisions of this policy and the procedures set forth below available to students.

Notification:

- Any report of a missing student, from whatever source, should immediately be directed to Campus Security at 828 689-1230 24/7.
- When a student is reported missing Campus Security shall:
 - initiate an investigation to determine the validity of the missing person report.
 - contact the Dean of Students.
 - make a determination as to the status of the missing student.
 - notify the individual identified by the missing student as the emergency contact within 24 hours of making the determination that the student is missing (Our Contact Now system).

For students missing the age of 18 notify the student's custodial parent or guardian as contained in the records of the College on power campus will be notified within 24 hours of the determination that the student is missing.

- notify Mars Hill Police Department within 24 hours after determining that the student is missing.

- Campus Security notifies the Dean of Students, Vice President of Academic and Student Affairs and the Director of Student Housing.
- The Dean of Students shall initiate whatever action is deemed appropriate under the circumstances in the best interest of the missing student to include activating the college crisis team for assistance.

Special Crime Alerts

If circumstances warrant, special printed Crime Alerts can be prepared and distributed, either selectively, or throughout Campus. Crime Alerts, if warranted, can also be distributed via the Mars Hill College website *The Well*.

Global E-Mails will also be used to promptly notify the Campus of Emergency Situations.

Emergency Siren Policy:

A full 3 minute blast is the warning for lockdown conditions. Stay where you are or get behind a locked door. Remain there until you hear short 1 half minute bursts (3). Contact now will also be sounding at this time as well to let the college population know what is happening.

Information contained in this document is provided to satisfy requirements of the Crime Awareness Campus Security Act of 1990/1998/2008/2009/July 2011. It is available (distributed) annually to all students, faculty, staff, by posting on the Mars Hill College web page, campus security page (email sent out to tell the college community it is now on the web page and updated), and upon request in writing. The numbers reported in this document were collected from Campus Security, the Judicial Coordinator, the Director of Residential Living, the Director of Student Activities, the Town of Mars Hill Police Department, and the Dean of Students. Coaches and all members of the college community are encouraged to report crimes and security issue to the campus security department timely.

Our crisis counseling team also serves as the Clery act review team for the purpose of complying with the law and making proactive changes in our emergency and security plans for the campus.

Additionally, other informative documents on crime prevention and crisis centers are located in the Wren College Union, Student Life Suite. The Department has procedural manuals located in the offices of Campus Security. The student handbook has complete policies on the code of student conduct, student judicial hearings and campus security functions.

There is also a Comprehensive Safety Manual which includes evacuation procedures, safety instructions for emergency incidents, as well as protocol that is to be followed in the event of a catastrophic incident be it man made or a natural disaster.

The Director of Security is responsible for obtaining the off campus crime statistics and the on campus statistics in conjunction with student judicial hearing statistics for this report. The changes in the law (Higher Education and Opportunity Act, August 2008) and the Handbook for Campus Crime reporting were evaluated in finalizing this document in September 2009, December 2009, and July 2010. Distribution of this document both on the web page and in paper form occurred in January 2010/July 2011/ August 2011.