

Montgomery Community College

Campus Security Report 2016



**Annual Report
October 1, 2016**

CAMPUS SECURITY REPORT (CSR) 201

STATEMENT OF INTENT

Montgomery Community College (MCC) recognizes the importance of a person's right to know about matters that could impact their safety while at the college. The college further recognizes the necessity

of providing information about campus crime and security to current and prospective students as well as to current and prospective employees of the college.

MCC is committed to maintaining a safe, healthy, and positive work and learning environment. The following policies, procedures, and statements have been adopted by the college in compliance with federal and state mandates and in a good faith effort to ensure the health and safety of all members of the campus community.

Since MCC is a public institution, all behavior which is prohibited by federal, state, and local laws is prohibited on the campus or off the campus during an institutional activity, function, or event and will be referred to the proper authorities for action. Students and employees may be suspended for disposition of court action for any violation of a criminal law committed on campus or off campus at an institutionally sponsored function. Additionally, students may be removed from classes and employees removed from duty pending action on charges during an investigation or appeal for reasons relating to his/her physical or emotional safety and well-being of other students, faculty, employees, or college property.

The reputation of the College rests upon the shoulders of students, as well as on the administration, staff, and faculty, and it is hoped that each member of the college community will maintain high standards of citizenship. The campus and college will not be a place of refuge or sanctuary for illegal or irresponsible behavior. Students and employees, as all citizens, are subject to civil authority on and off the campus.

Therefore, in accordance with the *Campus Security Act of 1990*, the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act of 1998* (referred to as the “*Clery Act*”), the *Higher Education Opportunity Act of 2008*, and the *Violence Against Women Reauthorization Act of 2013*, MCC publishes a *Campus Security Report* in October of each year.

Notification of the report is distributed to all current and prospective students, as well as to all current and prospective employees through the *College Catalog*, *Student Handbook*, *Trial Schedule*, employment application, and website at <http://www.montgomery.edu/security.htm>. (Note: The College also conducts an annual review of all campus security policies and procedures. This review is coordinated through the office of the Vice President of Administrative Services.)

Topics in Order of Presentation

- College Policy on Campus Crime
- Security and Access to Campus Facilities
- Emergency Plan
- Emergency Call Telephones
- Campus Crime Reporting
- Investigations
- Daily Crime Log

- Maintenance of Campus Facilities
- Prevention and Awareness
- Crime Statistics 2011-2013
- Timely Warning Policy
- Drug-Free Workplace Policy
- Health Risks
- Sexual Offense/Harassment Policy
- Weapons & Dangerous Instruments Policy
- Glossary/Resources

COLLEGE POLICY ON CAMPUS CRIME

In accordance with the Student Right-to-Know Act, the Campus Security Act of 1990, the Clery Act of 1998, the Higher Education Opportunity Act of 2008, *and the Violence Against Women Reauthorization Act of 2013*, MCC has zero tolerance toward violence on campus, including sexual assault, aggravated assault, physical confrontations of any kind, verbal threats of intent to cause harm, harassment designed to intimidate another, hate crimes, robbery, burglary, and property crimes such as destruction, theft, and sabotage. No distinction shall be made between violence caused by students, employees, or that precipitated by visitors to campus.

A Campus Crime Statistics Report shall be generated from data for the most recent calendar year, as well as the two preceding calendar years. The following criminal offenses are to be reported: murder, negligent, and non-negligent manslaughter; sex offenses, rape, forcible fondling, statutory rape, and incest; robbery; aggravated assault; burglary; motor vehicle theft; arson; domestic violence; dating violence; stalking; arrests or persons referred for campus disciplinary actions for liquor law violations, drug abuse violations, and weapons law violations; and hate crimes, commission of all crimes previously listed as well as larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and of other crimes involving bodily injury to any person that manifests evidence that the victim was intentionally selected because of the perpetrator's bias of race, gender, religion, sexual orientation, ethnicity/national origin, or disability. This report is updated annually and reported to the U.S. Department of Education, in accordance with the law, in October of each year.

SECURITIES AND ACCESS TO CAMPUS FACILITIES

The college strives to provide an educational and working environment that is safe for all through its reliance on existing policies, emergency procedures, internal vigilance, local and county law enforcement agencies, and the 911 system.

MCC utilizes a proactive approach to law and order through the Security Director and the Montgomery County Sheriff's Department, who provides the College with a full-time School Resource Officer. In addition, off-duty, armed deputies with the Montgomery County Sheriff's Department are employed on a part-time basis by the College to patrol campus and are empowered to protect the college community by enforcing federal, state, and municipal laws, and college rules and regulations. In situations where an officer is not on campus and law enforcement authority is required, the Montgomery County Sheriff's Department will be contacted.

Our security officers are accountable to the policies and procedures of Montgomery Community College as well as the policies and procedures of the Montgomery County Sheriff's Office.

The college campus is closed from 11 pm until 7 am, Monday through Saturday. Additionally, the college campus is closed from 6 pm Saturday until 7 am Monday and on holidays. Electronic security systems are located throughout the campus. Students are not permitted to use

classrooms and laboratories after scheduled class hours unless supervised by the appropriate faculty/staff member.

EMERGENCY PLAN

Montgomery Community College maintains the *MCC Emergency Action Plan* for instances of injury or illness, fire, weather disturbances, bomb threats, and violence. The plan is evaluated and updated annually. Information and training sessions relating to the procedures in the emergency plan are scheduled at least annually. Copies of the *MCC Emergency Action Plan* may be obtained by contacting the Administrative Services Division. Additionally, copies of the *MCC Emergency Procedures* flipchart are posted throughout the campus, which is updated on an as needed basis.

Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors on or off campus, the campus community will be immediately notified unless issuing a notification will compromise efforts to contain the emergency.

When a determination has been made confirming a significant emergency or dangerous situation, the college President or his/her designee will inform the campus community by immediately posting the announcement using the *Blackboard Connect 5 Communication Service (to registered recipients), Emergency Siren Mass Notification Tower, face-to-face communication, campus-wide e-mail, and have the announcement posted on the campus website (www.montgomery.edu). The announcement may include, but is not limited to, the following information: type of situation, location of occurrence, and any available information. Adequate follow-up information will be provided upon availability, as well as an "All Clear" announcement when appropriate.

The decision to issue an emergency response or dangerous situation announcement shall be decided on a case-by-case basis considering all available facts surrounding the campus community, whether the situation is considered a serious or continuing threat to students and employees and the possible risk of compromising local emergency management efforts. Emergency response and evacuation procedures are tested at least annually and documented by the Safety Director.

* Students and employees may register (opt-in) for the Blackboard Connect 5 Communication Service via cellular communication and SMS text messaging by going to www.montgomery.edu, click on the Blackboard Connect 5 quick link, and complete the form.

EMERGENCY CALL TELEPHONES

Montgomery Community College is equipped with "Blue Light" non-dial outdoor emergency telephones located at strategic points on campus. These phones are easily identified by their columns topped with blue lights. When the red button is pushed, the caller is in immediate contact with the switchboard operator and/or MCC Security during normal business hours. These phones are for emergency use only.

CAMPUS CRIME REPORTING

During the hours of operation (Monday – Thursday 7:30 am – 9:00 pm, Friday 7:30 am – 3:00 pm), individuals may voluntarily report a crime/emergency by notifying the switchboard operator at the Information Desk in Building 100, who shall immediately contact MCC Security, or a Campus Security Authority and begin following the appropriate procedures outlined in the

MCC Emergency Procedures flipchart. After hours, individuals may call "911." College officials encourage accurate and prompt reporting of incidents.

Individuals in classes or college sponsored activities located off-campus should follow the same after hour procedure outlined above for reporting criminal actions. College administrators are to be notified of the details of the incident as soon as possible. (Note: Immured students are encouraged to review and follow emergency procedures specific to their institution of residence.)

INVESTIGATIONS

All reasonable efforts shall be made to maintain confidentiality. Upon receiving a report, an investigation into an incident will begin. In consultation with the President, it shall be determined if local law enforcement authorities should be involved and if a campus and/or community alert should be issued in the interest of public safety.

The college shall take whatever legal steps are necessary in the investigation to resolve the issue and reach restitution. Employees involved in campus violence shall be subject to disciplinary action up to and including dismissal.

Students who participate in campus violence shall be subject to disciplinary actions up to and including expulsion. Visitors who engage in disruptive activities or crime shall be removed from the scene and may be denied admission, readmission, or entry onto college property. Any person found guilty of criminal acts shall be prosecuted.

DAILY CRIME LOG

Montgomery Community College maintains a Daily Crime Log that records all crimes and other serious incidents.

The Daily Crime Log is available for public inspection at the Administrative Services Division.

The Daily Crime Log includes the nature, date, time, and general location of each crime reported, as well as the disposition of the complaint, if this information is known at the time the log is created.

The Safety Director posts specific incidents in the Daily Crime Log immediately after receiving the incident report and reserves the right to exclude reports from the log in certain circumstances.

MAINTENANCE OF CAMPUS FACILITIES

Montgomery Community College maintains a strong commitment to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. MCC's Maintenance Department and Purchasing/Evening Administrator conduct routine checks of lighting on campus. If lights are discovered to be out or dim, an immediate work order is initiated, which is acted upon by a representative of the Maintenance Department. Community members are encouraged to report any deficiency in lighting to the switchboard operator at the Information Desk or any college official.

The Maintenance Department and Purchasing/Evening Administrator work together to identify in-operative locking mechanisms. Employees are encouraged to promptly report any locking mechanism deficiency to the switchboard operator at the Information desk, any college official, or to a representative of the Maintenance Department.

Maintenance staff is available to respond to calls for service regarding unsafe facility conditions or those raising concerns for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

PREVENTION AND AWARENESS

- Annual written notification of college's policy on alcohol and drug abuse, sexual offenses, and campus safety and security
- Special events and speakers which address alcohol/drug abuse, security, crime and crime prevention, rape awareness, date rape, safety, etc.
- Participation in an assistance program with the local mental health center
- Referrals to local agencies such as hospitals, social services, self-help groups, etc.
- Counseling through Student Services
- Literature available in Counseling and Career Development Center on various health and safety issues including alcohol prevention, drug abuse, sexual offense, etc.

CRIME STATISTICS

In accordance with the *Student Right-to-Know Act*, the *Campus Security Act of 1990*, the *Clery Act of 1998*, the *Higher Education Opportunity Act of 2008*, and the *Violence Against Women Reauthorization Act of 2013*, the College is required to provide information about *serious* crimes on campus, as defined by the acts, which have occurred during the last three (3) years. Additionally, a log of *minor* infractions or incidents is maintained on file in the Administrative Services Division.

This Crime Statistics Report is updated annually and reported to the U.S. Department of Education, in accordance with the law, in October of each year. Copies of the Campus Crime Statistics Report and Campus Security Report (CSR) may be obtained by contacting the Administrative Services Division at 910-576-6222. Information can also be found on the college's website at:

<http://www.montgomery.edu/college-information.html>

Criminal Offenses	Crimes on Campus			Non-Campus Crimes			Public Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0
Arrests For	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons: Carry, Poss, etc.	0	0	0	0	0	0	0	0	0
Disciplinary Action For	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	1	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons: Carry, Poss, etc.	0	0	0	0	0	0	0	0	0

Hate Crimes 2013	Race			Gender			Gender Identity			Religion			Sexual Orientation			Ethnicity			National Origin			Disability		
Type of Offense	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes 2014	Race			Gender			Gender Identity			Religion			Sexual Orientation			Ethnicity			National Origin			Disability		
Type of Offense	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes 2015	Race			Gender			Gender Identity			Religion			Sexual Orientation			Ethnicity			National Origin			Disability		
Type of Offense	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P	O C	N C	P P
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Crimes Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TIMELY WARNING POLICY

The Montgomery Community College President or his/her designee is responsible for issuing timely warnings in compliance with the Jeanne Clery Act, 20 U.S.C. § 1092(f) et seq.

Anyone with information warranting a timely warning should report the circumstances to the switchboard operator at the Information Desk in Building 100, MCC Security, or Campus Security Authority. In the event that a situation arises that requires issuance of a warning, the proper timely warning procedure should be followed. These warnings are provided in order to keep the campus community informed about safety and security matters on an ongoing basis and in an effort to prevent similar crimes from occurring.

The decision to issue a timely warning shall be decided on a case-by-case basis in compliance with the Act and considering all available facts surrounding the campus community, whether the crime is considered a serious or continuing threat to students or employees and the possible risk of compromising law enforcement efforts.

The campus community is to be immediately notified upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors on or off campus, unless issuing a notification will compromise efforts to contain the emergency.

Timely warnings are issued for the following classifications:

- Arson
- Burglary
- Robbery
- Aggravated assault
- Murder/manslaughter
- Motor vehicle theft
- Sex offenses
- Any other crimes as deemed necessary
- Domestic Violence
- Stalking
- Sexual assaults
- Date Rape and Violence

Procedure

When a determination has been made that a timely warning should be issued, the college President or his/her designee will inform the campus community by immediately posting the announcement using the Blackboard Connect 5 Communication Service (to registered recipients), Emergency Siren Mass Notification Tower, face-to-face communication, campus-wide e-mail, and have the announcement posted on the campus website (www.montgomery.edu). The warning may include, but is not limited to, the following information: type of crime, location of occurrence, and available suspect information. Adequate follow-up information will be provided upon availability, as well as an “All Clear” announcement when appropriate.

DRUG-FREE WORKPLACE POLICY

In accordance with the *Drug Free Workplace Act of 1998* and the *Drug Free Schools and Communities' Act of 1989* (Public Law 101–226) as well as *Underage Drinking Laws* and the laws of the state of North Carolina, the college has endorsed the following drug and alcohol policy: The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on college premises, or as part of any college-sponsored activity.

A person shall not knowingly distribute, dispense, possess, use, or be under the influence of alcohol, any illegal drug, or narcotic or marijuana or any other controlled substance on the campus or off the campus at an institutional activity, function, or event.

Any student who violates the terms of this policy may be suspended or expelled from the College in accordance with the Student Code or may be required to or requested to participate in a drug abuse assistance and rehabilitation program approved by the Board of Trustees. If the student fails to satisfactorily participate in such a program, the student shall be suspended or expelled from the College in accordance with the *Student Code*. If an employee fails to participate in such a program, termination may be the end result.

The use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule. Any violation of this rule may result in suspension or expulsion from the College on the first offense.

1. Montgomery Community College does not differentiate between drug users, drug pushers, or sellers. Any employee or student who possesses, uses, sells, gives, or in any way transfers a controlled substance to another person, or manufactures a controlled substance while in the workplace, on college premises, or as part of any college sponsored activity, will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.
2. The term "controlled substance" means any drug listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the *North Carolina General Statutes*. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to, Heroin, Marijuana, Cocaine, PCP, and "Crack." They also include "legal drugs" which are not prescribed by a licensed physician.
3. If any employee or student is convicted of violating any criminal drug statute while in the workplace, on college premises, or as part of any college sponsored activity, he or she will be subject to disciplinary action up to and including termination or expulsion. Alternatively, the College may require the convicted person to successfully finish a drug abuse program sponsored by an approved private or governmental institution as a precondition for continued or re-enrollment or continued employment at the College.
4. Each employee or student is required to inform the College, in writing, within five (5) days after he or she is convicted for violation of any federal, state, or local criminal drug statute where such violation occurred while in the workplace, on college premises, or as part of any college sponsored activity. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court.
5. Any employee or student who unlawfully possesses, uses, sells, or transfers alcoholic beverages to another person while in the workplace, on college premises, or as part of any college sponsored activity, will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution.
6. If any employee or student is convicted of violating any alcoholic beverage control statute while in the workplace, on college premises, or as part of any college sponsored activity, he or she will be subject to disciplinary action up to and including termination or expulsion. Alternatively, the College may require the convicted person to successfully finish an

alcoholic rehabilitation program, sponsored by an approved private or governmental institution as a precondition for continued enrollment or employment at the College.

7. The term alcoholic beverage includes beer, wine, whiskey, and any other beverage listed in Chapter 188 of the *General Statutes of North Carolina*.
8. Each employee or student is required to inform the College, in writing, within five (5) days after he or she is convicted of any alcoholic beverage control statute where such violation occurred while in the workplace, on college premises, or as part of any college sponsored activity.

Note: Educational programs/courses that require the use of alcohol or display of controlled substances as part of course content are exempt from the *Drug and Alcohol Policy*. However, this exclusion does not apply to minors who could not otherwise consume alcoholic beverages.

HEALTH RISKS ASSOCIATED WITH ILLICIT DRUG AND ALCOHOL ABUSE

All psychoactive drugs (including alcohol) can produce negative health risks associated with long-term chronic use. In addition, all of these drugs can pose serious risks, such as abnormal growth, brain damage, and birth defects for the fetus of a drug-using female. Other possible health risks of using alcohol and other psychoactive drugs are central nervous system damage, depression, impaired judgment, mental confusion, gastrointestinal irritation, liver damage, malnutrition, high blood pressure, irreversible brain damage, heart disease, pancreatitis, lowered immunities, coma, and death from overdose.

Narcotics (e.g., Codeine, Heroin, Morphine, Pain Killers)

Anxiety, mood swings, nausea, mental confusion, constipation, respiratory depression, coma, or death as a result of overdose.

Depressants (e.g., Barbiturates, Valium, Xanax, Butisol, Quaalude)

Central nervous system damage, depression, impaired thinking, staggering gait, visual disturbances, lethargy, allergic reactions, dizziness, nausea, death as a result of overdose.

Stimulants (Amphetamines, Cocaine, Ritalin, Dexedrine)

Anxiety, agitation, malnutrition, high blood pressure, irregular heartbeat, chronic sleeplessness, amphetamine psychosis, paranoia, seizures, cardiac failure.

Cannabis (Marijuana, Hashish)

Mental confusion and disorientation, anxiety, a motivational syndrome, throat and lung cancer (2.5 times the tar in tobacco), alterations in brain function, reproductive system abnormalities, short-term memory loss.

Hallucinogens (e.g., LSD, PCP)

Visual distortions, increased heart rate and blood pressure, a motivational syndrome, psychotic episodes, panic disorders, flashbacks.

Inhalants (Cleaners, Glues, Aerosol Sprays, Anesthetics, Ether)

Nausea, headaches, perceptual distortions, impaired judgment, irregular heartbeat, Sudden Death Syndrome (SDS), weight loss, damage to bone marrow, lungs, liver and kidneys.

SEXUAL OFFENSE/HARASSMENT POLICY

In accordance with the *Campus Sex Crimes Prevention Act (CSCPA)* of 2000 and the U.S. Department of Education requirements of Section 485 of the Higher Education Act (also known as the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. Section 1092)*), and the *Violence Against Women Reauthorization Act of 2013*, Montgomery Community College (MCC) recognizes that sexual offenses and harassment, forcible and non-forcible, including, but not limited to domestic violence, dating violence, and stalking, are violent, demeaning crimes and will not be tolerated at the institution or at any site or function controlled by the College. The acts require institutions of higher education to issue a

statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. The acts also require sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. MCC will support this policy and increase awareness through educational brochures, handouts, special literature, information sessions, and counseling, as well as providing services and resources for victims. All *persons* found in violation of this policy shall be subject to disciplinary action up to and including suspension or expulsion from the College. All College *employees* found in violation of this policy shall be subject to disciplinary action up to and including termination. Note: The North Carolina State Bureau of Investigation maintains a registry of convicted sex offenders and makes it available to the public via the Sex Offender and Public Protection Registry website. The website for North Carolina and websites for other state registries are listed below:

1. State websites: <http://www.fbi.gov/hq/cid/cac/registry.htm>
2. National Sex Offender Public Registry: <http://www.nsopw.gov>
3. NC Sex Offender and Public Protection Registry: www.ncfindoffender.gov

Reporting a Sexual Offense

MCC encourages all victims of sexual offenses to report the incident as soon as possible. Victims have the right to report sexual offenses without fear of harassment or reprisal. The College also emphasizes the importance of preserving all evidence for the proof of a criminal offense. College officials understand the sensitive issues involved with this type of crime; therefore, contact should be made with the Vice President of Student Services (910-576-6222, Ext. 239), MCC Counseling Services (910-576-6222, Ext. 210) the Vice President of Administrative Services (910-576-6222, Ext. 218), the Receptionist (910-576-6222, Ext. 600), or other college official as soon as possible. If the offense occurs outside of the College's operating hours, victims should call "911" and contact college officials as soon as possible, if assistance is needed. College personnel will assist the victim with all appropriate and available services to help the victim to receive private and confidential treatment and emotional and psychological support. MCC has counselors available to assist victims with their immediate needs. The President will be apprised of all developments and will determine if a potential danger to the college community exists and what appropriate actions should be taken.

Additionally, it is the policy of the College to encourage the reporting of any incident of sexual harassment and to provide just procedure for the presentation, consideration, and disposition of sexual harassment grievances. The College further prohibits internal interference, coercion, restraint, or reprisal against any student or employee who files a grievance concerning an occurrence of alleged sexual harassment.

Disciplinary Action for Sexual Offense(s)/Harassment

All *persons* found in violation of this policy shall be subject to disciplinary action up to and including suspension or expulsion from the College. Any college *employee* found in violation of this policy shall be subject to disciplinary action up to and including termination. Disciplinary procedures against the alleged assailant will begin in accordance with the College's disciplinary procedures as outlined for students in the *Student Handbook* and for employees in this policy as outlined below. An investigation will be conducted in a timely manner. All parties will be treated with confidentiality and respect; will be given equal opportunity to present their views of the incident; and will be allowed to have others present during campus disciplinary proceedings. All parties will be informed of the determination or outcome and will have the right to appeal. Upon final determination, corrective actions will be implemented. The College will assist either party in making changes to their academic situation if deemed necessary and if the request is a reasonable option. The College will retain as *confidential* all documentation of allegations, investigations, and determinations. In addition, both parties must maintain the *confidentiality* of

all aspects of the incident, disclosing no information whatsoever without the written consent of the other party.

If an employee has reason to believe that he/she has been the victim of sexual offense/harassment, the employee should express their grievance in writing to their immediate supervisor with a copy to the Equal Employment Opportunity Officer (EEO). Should the complaint involve the immediate supervisor in such a way that the employee feels he/she cannot take the complaint to the supervisor, then the written complaint may be made directly to the Equal Employment Opportunity Officer.

The supervisor and the EEO will review and investigate the complaint. Within ten days after receipt of the written complaint, the supervisor and EEO must designate in writing to the employee a meeting time with the employee to review the findings. Days refer to calendar days. When the final day falls on a weekend or holiday, the official day will be the following Monday or day following the respective holiday(s) if applicable. The meeting is to be held within five days of this written notice. At the meeting, facts concerning the complaint are to be presented and a solution established if possible.

If the findings and recommendations of the supervisor and the EEO are not satisfactory to the employee, the employee may within ten days appeal the decision in writing to a personnel action committee to be appointed by the Equal Employment Opportunity Officer and the President within five days of receipt of complaint. A committee of five employees to review the complaint will be appointed. This committee will consist of at least three peers when possible and include at least one representative from the same category as the person filing the complaint. The employee will be notified in writing of a scheduled meeting of this committee within five days after the committee is appointed. The Human Resources Coordinator will serve as the hearing officer and preside at all meetings. This personnel action committee shall meet with the employee within five days after written notice of the meeting is presented.

If the findings and recommendations of the committee are not satisfactory to the employee, the employee has ten days to appeal in writing to the President of the College. The President will within five days notify the employee in writing of a meeting date and time to review the complaint. This meeting shall be scheduled no later than ten days following appeal to the President. If a satisfactory solution is not agreed upon, the employee may within ten days appeal in writing to the Personnel Committee of the Board of Trustees. The Personnel Committee will establish a meeting date and time and give the employee written notice of it within ten days of receipt of the appeal. This meeting shall be held within ten days of the written notice of said meeting.

WEAPONS AND DANGEROUS INSTRUMENTS POLICY

MCC adheres to the N.C.G.S. § 14-269.2 regarding weapons on campus or other educational property. The law reads:

It shall be Class I felony for any person to possess, or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school with the *limited exception of S.L. 2013-369, sec. 2; HB 937; N.C.G.S. § 14-269.2(k). Unless the conduct is covered under some other provision of law providing greater punishment, any person who willfully discharges a firearm of any kind on educational property is guilty of a Class F felony. However, this does not apply to a BB gun, stun gun, air rifle, or air pistol.

It shall be a Class G felony for any person to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on

educational property or to a curricular or extracurricular activity sponsored by a school. This shall not apply to fireworks.

It shall be a Class 1 misdemeanor for any person to possess or carry, whether openly or concealed, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, or any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property. For the purpose of this section, a self-opening or switchblade knife is defined as a knife containing a blade or blades that open automatically by the release of a spring or a similar contrivance.

It shall be a Class 1 misdemeanor rather than a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, on educational property or to a curricular or extracurricular activity sponsored by a school if: the person is not a student attending school on the educational property or an employee employed by the school working on the educational property; and the person is not a student attending a curricular or extracurricular activity sponsored by the school at which the student is enrolled or an employee attending a curricular or extracurricular activity sponsored by the school at which the employee is employed; and the firearm is not loaded, is in a motor vehicle, and is in a locked container or a locked firearm rack with the *limited exception of S.L. 2013-369, sec. 2; HB 937; N.C.G.S. § 14-269.2(k).

This section shall not apply to any of the following: A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority.

This section shall not apply to the following persons: gunsmithing instructors and gunsmithing students under direct instruction; officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry arms or weapons; civil officers of the United States while in the discharge of their official duties; officers and soldiers of the militia and the national guard when called into actual service; officers of the State, or of any county, city, or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties; any pupils who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties; any private police employed by the administration or board of trustees of any public or private institution of higher education when acting in the discharge of their official duties; sworn law-enforcement officers, when off-duty, provided that an officer does not carry a concealed weapon while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the officer's body; firefighters, emergency service personnel, and North Carolina Forest Service personnel, when acting in the discharge of their official duties.

Any person violating any provision of this statute shall be charged with the appropriate above-mentioned criminal violation and upon conviction shall be punished in the discretion of the court by fine or imprisonment or by both such fine and imprisonment.

*Limited exception of S.L. 2013-369, sec. 2; HB 937; N.C.G.S. § 14-269.2(k):

A firearm is permissible on a community college campus only under the following limited circumstances:

1. The firearm is a handgun; AND

2. The individual has a valid concealed handgun permit or is exempt from the law requiring a permit; AND
3. The handgun remains in either: a closed compartment or container within the individual with the permit's locked vehicle; or a locked container securely affixed to the individual with the permit's locked vehicle; AND
4. The vehicle is only unlocked when the individual with the permit is entering or exiting the vehicle; AND
5. The firearm remains in the closed compartment at all times.

GLOSSARY

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Arson: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

Awareness Programs: Educational programs (for students and employees) that must include a statement by the school that prohibits acts of sexual violence, defines the various acts of sexual violence, provides education on bystander intervention, organizes risk reductions programs so students recognize and can avoid abusive behaviors or potential attacks, and provides information on the school's reporting system and disciplinary proceedings.

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

Bystander Intervention: The act of feeling empowered and equipped with the knowledge and skills to effectively assist in the prevention of sexual violence.

Consent: Under North Carolina State Policy and Law, consent is explicit approval to engage in sexual activity demonstrated by clear actions or words. This decision must be made freely and actively by all participants. Non-verbal communication (i.e. pushing someone away or moving your body away from someone), silence, passivity, or lack of active resistance does not imply consent. In addition, previous participation in sexual activity does not indicate current consent to participate and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent has not been obtained in situations where the individual:

- Is forced, pressured, manipulated, or has reasonable fear that they will be injured if they do not submit to the act.
- Is incapable of giving consent or is prevented from resisting due to physical or mental incapacity, which includes, but is not limited to, the influence of drugs or alcohol.* This includes drugs such as GHB, Rohypnol and Ketamine that are often used to facilitate sexual assault and rape.
- Has a mental or physical disability which inhibits his/her ability to give consent.

Criminal Homicide – Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide – Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall

be determined based on a consideration of the following factors: the length of the relationship; type of relationship; and frequency of interaction between the persons involved in the relationship.

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

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

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Larceny-Theft: The unlawful taking, carrying, loading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Liquor Law Violations: The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding).

Ongoing Prevention and Awareness Campaigns: Training programs for students and faculty/staff on: A statement that the institution prohibits those offenses, the definition of those offenses in the applicable jurisdiction, the definition of consent, with reference to sexual offenses, in the applicable jurisdiction, "safe and positive" options for bystander intervention an individual may take to "prevent harm or intervene" in risky situations, and recognition of signs of abusive behavior and how to avoid potential attacks.

Primary Prevention Programs: Program that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.

Risk Reduction: Recognizing warning signs of abusive behavior or potential attack.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex Offenses: Any sexual act directed against another person, without consent of the victim including instances where the victim is incapable of giving consent.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

Sexual Assault With An Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Weapons: Carrying, Possessing, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

RESOURCES

MCC has counselors to assist victims with their immediate needs. For counseling services, contact the Counseling and Career Development Center in Student Services (Building 100). Additional resources listed below include medical, emotional, or psychological support services.

Montgomery County:

Aurora Family Counseling Center
507 North Main Street
Troy, NC 27371
(910) 572-3066

Center for Substance Abuse Treatment
National Drug and Alcohol Treatment Referral

(800) 662-HELP (4357)

Crisis Council, Inc.
827 Ophir Avenue (Office)
Troy, NC 27371
Crisis Line Phone: (910) 572-3747
Office: (910) 572-3749

Daymark Recovery Services Montgomery Center
227 North Main Street
Troy, NC 27371
(910) 572-3681
Daymarkrecovery.org

FirstHealth EMS
508 Wood Street
Troy, NC 27371
Phone: (910) 571-5499

FirstHealth Montgomery Memorial Hospital
520 Allen Street
Troy, NC 27371
Phone: (910) 571-5000

Montgomery Co. Dept. of Social Services
102 East Spring Street
Troy, NC 27371
Phone: (910) 576-6531

Montgomery Co. Emergency Services
201 South Main Street
Troy, NC 27371
Phone: 911 or (910) 576-1313 (Communications Center)
Phone: (910) 576-0608 (911 Addressing)

Montgomery Co. Health Department
217 South Main Street
Troy, NC 27371
Phone: (910) 572-1393

Montgomery Co. Highway Patrol
166 Glen Road
Troy, NC 27371
(910) 572-1479

Montgomery Co. Sheriff's Office
199 South Liberty Street
Troy, NC 27371
Phone: (910) 572-1313

National Certified Prevention Lifeline/Crisis Line
1-800-SUICIDE (784-2433)
National Suicide Prevention
Lifeline.....1-800-273-TALK (8255)
TTY.....1-800-799-4TTY (4889)

NC Div. of Community Corrections: Intensive Probation
348 North Main Street
Troy, NC 27371
Phone: (910) 576-2802

North Carolina MENTOR
318 North Main Street
Troy, NC 27371
Phone: (910) 576-1188

Therapeutic Alternatives, Inc.
1-877-626-1772 (24 hour assistance)

In Neighboring Moore County:

Daymark Recovery Services Moore Center
205 Memorial Drive
Pinehurst, NC 28374
(910) 295-6853

FirstHealth Moore Regional Hospital
155 Memorial Drive
Pinehurst, NC 28374
Phone: (910) 715-1000

Friend-to-Friend
105 McReynolds Street
Carthage, NC 28327
Phone: (910) 947-3333

Moore Co. Dept. of Social Services
1036 Carriage Oak Drive
Carthage, NC 28327
Phone: (910) 947-2436
Child Abuse Hotline (910) 947-5683

Moore Co. Emergency Services
105 Saunders Street
Carthage, NC 28327
Phone: (910) 947-6317

Moore Co. Health Department
705 Pinehurst Avenue
Carthage, NC 28327
Phone: (910) 947-3300

NC Division of Vocational Rehabilitation Services
150 Blake Boulevard
Pinehurst, NC 28374
Phone: (910) 295-1530

In Neighboring Stanly County:

Alcoholics Anonymous
Phone: (704) 983-1600

Note: All policies included in this document are subject to approval from the MCC Board of Trustees.