

**2016 Campus Security Policies and
Statistics, VAWA Amendments & Annual
Fire Safety Report for Calendar Year 2015**



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The University of South Carolina Upstate Policy for Reporting the Annual Disclosure of Crime Statistics

In 1998 the federal government passed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, previously known as the Student-Right-To Know Act of 1990. This law requires colleges and universities receiving federal funding to disclose specific reported criminal activity on their campus. The Department of Public Safety prepares a report annually to comply with this Act.

Further amendments were made in 2000 and 2008 addressing sex offender notification and campus emergency response. In 2014 the Department of Education published the final regulations for the Violence against Women Act (VAWA); amendments to the Clery Act. This report is prepared in cooperation with local law enforcement agencies surrounding our main campus and two satellite campus sites, the Dean of Students, Housing and Residential Life, and Student Affairs. Campus crime, arrest and referral statistics include those reported to the USC Upstate Department of Public Safety and designated campus officials known as Campus Security Authorities (CSA's). These include but are not limited to a member of the University Police Department, an individual who has responsibility for campus security but does not constitute a police or security department (for example, monitoring the entrance to a building), an individual or organization specified in the institution's security policy as an individual or organization to which students and employees should report criminal offenses, and an official of an institution who has significant responsibility for student or campus activities. Examples of such positions at USC Upstate include directors, deans, department heads, judicial affairs officers, advisors to students and student organizations, athletic coaches, the director of athletics and university police.

Prompt reporting to the local law enforcement agency by health care professionals (such as University Health Services) is mandatory if the care provider suspects or reasonably suspects that the person seeking treatment has suffered wounds inflicted by a firearm or suffered assaultive or abusive conduct. Counseling Services informs their clients of the procedures to report crimes to University Public Safety on a voluntary or confidential manner should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session. Each year, an e-mail notification is made to all enrolled students providing the web site address to access this report. Faculty/Staff receive similar notification. Copies of this report may also be obtained at the University Police Department at 219 North Campus Blvd. Spartanburg, SC 29303. Prospective employees may obtain a copy from Human Resources at 800 University Way Spartanburg, SC 29303 Administration Room 301 or by calling (864) 503-5320.

Preparation of this report is the responsibility of the USC Upstate Department of Public Safety. For the main campus, reporting data includes crime reports from the USC Upstate Department of Public Safety and Spartanburg County Sheriff's Department. It also includes crime reports from Campus Security Authorities, and crime reports and disciplinary actions from the Dean of Students and Director of Housing and Residential Life. For the George Dean Johnson Jr. College of Business and Economics, campus reporting data includes crime reports from the USC Upstate Department of Public Safety and City of Spartanburg Police Department. It also includes crime reports from Campus Security Authorities, and crime reports and disciplinary actions from the Dean of Students. Finally, for the University Center Greenville campus, reporting data includes crime reports from the Greenville Tech Police Department and City of Greenville Police Department. It also includes crime reports from Campus Security Authorities, and disciplinary actions from the Dean of Students.

These offenses must be reported according to their occurrence in the following location categories:

- The University of South Carolina Upstate Campuses
- The University of South Carolina Upstate residence halls (Magnolia House, Palmetto House and Villas)
- Public Property Reasonably Contiguous to the Campuses
- Non-Campus Buildings

More specifically, the law requires the reporting of violent crimes, burglary, arson, motor vehicle theft and a summary of arrests and disciplinary referrals for liquor law, drug abuse and weapons violations:

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- Murder
- Manslaughter
- Dating Violence, Domestic Violence and Stalking
- Sex Offenses
 - Forcible (rape, sodomy, rape with a foreign object, forcible fondling and sexual battery)
 - Non-Forcible (incest and statutory rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate Crimes (where evidence reflects victim selection based on actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin or disability)
- Arrests or persons referred for campus disciplinary action for liquor law violations, drug abuse violations and weapons possession.

In compliance with this law, the University Of South Carolina Upstate Department Of Public Safety has produced a pamphlet containing this information as well as other valuable safety and crime prevention information. This information is posted on the University of South Carolina Upstate Department of Public Safety Web site under *Campus Crime Statistics* located at www.uscupstate.edu/campus_services/police and is available in printed form at:

The University of South Carolina Upstate
C/O Department of Public Safety
219 North Campus Blvd.
Spartanburg, SC 29303

Copies of the brochure will also be sent upon request by U.S. mail or electronic mail. If you have any questions, concerns, or comments, please contact the University of South Carolina Upstate Police Department at (864) 503-7777 or by electronic mail at universitypolice@uscupstate.edu.

General Procedures for Reporting Campus Emergencies and Crimes Main Campus

The University of South Carolina Upstate maintains a full-service 24-hour Department of Public Safety staffed by certified law enforcement officers fully accredited by the State of South Carolina. Police Officers patrol the campus in clearly marked vehicles, bicycles, electric carts and foot patrol. For emergencies dial **911**. For non-emergencies, business, or general information the Department of Public Safety may be reached at any time by dialing Ext. 7777 from campus telephones or dialing (864) 503-7777 from a cellular or off-campus telephone. In the unlikely event of a campus-wide telephone system failure, the Department of Public Safety may be reached at (864) 503-9196. Magnolia House, Palmetto House and Palmetto Villas residents may also report an emergency to any Housing and Residential Life Staff Member who in turn will notify University Police via radio or telephone.

The main campus is equipped with emergency phones at the entrance to most campus buildings as well as 9 strategically located “blue light” call boxes. These call boxes are located as follows; Hodge Parking Lot, Smith Parking Lot, Health Education Building, Building #9 at Palmetto Villas, Building #6 at Palmetto Villas, Building #3, at the Villas, Academic Annex Parking Lot, Smith Parking Lot and HPAC Parking Lot. These phones connect the caller directly to the Spartanburg County 911 Communications Center.

Students, faculty, staff, visitors and all other members of the campus community are encouraged to contact the Department of Public Safety promptly, and to accurately report any crimes, medical emergency, fire, suspicious person or circumstance by calling **911**. Bystanders or witnesses to crimes, suspicious circumstances, fires or medical emergencies are encouraged to report such incidents when the victim(s) is unable to make such a report. This encouragement is publicized on the Department of Public Safety webpage, through articles in the campus newspaper, “The Carolinian” and through the Student and Employee Handbook. These publications are made available to all students, faculty and staff members and may be accessed on-line at the University web site.

In the event of an emergency, The Department of Public Safety should be dialed immediately at **911**. Calls for any emergency service provider such as fire or emergency medical services (EMS) may be made from campus telephones by dialing **911** as well

Support Services. Students may also contact Counseling Services (Ext.5195) where staff members are trained to assist with victim support and/or individual counseling, or to make referrals to the appropriate member of Health Services, (Ext.5191), Spartanburg Regional Medical Center (864-560-6000) or other appropriate agencies as needed.

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General Procedures for Reporting Campus Emergencies and Crimes:

George Dean Johnson Jr. College of Business and Economics and University Center Greenville Campus

The George Dean Johnson Jr. College of Business and Economics is located at 160 East St. John St. Spartanburg, SC 29306. All emergency responses at this campus are provided on a request for service basis. Law enforcement services are provided by the City of Spartanburg Police Department, fire services by the City of Spartanburg Fire Department and emergency medical services by Spartanburg County Emergency Medical Services. All emergency service providers may be reached by dialing **911**.

Students, faculty, staff, visitors and all other members of the campus community are encouraged to contact the Department of Public Safety promptly, and to accurately report any crimes, medical emergency, fire, suspicious person or circumstance by calling **911**. Bystanders or witnesses to crimes, suspicious circumstances, fires or medical emergencies are encouraged to report such incidents when the victim(s) is unable to make such a report. This encouragement is publicized on the Department of Public Safety webpage, through articles in the campus newspaper, "The Carolinian" and through the Student and Employee Handbook. These publications are made available to all students, faculty and staff members and may be accessed on-line at the University web site.

The University of South Carolina Upstate Greenville campus is located at the University Center of Greenville, 225 South Pleasantburg Drive at McAllister Square, Greenville, SC 29606. In addition to USC Upstate, five other universities are partners in the University Center. These include: Clemson University, Anderson University, Furman University, University of South Carolina Columbia and Greenville Technical College. Law enforcement services are provided on this campus by the Greenville Technical College Police Department, fire services by the City of Greenville Fire Department and emergency medical services (EMS) by Greenville County.

Students, faculty, staff, visitors and all other members of the Greenville campus are encouraged to contact the Greenville Technical College Police Department promptly at (864) 250-8911 and accurately report any crimes, suspicious person or circumstance. **911** may also be called to report a crime, fire or medical emergency. Bystanders or witnesses to crimes, suspicious circumstances, fires or medical emergencies are encouraged to report such incidents when the victim(s) is unable to make such a report.

In the event of an emergency, Greenville Tech Police should be called immediately at (864) 250-8911. Calls for any emergency service provider such as fire or emergency medical services, (EMS) may be made by dialing **911**. It is critical that the caller contact Greenville Tech Police immediately after direct contact has been made with emergency operators in order for Police Officers to direct outside responders to the exact location of the emergency.

Support Services. Students may also contact Counseling Services 503-5195 (Ext. 5195) where staff members are trained to assist with victim support and/or individual counseling, or to make referrals to the appropriate member of Health Services, (Ext. 5191), Greenville Regional Hospital (864) 455-6372 or other appropriate agencies as needed.

General Procedures for Confidential Reporting of Campus Emergencies and Crimes

University Police Officers, Counseling Services and all of the aforementioned campus offices provide prompt, sensitive, confidential and courteous service to any member of our community who may require assistance. Due to the nature and legal requirements of these duties, University Police and other campus officials must treat all reported crimes as official matters and investigate accordingly. Anyone desiring to discuss sensitive matters in a non-investigatory setting may contact Counseling Services, (Ext. 5195) or Health Services (Ext. 5191). All crimes, no matter how they are reported, must, by federal law be documented and reported. The same federal law also mandates that confidentiality be strictly maintained.

Limited Voluntary Confidential Reporting

The University of South Carolina Upstate Department of Public Safety encourages anyone who is the victim or witness of any crime to promptly and accurately report the incident to the police. Because police reports are public records under state law, the Department of Public Safety cannot hold reports of crime in confidence. Confidential or limited confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other USC Upstate campus security authorities as listed under Reporting a Crime. Confidential reports may also be made to Crime Stoppers at 58-CRIME (864-582-7463).

Confidential Reporting Procedures

The 1998 amendments to 20 U.S.C. section 1092 (f) clarify who are considered to be campus security authorities. Campus Pastors and Campus Professional Counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged (if and when they deem it appropriate), to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Counselors are defined as:

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

An employee of the institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Reporting of Criminal Offenses

To Report a Crime: Main Campus

Contact University Public Safety by dialing **911** for emergencies, 503-7777 for non-emergencies, or by using the emergency phones located at the entrance doors to most campus buildings, or one of nine strategically located blue light phones.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings, or around the Residence Halls should be reported to the University Police Department. In addition, you may report a crime to the following:

Dean of Students	503-5107	CLC 303
Director of Health Services	503-5191	995 University Way
Director of Housing & Residential Life	503-5422	Palmetto House
Director of Employee Relations	503-5344	Administration 310
Title IX Coordinator	503-5634	Administration 222 B/C

For commuter students living in off-campus housing adjacent to the University, please call Spartanburg County Sheriff's Department for law enforcement services at **911**. The University of South Carolina Upstate and the Spartanburg County Sheriff's Department work closely together. University Police attend periodic meetings with local law enforcement agencies to exchange ideas and problems which may be of concern to the University community.

To Report a Crime: George Dean Johnson Jr. College of Business and Economics

Contact the Spartanburg City Police Department at **911** for emergencies, or non-emergencies at (864) 596-2035. Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the police department. In addition, you may report a crime to the following:

Dean of Students	503-5107	CLC 303
Director of Health Services	503-5191	995 University Way
Director of Employee Relations	503-5344	Administration 310
Title IX Coordinator	503-5634	Administration 222 B/C

To Report a Crime: University Center Greenville (UCG) Campus

To report crimes at the Greenville campus, contact the Greenville Technical College Police Department at (864) 250-8911 for emergency and non-emergency services. Greenville Tech Police can also be reached at the following cell phone numbers: (864) 419-9972, 419-9966, 419-9929 or 419- 9980.

Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the Police Department. In addition, you may report a crime to the following:

Director of Teacher Ed Program	552-4227	University Center Greenville (UCG)
Dean of Students	503-5107	CLC 303
Director of Health Services	503-5191	995 University Way
Director of Employee Relations	503-5344	Administration 310
Title IX Coordinator	503-5634	Administration 222 B/C

Off-Campus Criminal Activity

If a USC Upstate student is involved in an off-campus criminal offense, the University Department of Public Safety is not typically involved with the investigations conducted by outside law enforcement agencies. Adjacent housing complexes such as Campus Edge, College Pointe and Campus Evolution are within the jurisdiction of the Spartanburg County Sheriff's Department.

Student Life maintains contact with recognized fraternity and sorority organizations through the efforts of the Greek Affairs Advisor. These organizations are located on campus. Neither the University of South Carolina Upstate nor any recognized fraternity or sorority organization operates any on or off-campus student organization facilities such as housing for these fraternity and sorority organizations.

Crime Prevention and Security Awareness Programs

Crime prevention and security awareness programs on personal safety and theft prevention for students are sponsored by various campus organizations throughout the year. These include University Police, the Dean of Students Office, Housing and Residential Life, Student Affairs, Student Life, and University 101 classes. The Department of Public Safety also facilitates crime prevention and security awareness programs for faculty and staff. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Listed below is a description of these programs:

Anti-Hazing Training: Twice a year at the beginning of the fall and spring semesters, the Office of Student Life conducts mandatory training for all sororities and fraternities regarding the University's anti-hazing policy, under-age drinking and illegal drug use/possession.

Bystander Training: At the beginning of each school year, all athletes are required to attend Bystander training entitled, "Retaking our Story, Reframing the Student Athlete Conversation." They also receive counseling from their respective coaches regarding underage drinking and drug and alcohol abuse. This program is hosted by the Office of Student Affairs.

Emergency and Safety Procedures Guide: Each employee is given a desktop emergency procedures guide detailing policies and procedures for a wide-range of potential emergency situations such as a fire, active shooter, bomb threat, severe weather incident, etc.

Hunting Grounds Movie: "The Hunting Grounds" addresses the problem of sexual assault on college campuses and is shown once a year. It is open to all members of the campus community. These showings are sponsored by the office of Student Affairs.

University 101 Classes: University 101 classes are mandated for all first year students. In these classes, part of the curriculum includes the instructors and guest speakers from University Police discussing many crime prevention and security awareness procedures including residence hall security, personal safety, sexual assault, dating violence, stalking, cyber stalking, identity theft, vehicle safety, criminal scams, vehicle safety, drinking and driving, and more. These classes are offered under the Academic Affairs umbrella.

Title IX Training: Upon hire at orientation, each new employee must complete an on-line Title IX training. This training addresses sexual discrimination on campus including sexual assault, stalking, dating violence. Also all University employees must attend either an on-line or in class Title IX training. This training is comprehensive and on-going. These trainings are sponsored by the University Training Coordinator in the USC Upstate Business Affairs Office.

Active Shooter/Mitigating Workplace Violence Training: Each year the Department of Public Safety offers 4-6 training classes on Active Shooters and Mitigating Workplace Violence. These classes are open to all members of the community. The training is also available of the USC Upstate Department of Public Safety website.

Campus Security Authority Training (CSA's): Campus Security Authority training is open to all university employees, and is offered by the Department of Public Safety twice a year; once in the fall semester and once in the spring semester. This training includes the definition of a CSA, CSA responsibilities, when to report, reporting options, what must be reported, CSA exclusions and CSA exemptions. This training is also available on-line at the Department of Public Safety website.

Alcohol EDU: Alcohol EDU for College is an on-line prevention program that encourages students to make safe decisions regarding alcohol and how to manage the behaviors of peers in order to create a healthier campus. At the beginning of each semester, all incoming students are required to complete this on-line training. It is sponsored by the Office of Student Life.

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Haven is an on-line prevention program that teaches students the issues associated with sexual assault and relationship violence as well as bystander intervention methods. At the beginning of each semester, all incoming students are required to complete this on-line training. The training is sponsored by Student Life.

Miscellaneous Personal Responsibility and Security Awareness Programs: The professional staff and Resident Assistants of Housing and Residential Life conduct personal responsibility security awareness programs each semester. With the assistance of the professional staff, each Resident Assistant is responsible for conducting at least ten such awareness programs each academic year for their respective floors of responsibility. In past years these have included Drunken Mario Cart, Think before You Drink, Consent Tie-Die, Spread the Love and bulletin board training on consent explained by using tea. However, these programs may change each semester depending on the programming choices of each Professional Staff and Resident Assistant employee. Additionally, each semester, the staff conducts 8 community-wide programs selected from the following categories; leadership, identity, values, experience Upstate, wellness, educational, life skills and large-scale socials.

Residents of each housing facility are also trained on fire safety and residence hall security at the beginning of each semester. Topics covered include fire safety policies and procedures, visitation, tailgating into residence halls, guest check-in procedures, lock down procedures and apartment and suite security.

Sexual Assault Awareness Month: Each April the University's Health Educator sponsors an awareness campaign addressing sexual assault. Campaigns vary from year to year and may include such events such as the Clothesline Project, movie viewings, etc.

Guest Speakers: Each academic year the Dean of Students sponsors 2-3 guest speakers who meet and talk with students on such subjects as alcohol education, sex and the law and Title IX.

Personal Protection Series: The Department of Public Safety's Personal Protection Series is a monthly training program for all members of the campus community. Crime prevention topics vary from month to month and include a wide-variety of topics including but not limited to theft prevention, fraud, Operation I.D., Neighborhood Watch, identity theft, sexual assault prevention, personal protection, credit card fraud, and criminal scams.

Rape Aggression Defense (R.A.D.): Rape Aggression Defense System is a comprehensive course that includes awareness, prevention, risk reductions, avoidance and hands-on self-defense training. A for credit class is offered once each semester while two to three public classes are offered to the general community each year. This program is sponsored by the Department of Public Safety.

Safety Awareness Brochures: An array of safety training brochures are also available free of charge at the Department of Public Safety. These include College Fire Safety, information on Restraining Orders, Rape Aggression Defense, Mitigating Workplace Violence, Electrical Safety, Fire Safety, Increasing Awareness about Domestic and Sexual Violence, and Tips for Solving Conflict without Violence.

Student and Parent Orientation: During student and parent orientations in July and August of each year, students and parents are informed of services offered by the University's Department of Public Safety. Lectures, video and Power Point presentations include strategies for maintaining personal safety, residence hall security, vehicle theft and theft of personal property from vehicles. This program is hosted by Admissions.

Safe Spring Break: Each year the University hosts a Safe Spring Break informational session in which the Department of Public Safety participates with a program entitled Fatal Vision where students learn first-hand the effects of driving under the influence of alcohol and marijuana by driving a golf cart with specially designed goggles that help simulate driving under the influence.

Crime Prevention Awareness Programs: Periodically during the academic year the Upstate Police Department, in cooperation with other University organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), Rohynol abuse, theft, vandalism and educational sessions on personal safety and residence hall security. These lectures and training are held in University 101 classes. Residence halls and individual classes upon request. In addition, a video entitled "I Didn't Know it was Rape" addressing sexual assault is posted to the Department of Public Safety webpage.

Residential Student Briefings: At the beginning of each fall semester, the Chief of Police and the Dean of Students meet with residents of the Palmetto House, Magnolia House and Villas to discuss Title IX and drug and alcohol policies related to criminal statutes and University policy.

Media: In addition to awareness classes, information is disseminated to students and employees through crime security alert posters and articles in the University newspaper as needed and appropriate.

Tip: To enhance personal safety, (especially after an evening class), walk with friends or someone from class that you know well, or call the Department of Public Safety for an escort

University Police Authority and Jurisdiction

Main Campus

As State Constables, University Police Officers possess state-wide police powers to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, the Department of Public Safety may also refer the individual to the Dean of Students or Director of Housing and Residential Life for judicial action. In addition, University Police may be called upon by the University Administration to conduct administrative investigations of a non-criminal nature.

Major offenses such as rape, murder, aggravated assault and robbery may be investigated jointly with the Spartanburg County Sheriff's Department and/or South Carolina law Enforcement Division (SLED). The prosecution of criminal cases, both felony and misdemeanor are conducted in Magistrate, General Sessions, or Federal Court within Spartanburg County.

The Department of Public Safety works closely with local, state, and federal police agencies and has direct radio communications with the Spartanburg County Sheriff's Department, North Spartanburg County Fire Department and the County **911** Emergency Dispatch Center.

By mutual agreement with state and federal agencies, the Department of Public Safety maintains an American Law Enforcement Network (ALEN). Through this system, police personnel can access the National Crime Information Computer System as well as the State of South Carolina criminal data base system. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

George Dean Johnson Jr. College of Business and Economics

As municipal law enforcement officers, City of Spartanburg Police Officers possess police powers to apprehend and arrest anyone involved in illegal acts within the City of Spartanburg including a 3-mile radius outside the city limit. This includes the Johnson School of Business campus and areas immediately adjacent to the same. If minor offenses involving University rules and regulations are committed by a University student, University Police may refer the individual to the Dean of Students for judicial action.

Spartanburg Police work closely with state and federal police agencies and have direct radio communications with EMS, the Spartanburg County Fire Department and the County **911** Emergency Dispatch Center. Major offenses such as rape, murder, aggravated assault and robbery may be investigated jointly with SLED. The prosecution of criminal cases, both felony and misdemeanor are conducted in Magistrate, General Sessions, or Federal Court within Spartanburg County.

University Center Greenville (UCG) Campus

As State Constables, Greenville Tech Police Officers possess state-wide police powers to apprehend and arrest anyone involved in illegal acts on the Greenville campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, University of South Carolina Upstate Police or the Greenville Tech Police may also refer the individual to the Dean of Students for judicial action. Major offenses such as rape, murder, aggravated assault and robbery may be investigated jointly with the City of Greenville Police Department and/or SLED. The prosecution of criminal cases, both felony and misdemeanor are conducted in Magistrate, General Sessions, or Federal Court located within Greenville County. Greenville Tech Police work closely with local, state, and federal police agencies and have direct radio communications with the Greenville Police Department, Greenville County Fire Department and the Greenville County **911** Emergency Dispatch Center.

General Policy Information

Emergency vehicles

You are required to yield and pull over for any vehicle exhibiting flashing emergency lights, including University Police. Failure to do so may result in arrest, citation, and/or disciplinary action.

Identifying Yourself to Campus Officials

When requested to do so, you are required to properly identify yourself to any Campus Official, including Housing and Residential Life staff, Resident Assistants and University Police Officers.

Individual Responsibility

Every student and employee must bear an appropriate amount of responsibility for their own safety and security as well as their fellow students and co-workers. To this end, please observe the following guidelines:

- Report all crimes immediately. Prompt reporting may assist in apprehension and prevention of future crimes. Call **911**.
- Report all suspicious persons and circumstances. This may prevent a crime from occurring. Call **911**.
- Lock your doors and windows, even if you'll only be gone, "a little while." It doesn't take long for a thief to walk in, remove your personal property and walk out unnoticed.
- Don't prop open or try to compromise the security features of residence hall doors. If you find a door propped open, please close it. If it won't lock, notify an RA, the Housing and Residential Life office or the Department of Public Safety immediately.
- Adequately secure any property left outside, such as bicycles.
- If you walk across campus late at night, consider going with a friend. We enjoy a very safe campus; however, crime can occur anywhere.

Littering and Vandalism

Please help keep your campus clean! Students who are found to be responsible for littering or vandalism in or around the campus will be charged for the cost of clean-up and/or repair. Flagrant incidents may also result in disciplinary action and/or arrest/citation.

Lost and Found

To check on lost items of personal property, or to turn in found items, please call the Department of Public Safety business line at (864) 503-7777.

Emergency Notifications

Recognizing the institution's fiduciary responsibility to keep students, employees and guests from harm's way, the University of South Carolina Upstate provides immediate notifications to the campus community when a significant emergency or other dangerous situation posing an imminent threat to the health and safety of our community has been confirmed by a University official. Such notifications may include general safety information or specific instructions to lock down a building, evacuate, shelter-in-place or move to a severe weather shelter area. Emergency responses are provided by University Public Safety, Spartanburg EMS, and North Spartanburg Fire Department.

To ensure the integrity of this process, emergency notification systems are tested on a regular basis. Additionally, the University will work to provide safe, timely and effective building evacuations. To this end, one (1) evacuation drill is held each year in all academic and support services buildings while two (2) building evacuation drills are held each academic term in residence halls.

An emergency notification to our campus community is triggered by any event that is currently occurring and represents an emergency or dangerous situation posing an immediate threat to campus. After confirmation of a significant emergency or dangerous situation representing an immediate threat to the health or safety of students or employees occurring on campus or affecting campus, emergency notification procedures will be initiated immediately. To report an incident requiring an emergency notification, contact University Police immediately at either (864) 503-7777 or, 911.

Some examples of an immediate threat may include:

- A building fire
- Active shooter
- Terrorist incident
- Bomb threat
- Explosion
- Gas leak
- Civil unrest or rioting
- Approaching tornado or other severe weather condition
- Hazardous material spill

Notifications will be made via the SpartAlert Emergency Notification System. These notifications will be made by text messages and email. Limited mass notifications via public address speakers connected to the fire alarm systems in the HPAC, Smith and Media buildings may also be activated from the Department of Public Safety on an as needed basis. The University's emergency notification system may also include the utilization of electronic message boards, flyers at building entrances and bulletin boards, and/or person to person notification of students, faculty and staff by Building and Floor Coordinators, University Police or other University personnel.

Moreover, USC Upstate will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. Limited notifications may be made when only a small area or building is affected. These decisions are made by the Chief of Police or his/her designee and when needed with input from the Incident Management Team. In either regard, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action.

Emergency notifications will be issued by either the Assistant Vice-Chancellor of University Communications, Director of University Communications, Chief of Police or Assistant Chief of Police. The contents of the notification will be determined by an assessment of

the threat by University Police including the nature and location of the threat, specific precautions to be take and whether any weapons are involved in the dangerous situation. Intelligence information for the alerts may be obtained from patrol officers, parking officers, security officers, faculty, staff, students or visitors of the University. Risk assessment will be assessed by the Incident Management Team and subject matter experts such as the Chief of Police, Assistant Chief of Police, Investigator, Resident State Fire Marshal, Director of Risk Management, or external public safety partners including law enforcement, fire and EMS.

Notifications to the external community may be made to local media outlets (television, radio, newspaper) through University Communications. Reverse 911 notifications may be made to the adjacent community from the Spartanburg County 911 Center.

Messages may include directions to the campus community to:

- Lock down a building
- Shelter in place (remain in the location in which you are presently located)
- Relocate to a designated Severe Weather Shelter Area
- Evacuate a building
- Avoid coming to campus or a particular area on campus
- Clear athletic and recreational fields and seek shelter indoors

Emergency Notification Protocol

When a situation occurs which represents a significant emergency or dangerous situation and an immediate threat to campus, the Director of Public Safety/Chief of Police or his/her designee will engage the following procedures to immediately notify the campus community:

1. Confirm that there is a significant emergency or dangerous situation on campus requiring activation of the "*SpartAlert*" emergency notification system. This confirmation is determined by the Director of Public Safety or his/her designee from verified information received from multiple layers of information gathering including but not limited to Police Officers, University department and administrators, students, faculty, media and external public safety partners.
2. Determine the appropriate segment(s) of the campus community to receive notification. If a significant emergency or dangerous situation is such that it could impact the entire campus community, all segments of the community will be notified. However, if the threat is limited to a building or area, such as flooding in a single structure, only persons in the affected area may be notified. On-going assessments of the event will be made and additional segments of the community will be notified if the situation warrants such action.
3. Determine the content of the notification. The Director of Public Safety or his/her designee will confer with the Director of University Communications or her/his designee to determine what information will be included in the notification. Consideration will be given by the Chief of Police as to how much information is appropriate to disseminate at different points in time.
4. Initiate the "*SpartAlert*" emergency notification system without delay, and taking into account the safety of the community, unless, in the professional judgment of the responsible authorities, such activation could compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. In most cases, first responders will be alerted of the significant emergency or dangerous situation prior to the community as a whole.
5. Methods of communicating a significant emergency or dangerous situation to our external stakeholders or larger community will be made by the Director of Communications and may include all or a part of the following:
 - Radio and/or Television Alerts
 - Reverse 911 Notification through Spartanburg 911 Center

6. Methods of communicating a significant emergency or dangerous situation to our internal stakeholders may include all or a part of the following:
- Text message notification
 - Email notification
 - Public address notifications from fire alarm hallway speakers in HPAC, Smith and Media buildings only
 - Electronic message boards
 - Notification on University web page at www.uscupstate.edu
 - Person to person
 - Flyers and posters

Emergency Response and Evacuation

The University's Incident Management Plan includes information about Incident Response Teams, University operating status parameters, incident priorities and performance expectations, shelter-in-place and evacuation guidelines, and local contingency and continuity planning requirements. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility (Individual Building Action Plans). The University conducts a number of emergency response exercises each year such as table top exercises, field exercises, and tests the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

USC Upstate police officers and supervisors have received training in Incident Command and responding to critical incidents on campus. When a serious incident occurs that causes an immediate threat to campus, the first responders to the scene are usually USC Upstate police officers, Spartanburg EMS and North Spartanburg Fire Department. Typically these agencies respond and work together to manage the incident. Depending on the nature of the incident, other USC Upstate departments and other local or federal agencies could also be involved in responding to the incident.

Emergency Evacuation Glossary of Terms

- **Shelter-In Place Procedures-What it Means to "Shelter-in-Place"** If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors as leaving the area may expose you to that danger. Thus, to, "shelter-in-place" means to make a shelter of the building you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.
- **Basic "Shelter-In-Place" Guidelines**-If an incident occurs and the building you are in is not damaged, stay inside until you are told it is safe to come out. If your building is damaged, take your personal belongings and follow the evacuation procedures for our building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter quickly at the nearest University building. If police or fire department personnel are on the scene, follow their directions.
- **How You Will Know to "Shelter-In-Place"**- A shelter-in-place notification may come from several sources, including the SpartAlert notification system, Upstate Police, Housing Staff members, or other University employees.
- **How to "Shelter-in-Place"**- No matter where you are, the basic steps of sheltering-in-place will generally remain the same. Should the need ever arise, follow these steps unless otherwise instructed by on scene emergency responders:
 1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of an emergency. If you are outdoors, proceed quickly into the nearest building or follow instructions from on scene first responders.
 2. Locate a room to shelter inside. The room should be an interior room at ground level either without windows or a minimal number of windows.
 3. Shut and lock all windows and close exterior doors.
 4. Turn off air conditioners, heaters and fans.
 5. Close vents to ventilation systems if possible (University staff will turn off ventilation systems as quickly as possible).

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6. Make a list of people with you and ask someone to call in to USC Upstate Department of Public Safety so they know where you are sheltering.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

- **Partial Evacuation Procedures-What “Partial Evacuation” Means** - In case of severe weather such as a tornado or severe lightning storm, it is usually safer to stay indoors and partially evacuate to a “Severe Weather Shelter Area” located within the building you are in. These areas are readily identifiable by a green and white sign affixed to the wall reading, “Severe Weather Shelter Area.” It is usually safer to stay in these areas as remaining in a classroom adjacent to an outer wall and/or glass windows may expose you to danger, especially if a tornado touches down.
- **Basic “Partial Evacuation” Guidelines** - If an incident occurs and the building you are in is not damaged, remain in the Severe Weather Shelter Area until you are told it is safe to come out.
- **How You Will Know to “Partially Evacuate”**- A “Partial Evacuation” notification may come from several sources, including the SpartAlert notification system, Upstate Police, Housing Staff members, or other University employees.
- **How to “Partially Evacuate”**- No matter where you are, the basic steps of partially evacuating will generally remain the same. Should the need ever arise, follow these steps unless otherwise instructed by on scene emergency responders:
 1. If you are inside, collect any personal belongings, emergency supplies and a telephone to be used in case of an emergency. Quickly and orderly move to the nearest “Severe Weather Shelter” area.
 2. If you are outdoors, proceed quickly and orderly into the nearest building and locate a “Severe Weather Shelter Area,” or follow instructions from on scene first responders.
 3. Remain in the “Severe Weather Shelter” until it is safe to leave.

How do I sign-up for emergency notifications and timely warnings?

SpartAlert is a free “opt in” notification program, however, standard text messaging charges apply for emergency notifications and semi-annual tests. As such, faculty, staff and students must register their phone numbers with the University to enable cell phone notifications of an emergency situation or timely warning. Students or employees may also elect to include parents or other close relatives’ phone numbers as well. To sign up for SpartAlert,

Employee procedures for registering for SpartAlert notifications:

- Log into the VIP website at <https://vip.sc.edu>
- Click on “Show Me Emergency Notification”
- Click on “Go to Update Form”
- Fill in the boxes for phone number and email notifications
- When completed click “Update.”

Student procedures for registering for SpartAlert notifications:

- Log on to my.sc.edu
- Click on “Manage Emergency Notification Information”
- Enter your VIP number and Password and Click Login
- Click on “Update Form”
- Fill in boxes for phone numbers and email notifications
- When completed click “Update”

In responding to an emergency situation, the University may take all or part of the following actions to mitigate a dangerous situation. Activation of these resources will be the responsibility of the Department of Public Safety and Incident Management Team:

- Dispatch police officers and/or other emergency response personnel to the location of the emergency
- Contact Building and Floor Coordinators in each building to assist with notifications to evacuate a building, shelter-in-place or relocate to a designated Severe Weather Shelter Area. In on-campus housing units, Resident Assistants and HRL professional staff will manage students with building evacuations, sheltering in place or relocation to severe weather shelter areas.
- Lock down residence halls
- Lock down campus buildings
- Direct students and employees to a safe location on or off campus
- Activate the Incident Management Team
- Call in off-duty Upstate Police Officers to respond to campus
- Divert traffic or close a street(s)
- Evacuate campus
- Request additional resource or assistance from the North Spartanburg Fire Department, Spartanburg County EMS or Spartanburg County Sheriff's Department.
- Activate NIMS/ICS
- Establish a Mobile Command Center
- Activate the Emergency Operations Center

Testing Emergency Response and Evacuation Procedures

At least annually, the USC Upstate Department of Public Safety conducts a test(s) of the University's emergency response and evacuation procedures. These exercises are scheduled drills and may include contain drills, contain exercises, and follow-through activities. These exercises are designed to assess and evaluate emergency plans and capabilities. Emergency and response evacuation procedures are publicized in conjunction with at least one test per calendar year. Testing includes but is not limited to:

- Building evacuations of residence halls and academic buildings
- Shelter-in-Place procedures
- Building lock downs
- Testing of the SpartAlert Emergency notification system
- Fire alarm tests
- Table Top exercises
- Contain exercises (An exercise involving coordination of efforts of first responders; i.e., police, fire, EMS)
- Contain follow-through activities (An activity designed to review the test)

Timely Warning Notices: Timely warning notices are triggered by Clery Act reportable crimes that have already occurred on University property, or public property contiguous to the University but represent an ongoing threat to the campus community. Other non-Clery Act crimes that may also represent an on-going threat to the campus community will trigger a Timely Warning Notice as well. A warning will be issued by either University Communications or the Department of Public Safety as soon as pertinent information is available and confirmed.

The purpose of a Timely Warning is to alert the campus community to certain crimes in a manner that is timely, aid in the prevention of similar crimes, and enable people to protect themselves. Whether a Timely Warning is issued is decided on a case by case basis in light of all the facts surrounding the incident such as the nature of the crime and whether or not students and employees are at risk for becoming victim of similar crimes.

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Anyone with information warranting an emergency notification or a timely warning notice should report the circumstances to the Department of Public Safety by phone at (864) 503-7777 or in person at 219 North Campus Blvd. Spartanburg, SC 29303. Timely Warnings will be issued through the SpartAlert Emergency Notification System. Depending on the circumstances of the incident, notifications may also be placed at entrance to buildings, bulletin boards, electronic message boards and the campus newspaper.

Security and Access Policy

Main Campus - During normal business hours, the University (excluding residence halls) is open to students, parents, employees, contractors and guests. During non-business hours, access to University facilities is by key or access card if previously authorized by policy or issued by a representative of the Department of Public Safety, Facilities, or Housing and Residential Life. During periods of extended closure, the University will admit only those persons with prior approval to all University-owned facilities.

Residence Halls are locked 24 hours a day and require the use of card access during the academic school year and as determined by the Housing Office during the summer. Some facilities have individual operating hours which may vary at different times of the year. Examples of these are the Library, CLC, Hodge Center and Fitness Center. In these cases, the facilities will be secured according to a schedule provided by the Special Events office or the department in control of the particular building or facility.

George Dean Johnson Jr. College of Business and Economics - During normal business hours, the Johnson School of Business is open to students, parents, employees, contractors and guests. During non-business hours, access to the building is by card access and alarm access code if previously authorized by policy or issued by an authorized representative of the Department of Public Safety and/or Facilities Management. During periods of extended closure, the University will admit only those persons with prior approval.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are identified as security concerns will have safety surveys conducted to identify measures to enhance the area. Administrators from the CEOC, Facilities Services and Public Safety will review these results. These surveys will examine security issues such as access control, fencing, lighting, landscaping, locks, alarms and communications.

Greenville Campus - During normal business hours, the Greenville Campus is open to students, parents, employees, contractors and guests. During non-business hours, access to buildings is by key and alarm access code if previously authorized by policy or issued by a representative of Greenville Tech Police or University Center Management. During periods of extended closure, the University Center staff will admit only those persons with prior approval to all University Center facilities.

Policy Statement on Tobacco

USC Upstate is a smoke-free campus. As such, smoking is not permitted anywhere on campus. This includes electronic or "E" cigarettes, electronic nicotine delivery systems (ENDS), and personal vaporizers (PV).

Policy Statement on Alcoholic Beverages

The possession, consumption, manufacture, sale or furnishing of alcoholic beverages on University grounds is governed by University policy and South Carolina state statutes. Laws regarding the possession, sale, consumption or furnishing of alcoholic beverages are controlled by the Alcoholic Beverage Commission. However, the criminal enforcement of alcoholic beverage laws on campus is the primary responsibility of the USC Upstate Department of Public Safety.

Campus policies which are primarily enforced by University Public Safety and Housing and Residential Life prohibit the consumption, possession, sale, distribution or furnishing of alcoholic beverage on campus (including empty alcoholic beverage containers), except at special events designated by the Chancellor and approved by the Chief of Police, Risk Manager and Vice-Chancellor for Student Affairs. Students 21 or over living in the Villas may possess one six pack of beer or one bottle of wine not to exceed 750ml in their apartment. Consumption is limited to inside of the apartment.

Violations of University policy and state alcoholic beverage laws are subject to University disciplinary action, criminal prosecution, fine and/or imprisonment. It is unlawful to sell, furnish, or provide alcoholic beverages to a person under the age of 21. Further, the possession of an alcoholic beverage by anyone under 21 years of age in a public place or place open to the public is illegal. Organizations or groups violating the University alcoholic beverage policy or state law may be subject to University sanctions. Driving a vehicle under the influence of alcohol or drugs (DUI) is a significant risk to the campus community. Persons driving under the influence are subject to arrest and/or University sanctions.

Policy Statement on Illegal Drugs

The University of South Carolina Upstate has been designated "drug free." The possession, sale, manufacture or distribution of any controlled substance is illegal under state and federal laws. Such laws are strictly enforced by University Police, Dean of Students and Housing and Residential Life.

Possession of paraphernalia is also a violation of the University drug policy and includes any object that contains the residue of an illegal drug or narcotic, and/or any object that is used in the consumption or distribution of an illegal drug. All drugs and/or paraphernalia will be confiscated and/or destroyed.

Being under the influence of illicit drugs is also a violation of University policy. Violators are subject to University disciplinary action, criminal prosecution, fine and/or imprisonment.

Alcohol and Substance Abuse Information and Education

Prevention Programs

The University of South Carolina Upstate has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and University disciplinary actions.

The Coordinator of Alcohol and Drug Education Programs within the Counseling Services office provides overall coordination of these services for students. The Director of Employee Relations and Equal Opportunity provides overall coordination for employee services and referrals. However, many services are either independently or collaboratively the responsibility of other areas of the institution. These include:

Alcohol and Drug Education: Students

- Alcohol EDU is an on-line educational program required for all incoming freshmen and transfer students.
- University 101 classes addresses this topic reach all incoming freshman as well.
- Workshops are conducted for students violating campus alcohol and drug policies
- Alcohol Awareness Month includes "Fatal Vision," National Alcohol Screening Day, Safe Spring Break Carnival and Alcohol Education and Enforcement Team meetings.
- Pamphlets on drug and alcohol education are also available through Health Services, the Counseling Center and University Police.

Alcohol and Drug Education: Employees

- Deer Oaks is an Employee Assistance Program available to all employees offering support, counseling and treatment for alcohol and drug abuse.

Counseling Support: Counseling Services, Director of Health Services, Center for Student Success, Career Center, the Opportunity Network and Center for International Studies.

Referral Services: Human Resources, Employee Assistance Program, Spartanburg Alcohol and Drug Abuse Commission, Cherokee County Drug and Alcohol Abuse Commission, The Phoenix Center, Private Practice Therapists, Spartanburg Regional Behavioral Health, Carolina Center for Behavioral Health, Marshall I. Pickens Hospital, AnMed-Wellspring, Keystone, McLeod Addictive Disease Center and Pavilion.

University Disciplinary Actions: Dean of Students, Director of Housing and Residential Life, Honor Council, Judicial Appeals Committee and the Student Honor Council.

The Campus Sex Crimes Prevention Act of 2000

In accordance with the "Campus Sex Crimes Prevention Act" of 2000 which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the USC Upstate Department of Public Safety is providing a link to "OffenderWatch" the South Carolina Law Enforcement Division's (SLED) Sex Offender Registry. This act requires 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.

It also requires sex offenders already required to register with the 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. In the State of South Carolina, convicted sex offenders must register with the Sex Offender and Crimes Against Minors Registry maintained by the South Carolina Law Enforcement Division (SLED).

The State of South Carolina Code of Laws section 23-3-465 prohibits sex offenders mandated to report under section 23-3-450 from living in campus housing at a public institution of higher learning supported whole or in part by the State. Furthermore the act requires states to make the information available to an enforcement agency where the institution is located.

The Family Educational Rights and Privacy Act (FERPA) was also amended to make it clear that institutions fully disclose information received through state registration and community notification programs even if the offender is a student.

The Sex Offender and Crimes against Children Registry (OffenderWatch) is available via Internet pursuant to South Carolina Code of Laws Section 23-3-410 at www.sled.sc.gov or www.communitynotification.com.

Members of the University of South Carolina Upstate campus community may obtain information about registered sex offenders who may be present on Campus by contacting the University of South Carolina Upstate Department of Public Safety (864) 503-7777, or e-mail at police@uscupstate.edu. Send requests via U.S. mail to the University of South Carolina Upstate Attn: University Police at 800 University Way, Spartanburg, SC 29303, or in person at 219 North Campus Blvd. Spartanburg, SC 29303.

Policy on Preventing and Responding to Sex Offenses

The University of South Carolina Upstate prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as they are defined for purposes in the Clery Act. To this end the University educates all freshmen and in-coming students about sexual assaults, stalking, dating violence, and domestic violence through mandatory completion of the Haven sexual assault awareness training, Alcohol EDU, and Freshman 101 classes each fall. These represent the University's primary prevention and awareness programs.

Additionally, the University's Health Educator sponsors a screening of the movie "The Hunting Grounds" once each year. The month of April is designated as Sexual Assault Awareness month. As such, the University sponsors a different sexual assault educational campaign such as the Clothesline Project or Take Back the Night each year. The Dean of Students and Chief of Police meet with all residential students at the beginning of each academic year and talk to them about sexual assault, stalking, dating violence and domestic violence. Moreover, the Department of Public Safety offers Rape Aggression Defense Classes (RAD) and an educational video entitled "I Didn't Know It Was Rape" posted to the Department's Web page. Informational training programs regarding sexual assault, dating violence, domestic violence and stalking are also available to University students and employees upon request. Literature on date rape education, risk reduction and University response is available through Counseling Services and the Department of Public Safety.

Upon hire at orientation, each new employee must complete an on-line Title IX training. This training addresses sexual discrimination on campus including sexual assault, stalking, dating violence and domestic violence. Also, all University existing employees must attend either an on-line or in class Title IX training.

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This training is comprehensive and on-going. These trainings are sponsored by the University Training Coordinator in the USC Upstate Business Affairs Office.

If you are the victim of a sexual assault at this institution, your first priority should be to go to a place of safety. You should then obtain necessary medical treatment. The Department of Public Safety strongly advocates that a victim of sexual assault report the incident in a timely manner. This is a critical factor for effective evidence collection and preservation. Filing a police report with a University Police Officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will, however:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim;
- Provide for the collection of evidence helpful in prosecution, which cannot be obtained later;
- Assure the victim has access to free confidential counseling from counselors trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the Department of Public Safety, a state certified victim's advocate will be contacted as well. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system, University judicial system, or both. A Victim's Advocate from the Department of Public Safety and/or Counselor from the University Counseling Center will also guide the victim through the available options and support the victim in his or her decision. Various counseling options are available from the University through Health Services, Counseling Services and the Employee Assistance Program. Counseling and support service outside the University system may be obtained through Safe Homes.

University disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct are detailed in this publication as well as the *Student Handbook*. The *Handbook* provides in part, that the accused and the victim will each be allowed to choose one person to accompany them throughout the hearing. Both the victim and the accused will be informed of the outcome of the hearing. A student found guilty of violating the University sexual misconduct policy could be criminally prosecuted in State court and suspended or expelled from the University for the first-offense.

Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault if such changes are available.

Medical Attention:

Whatever one does following a sexual assault, it is essential that medical attention be sought immediately to protect against internal injury or disease and to assist with later prosecution. A victim should observe the following recommendations:

- Do not take a shower or wash any body part
- Do not douche
- Do not brush teeth
- Do not drink liquids
- Do not change clothes
- Do not change sheets
- Do not urinate
- Do not smoke or eat if there has been oral sexual contact
- Do not place any changed clothes in a plastic bag

Forced Sexual Assault is defined as an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's UCR program and included in Appendix A of 34 CFR Part 668. It occurs when there is unwilling or nonconsensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was or should have been aware. Providing or making available to a victim, and/or using any substance (e.g. alcohol, GHB, Rohypnol, etc.) will be considered an aggravated assault by statute as well as by the Administrative Hearing Officer, Honor Council or Pre-Hearing Officer when determining responsibility and appropriate sanction. Use of these substances by an alleged assailant may constitute violation of other University policies, and the student may be charged with these violations as well (e.g. Drugs, Harm to Persons, Disorderly Conduct, Disruptive Activity, Alcohol, etc).

The use of alcohol and other drugs by either party, in conjunction with an incident of sexual assault, does not mitigate accountability for the commission of this offense or diminish the seriousness of the offense.

Consent is defined as follows:

- Both individuals are physically free and capable to act
- Both individuals are willing and clear about their intent to engage in sexual activities
- Silence may not in and of itself constitute consent
- Past consent of sexual activities doesn't imply ongoing future consent.
- Consent cannot legally be given by someone who is intoxicated.
- Consent cannot be legally given by a person who is incapable of giving consent due to a mental or physical disability
- Legal age of consent in South Carolina is 16 years old. However, individuals as young as 14 years old are able to give consent with a partner who is 18 years old or younger.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

It is a pattern of conduct that is intended to cause or does cause a person to fear: (1) Death or death of others important to that person; (2) Assault or assault of others important to that person; (3) Bodily injury or bodily injury of others important to that person; (4) Sexual assault or sexual assault of others important to that person; (5) Involuntary restraint or involuntary restraint of others important to that person; (6) Damage to property or damage to property of others important to that person; (7) Confinement or confinement of others important to that person; (8) Threats of harassment via electronic devices (e.g. e-mail, phone, fax). The relationship between the perpetrator and the victim may be a current or former partner or spouse, dating relationship, acquaintance, or stranger.

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purpose of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Domestic violence is as a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological. It is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner 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 or intimate partner.
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of South Carolina.
- 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 State of South Carolina.

Non-Consensual Sexual Contact occurs when there is coerced, manipulated or unwanted touching, directly or through clothing, of an intimate part of a person (i.e., the genital areas, groin, inner thigh, anus, buttocks, mouth or breasts) that occurs against one's will, or without one's consent, including when one is unconscious, intoxicated or otherwise unable to give consent.

Non-Consensual Sexual Assault occurs when there is unwilling or non-consensual penetration of any bodily opening with any object or body part. This includes, but is not limited to penetration of a bodily opening without consent through use of coercion or manipulation.

Preservation of Evidence: Should you fall victim to one of these crimes, it is important to preserve any evidence associated with the crime that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining an Order of Protection. In the case of a sexual assault where biological evidence is present, a S.A.N.E. kit should be completed at Spartanburg Regional Medical Center to preserve evidence. However, completing a forensic examination would not require a victim to file a police report but will help preserve evidence in the event the victim decides to file a report at a later date. Time is absolutely critical when reporting a sexual assault. The sooner the assault is reported the easier it is to collect valuable evidence.

Standard of Evidence: The University of South Carolina Upstate employs a “preponderance of evidence” standard for Title IX administrative investigations of sexual assault, dating violence, domestic violence and stalking. A preponderance of evidence simply means that it is more likely than not that the accused is responsible for their actions. In criminal investigations conducted by the University Police Department, the standard of evidence is “proof beyond a reasonable doubt.”

What are my Reporting Options and Who Do I Contact If I am a Victim of Sexual Assault, Dating Violence, Stalking or Domestic Violence?

The adverse emotional impact following an act of violence including sexual assault can be severe. The long term effects of the trauma of sexual violence can have serious and lasting psychological consequences. The University recognizes the importance of competent, comprehensive and sensitive professional help. Do not hesitate to contact any one of the offices listed as soon as possible to report any incidence of sexual violence. The victim of a sexual assault, dating violence, domestic violence or stalking has several options listed below:

- **Reporting to the USC Upstate Department of Public Safety:** If an assault occurs on University property, it should be reported to campus police by calling **911**, 503-7777 or by using a campus emergency telephone. Assaults that occur off campus should be reported to the local police department by calling **911**. If you so desire, you may also be assisted by campus authorities such as the Dean of Students (864) 503-5107, Counseling Services, (864) 503-5195, Director of Health Services at (864) 503-5191, or the Title IX Coordinator at (864) 503-5634 in notifying University Police.

Filing a police report will involve investigating the allegation to determine if probable cause exists to warrant a violation of criminal statutes. Filing a police report will also involve making a statement to a police officer, identifying witnesses, identifying the perpetrator if known and turning over any and all physical evidence to the police department. Statements will also be taken from any witnesses and the perpetrator if known.

At any time during the course of the investigation, the victim may withdraw his or her desire to proceed with the case, or elect to file a complaint at a later date. However, if a report of criminal domestic violence is received an officer must investigate; and, if a police officer has probable cause to believe any crime of domestic violence has occurred, including violation of a protection order, the officer may make an arrest with or without a warrant, even if the officer did not observe the offense. If the victim is injured, the officer must make an arrest if the officer has probable cause to believe a crime of domestic violence occurred. Probable cause is merely a reasonable belief that a crime has occurred.

If you do not wish to file a police report, you may also contact any of the following resources:

- Dean of Students Office (864) 503-5107
- Director of Health Services (864) 503-5191
- Counseling Services (864-503-5195 - Counseling Services is an on-campus resource that provides free counseling visits to students. These trained professionals are ready to assist you or refer you to other competent professionals. All assistance is free and strictly confidential. Counseling can be critical to regaining one’s emotional balance following a sexual assault.
- Contact SAFE Homes Rape Crisis (864) 583-9803. This organization provides services to victims of domestic violence in Spartanburg, Cherokee and Union Counties and victims of sexual assault in Spartanburg and Cherokee Counties.

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Their mission is to use our collective voice to address the impact of domestic and sexual violence by providing quality services to those affected and to create social change through education, training, and activism.

- University Housing (864) 503-5422 is available to assist a victim with housing needs, such as relocation.
- The Title IX Coordinator conducts investigations of sexual discrimination and can be reached at (864) 503-5634.

Regardless of which avenue a student selects, the University of South Carolina Upstate will comply with the student's request for assistance in notifying the selected campus authority. Moreover, when a student or employee reports to the institution that the student or employee has been the victim of dating violence, domestic violence, stalking of sexual assault, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

Victim Advocate Services

Victim Advocate Services are available through a certified victim's advocate at the University Police Department. If you or a loved one become a victim of a crime, it's important to know your rights, and have a support base. Our Victim Assistance Response Team is available to provide services to victims and witnesses immediately after the crime occurs, during the investigation, and throughout the Criminal Justice Process in many different ways:

- Crisis Intervention
- Referrals and information to community agencies for professional counseling, support groups, medical, financial aid, and shelter.
- Informing victims/witnesses of their rights/responsibilities under the law.
- Acting as liaison between victims, police, investigators, and local agencies.
- Court preparation accompaniment and emergency transportation to court.
- Information regarding the current status of your case.
- Assistance in filing for victim compensation through the State Office of Victim Assistance (SOVA), to help with medical expenses, lost wages, counseling and funeral expenses.

Under the provisions of State Statute 16-3-1515, a victim or witness who wishes to exercise his or her rights under this article or receive services under this article or both must provide a law enforcement agency, a prosecuting agency, a summary court judge, the Department of Corrections, the Department of Juvenile Justice, as appropriate, his or her legal name, current mailing address, and current telephone number.

Victim and Witness Rights

Victims and Witnesses of Criminal Activity Have The Right To:

- 1.** Be treated with fairness, respect and dignity. To be free from intimidation, harassment, or abuse throughout the criminal justice system and informed of a victim's constitutional rights.
- 2.** Be reasonably informed when the accused/convicted person is arrested, released from custody or escapes custody.
- 3.** Be informed of and present at all criminal proceedings which are dispositive of the charges where the defendant has the right to be present.
- 4.** Be allowed to submit either a written or oral statement at all hearings affecting bond or bail.
- 5.** Be heard at any proceeding involving a post-arrest, a plea, or sentencing.
- 6.** Be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process.
- 7.** Confer with the prosecution after the crime against the victim has been charged, before the trial, or before any disposition, and informed of the disposition.
- 8.** Have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial.
- 9.** Receive prompt and full restitution from the convicted person or persons.
- 10.** Be informed of any proceeding when any post-conviction action is being considered, and be present at any hearing.
- 11.** A reasonable disposition and prompt and final conclusion of the case.
- 12.** Have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

Bystander Intervention

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes:

- Recognizing situations of potential harm
- Understanding institutional structures and cultural conditions that facilitate violence
- Overcoming barriers to intervening
- Identifying safe and effective intervention options
- Taking action to intervene

Prevention and Awareness Campaigns for Employees

Bystander awareness training for faculty and staff is offered twice a year through the Sexual Assault and Violence Prevention Office from the Columbia campus and facilitated by the USC Upstate Training Coordinator. One such segment of training is called “Stand up Carolina,” and the other offering, “True Strength.” In addition, the University sponsors an annual poster campaign for Bystander Awareness, Consent, Harassment, and discrimination. These campaigns are also advertised on the University web page and through social media such as Facebook and Twitter. All of these programs are sustained over time by offering these campaigns and trainings each academic year. Another campaign which is sustained over time for students, faculty and staff is “See Something, Say Something, Do Something.” This program is advertised via posters placed on bulletin boards, social media and the University web site to encourage members of our community to get involved and not be an idle bystander when intervention is needed to help another member of our community.

The objectives of these trainings are as follows:

- Decrease perpetration and bystander inaction
- Increase empowerment for victims in order to promote safety
- Help individuals and communities address conditions that facilitate violence

Prevention and Awareness Campaigns for Students

Bystander awareness training for all new and transfer students is offered through mandated viewing of the Haven. This topic is also discussed in University 101 classes for freshmen. The Sexual Assault and Violence Prevention Office from the Columbia campus, or similar organizations also provide bystander training entitled “Stand up Carolina,” and “True Strength” twice each academic year. In addition, the University sponsors an annual poster campaign for Bystander Awareness, Consent, Harassment, and Discrimination. These campaigns are also advertised on the University web page and through social media sites Facebook and Twitter. All of these programs are sustained over time by offering these campaigns and trainings each academic year. Another campaign which is sustained over time for students, faculty and staff is “See Something, Say Something, Do Something.” This program is advertised via posters placed on bulletin boards, social media and the University web site to encourage members of our community to get involved and not be an idle bystander when intervention is needed to help another member of our community.

The Office of Housing and Residential Life (HRL) also offers a variety of trainings to their residents throughout the year. These trainings and awareness campaigns include Bystander training and other topics as follows:

- Leadership
- Identity
- Values
- Experience Upstate
- Wellness
- Educational
- Life Skills
- Large-scale Social

At the commencement of each academic year the Dean of Students and Chief of Police meet with all residential students and train students on bystander intervention, Title IX, drug and alcohol policies, consent and sexual assault.

The objectives of these trainings are as follows:

- Decrease perpetration and bystander inaction
- Increase empowerment for victims in order to promote safety
- Help individuals and communities address conditions that facilitate violence

Orders of Protection

There are two type of restraining orders in South Carolina. If you're attempting to restrain someone who is a member of your household (such as an abusive boyfriend or girlfriend), the restraining order is called an "Order of Protection." An Order of Protection is granted by a family court judge. Otherwise, if you are trying to restrain another person such as someone who is harassing or stalking you, you may seek a Restraining Order which is granted by a magistrate.

If you and the person you are seeking the order against are "household members," then you may be able to get an Order of Protection. In South Carolina, "family members" are any of the following:

1. Spouses;
2. Former spouses;
3. People who have a child in common;
4. A male and female who are living together; or
5. A male and female who used to live together.

Where can I get an Order of Protection in South Carolina?

Family Court
180 Magnolia St.
Spartanburg, SC 29304
(864) 596-2500

Assistance for filling out the paperwork can be found at Safe Homes Rape Crisis on the Third Floor at 180 Magnolia St. Spartanburg, SC 29304

You may file for an Order of Protection in the Family Court in any of the following counties:

1. The county where alleged act of abuse occurred;
2. The county where the petitioner resides or is sheltered, unless the petitioner lives in another state (if the alleged abuser does not live in this county, then the petitioner can only file here, but the case must be heard in another county that qualifies);
3. The county where the alleged abuser resides, unless the alleged abuser lives in another state; or
4. The county where the parties last resided together.

If you do not believe you can afford to hire a lawyer, go to the Family Court Clerk of Court in one of the counties where you can file. The Clerk should provide you the necessary forms to fill out and file right there on the spot. There is no filing fee. Some counties also offer pro bono services for those who cannot afford a lawyer, and you may be able to have a lawyer help you fill out the petition, although that lawyer might not represent you at the hearing.

After it is filed, the judge will schedule a hearing. Some are held within 24 hours if you request it and the judge believes that an emergency exists. At the hearing, you will have to prove by the "preponderance of the evidence" that your "household member" committed:

1. Physical harm, bodily injury, assault, or the threat of physical harm; or
2. Committed sexual criminal offenses, as otherwise defined by statute, committed against a family or household member by a family or household member.

If you prove your case, then the family court judge can order any or all of the following:

1. Restrain the abuser from abusing, threatening to abuse, or molesting the petitioner or the person or persons on whose behalf the petition was filed;

2. Restrain the abuser from communicating or attempting to communicate with the petitioner in any way, and restraining the abuser from entering or attempting to enter your home, place of employment, school, or other place the judge feels is necessary. No contact!
3. Determine temporary custody and visitation if the parties have a child;
4. Require the abuser to pay temporary financial support for the petitioner and the child;
5. Grant temporary but exclusive use of the residence to either party;
6. Prohibit the transferring, destruction, encumbering, or disposition of real or personal property owned or leased by both parties;
7. Provide for temporary possession of personal property and order that the Sheriff will assist in having one party obtain property from the residence; and/or
8. Require the abuser to pay your attorney's fees.

A family court order of protection will be at least for 6 months but no more than one year. Also, the restrained person won't be able to obtain a gun while the order is pending.

What happens if someone violates an Order of Protection?

Violation of a family court order of protection is dealt with in one of two ways:

1. A finding by the court of contempt with up to one year in jail and up to \$1,500 in fines.
2. A criminal finding with up to 30 days in jail or a fine.

If a person under a family court order of protection and that person has been charged with or convicted of criminal domestic violence or CDVHAN, that person can't go to a domestic violence shelter where the victim resides. If so, that abuser can be sentenced by the court for up to 3 years in jail. If the person has a dangerous weapon, then it is a felony that carries up to 5 years. What should I do until I get my Order of Protection?

If you believe you or your children are in danger by the abuser, do one or all of the following:

1. Find a safe place to stay away from the abuser. For example, go to a friend's or family member's house (preferably one where the abuser might not think to look) until you've got the court involved.
2. Call the police. They may be able to offer some protection by checking in on you until your court date. Second, report the abuser to document your allegations so you can present this information to the family court. Lastly, police may arrest the person and charge with assault or criminal domestic violence (CDV).
3. Seek medical treatment if you need it.
4. Document any injuries by taking pictures.

Restraining Orders

A person may file for a Magistrate's Court restraining order against another person if the other person is engaged in harassment or stalking.

- **Harassment** is two or more instances that intrude into the private life of another person and that could cause a reasonable person mental distress. It can be following the person, continuously contacting the person, or regularly dropping by someone's home or job. It can include a pattern of unwanted communication, including phone, text, letter, or email.
- **Stalking** is similar to harassment, except that it is more extreme and can cause a reasonable person to believe that the person would kill, assault, or kidnap them or a member of their family.

Generally, you need two police reports showing that the person has harassed or stalked you on two or more occasions. If the person has a current charge pending for harassment or stalking, you may be able to get a restraining order. Where can I get a Restraining Order in South Carolina?

You have more than one option. You can file in the Magistrate Court of any of the following counties:

1. The county where the harassment or stalking occurred;
2. The county where the alleged stalker lives; or
3. The county where you reside if the alleged stalker is not a South Carolina resident or cannot be found.

To obtain a Restraining Order in Spartanburg County:

Spartanburg Magistrate Court
180 Magnolia Street
Spartanburg, SC 29304
(864) 596-2564

How do I get a Restraining Order in South Carolina?

You can either hire an attorney to represent you, or, consider contacting a *pro bono* legal organization in your community such as SAFE Homes Rape Crisis and see if they'll help you for free. You can also try to handle the case by yourself. If so, we suggest first going to a Magistrate in one of the counties listed above. The Clerk of Court should provide you with forms you need to file the complaint. There is no filing fee, but you may have to pay the fee if you don't prove your case. After you've filed, the court will then schedule a hearing. During the hearing, you will need to prove that the person is harassing or stalking you. In certain cases, the court can grant a temporary, emergency restraining order without a hearing (ex parte) that will hold you over until you get your hearing. If you prove your case, then the judge will issue an order restraining the person from:

1. Abusing or threatening you or members of your family;
2. Entering your residence, job, school, or other appropriate location as determined by the judge; or
3. Communicating with you in any way.

The restraining order lasts for up to a year, but the judge can extend it in certain cases. If the person gets charged criminally with harassment or stalking, it will be extended until the person's trial on those charges.

What happens if someone violates a Restraining Order?

Violation of a Magistrate's Court Restraining Order is punishable by up to 30 days in jail, a fine of \$500, or both. If the person has pending CDV charges or has been convicted of CDV and enters a domestic violence shelter where the victim is staying, that person can get up to 3 years in jail or up to 5 years if the person carries a weapon onto the premises.

Responsibilities of USC Upstate

If you have been granted either an Order of Protection or a Restraining Order, bring a copy of the Order to the Department of Public Safety at 219 North Campus Blvd. Spartanburg, SC 29303 (864) 503-7777. As the law enforcement authority of jurisdiction, the Department of Public Safety will enforce all legal orders issued by a court of competent jurisdiction.

If the party named in the order violates the terms and conditions of the Order on University property or public properties adjacent to the University contact University Police immediately. If a violation occurs off campus, immediately contact the law enforcement agency of jurisdiction such as Spartanburg County Sheriff's Department or City of Spartanburg Police Department.

Additionally, USC Upstate may make alternate class and housing arrangements as needed and appropriate. For housing changes contact:

Mandy Whitten
Director of Housing and Residential Life
Palmetto House
470 Hodge Dr.
Spartanburg, SC 29303
(864) 503-5420

For changes to academic classes contact:

Laura Puckett-Boler, Dean of Students
Community Life Center (CLC)
180 Gramling Dr. Suite 303
Spartanburg, SC 29303
(864) 503-5107

Confidentiality of Victim Information

Each year the University of South Carolina Upstate prepares an annual Campus Safety and Security Report which includes crime statistics and security policies of the University of South Carolina Upstate in compliance with the Jeanne Clery Act. This information is transmitted to The Department of Education on or about October 1st of each year. Moreover, crime statistics as well as a daily crime log are made available to the public.

In compliance with the Violence against Women Act of 1994, it is the policy of the University of South Carolina Upstate to maintain the confidentiality of victims of certain crimes including domestic violence, dating violence, sexual assault and stalking. To this end, personally identifying information will not be included in any publically available recordkeeping, including the Clery Act reporting and disclosures such as the annual security report and daily crime log. When preparing these reports, none of the below listed information is listed in the reports or transmitted electronically between the gatekeepers of the information. This includes:

- A first and last name;
- A home or physical address;
contact information (including a postal, email or Internet protocol address, or telephone or facsimile number;
- A social security number, driver's license number, passport number or student identification number; and
- Any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

In addition, any CSA crime reports submitted for inclusion in the annual Clery report and daily crime log will not include the above listed identifying information either.

Moreover, the University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Missing Student Policy

Students residing in campus housing, (Magnolia House, Palmetto House and Villas) may identify and register a contact person(s) with the Housing and Residential Life Office to notify if the resident student is determined to be missing (according to HEA guidelines a student is considered missing if their whereabouts is unaccounted for more than 24 hours). If a student is under 18 years of age, is not an emancipated individual and is determined to be missing, USC Upstate must notify the contact as well as a custodial parent or guardian within 24 hours.

This emergency notification process will be initiated in accordance with the student's designation when the Department of Public Safety has been notified and has determined that the student has been missing for more than 24 hours and has not returned to campus.

However, it is the policy of the University of South Carolina Upstate that any student discovered missing for 24 hours, (whether or not the student has identified a contact person), is above the age of 18 or is an emancipated minor will be reported immediately upon discovery to the Department of Public Safety for investigation. Upon notification the USC Upstate Department of Public Safety will also notify the Spartanburg County Sheriff's Department.

If it is determined that the student has been missing for 24 hours and the missing student has identified a contact, the Department of Public Safety will immediately notify said contact. If the missing student is under 18 and not emancipated, Public Safety will immediately notify said student's custodial parent or legal guardian as well as the contact of record. If neither of the two preceding scenarios applies to a student determined to be a missing person, The Department of Public Safety will notify the appropriate law enforcement agency having jurisdiction.

In all such cases involving a missing student, appropriate campus authorities including the Dean of Students, Director of Housing and Residential Life and Registrar will be notified as well.

To register missing student notification information, contact the Housing and Residence Life Office at or prior to move-in. All contact information will be registered confidentially and will only be accessed by authorized campus officials. The Housing and Residence Life Office is located on the ground floor of the Palmetto House at 470 Hodge Dr. Spartanburg, SC 29303.

Missing persons should be reported to the USC Upstate Department of Public Safety, Dean of Students or the Director of Housing and Residential Life.

Support Services

The University of South Carolina Upstate will provide written notification to students and employees about existing support services such as counseling, health services, mental health services, victim advocacy, legal assistance, how to request changes in academic schedules, changes in housing assignments, transportation, working situations, student financial aid and other services available for victims, both within the institution and in the community.

- | | |
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| <ul style="list-style-type: none"> • Counseling for students
USC Upstate Counseling Center
Community Life Center (CLC) Suite 224
180 Gramling Dr.
Spartanburg, SC 29303
(864) 503-5195 | <p>Counseling for Employees
Deer Oaks Behavioral Health
(1) 866-327-2400</p> |
| <ul style="list-style-type: none"> • Health Services for Students
Health Services Department
University Way
Spartanburg, SC 29303
(864) 503-5191 | <p>Health Services for Employees
State Health Plan Blue Cross/Blue Shield
PO Box 100605
Columbia, SC 29260-0605
1-800-868-2520</p> |
| <ul style="list-style-type: none"> • Mental Health for Students
USC Upstate Counseling Center
Community Life Center (CLC) Suite 224
180 Gramling Dr.
Spartanburg, SC 29303
(864) 503-5195 | <p>Mental Health for Employees
Deer Oaks Behavioral Health
(1) 866-327-2400</p> |
| <ul style="list-style-type: none"> • Victim Advocacy (Students and Employees)
USC Upstate Department of Public Safety
219 N. Campus Blvd.
Spartanburg, SC 29303
(864) 503-7777 | <p>Spartanburg Regional Hospital
101 E. Pearl Street
Spartanburg, SC 29301
(864) 560-6000</p> |
| <ul style="list-style-type: none"> • Student Financial Aid
USC Upstate Financial Aid Office
N. Campus Blvd.
Spartanburg, SC 29303
(864) 503-5349 | |
| <ul style="list-style-type: none"> • SAFE Homes Rape Crisis (Students and Employees)
236 Union Street
Spartanburg, SC 29302
(864) 583-9803 | |
| <ul style="list-style-type: none"> • Legal Assistance (Students and Employees)
148 E. Main Street
Spartanburg, SC 29304
(864) 582-0369 | |
| <ul style="list-style-type: none"> • Visa and Immigration Service (Students and Employees)
USCIS American Immigration Center
142-D West Phillips Road
Greer, SC 29650 https://www.us-immigration.com/uscis/south-carolina/greer-local-office.html | |

Changes in Academic, Living, Transportation, Working Situations and Protective Measures

The University of South Carolina Upstate will provide written notifications to victims of Dating Violence, Domestic Violence, Sexual Assault and Stalking about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. To this end USC Upstate will make such accommodations or provide such protective measures if a victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to University Police or local law enforcement. These determinations are made by the Dean of Students in consultation with the Senior Vice-Chancellor of Academic Affairs and/or the Chief of Police. Protective measures will be designed to minimize the burden on the victim and will be evaluated on a case-by-case basis. These may include some or all of the following actions:

- Changes in academic schedules
- Changes in housing location
- Dining hall eating hours
- Transportation to classes or the workplace
- Changes to working situations
- Protective measures such as security escorts or transportation assistance
- Assistance with filing an Order of Protection or Restraining Order

Requests for these changes should be directed to the Dean of Students who will consult with other appropriate authorities including but not limited to the Chief of Police, Director of Housing and Residential Life, Senior Vice-Chancellor for Academic Affairs, and faculty members.

IV. Non-Discrimination Statement

The University of South Carolina provides equal opportunity and affirmative action in education and employment for all qualified persons regardless of race, color, religion, sex, national origin, age, disability, veteran status or sexual orientation. These equal opportunity provisions include, but are not limited to admissions, employment, financial aid and student services

Discriminatory Harassment Policy EOP 1.03

Harassment based upon race, color, religion, sex, national origin, age, disability, veteran status and sexual orientation is a form of discrimination in violation of federal and state law and University of South Carolina system policies. Discriminatory harassment includes conduct (oral, written, graphic, or physical) directed against any person or group of persons because of race, color, national origin, religion, gender, age, disability or veteran status that has the purpose or reasonably foreseeable effect of creating an offensive, demeaning, intimidating, or hostile environment for that person or group of persons. Such conduct includes, but is not limited to, objectionable epithets, demeaning depictions or treatment, and threatened or actual abuse or harm. The University is committed to maintaining a harassment and discrimination-free environment for all faculty, staff and students and will not condone behavior between or among members of the campus community which creates an unacceptable educational or working environment.

Sexual Harassment Policy EOP 1.02 Sexual harassment subverts the mission of the University by threatening the careers, educational experiences, and well-being of all members of this community. It undermines the University's deep commitment to the primacy of a reward system based purely on merit, intellectual excellence, and job performance. The University, however, is also committed to freedom of speech and to the liberty of academics to teach, publish, and profess matters that others may find offensive. The purpose of this policy is to define "sexual harassment" in both the University employment and academic contexts, to provide procedures for investigation of sexual harassment claims, and to ensure that violations are fully remedied, while also protecting the constitutional and academic rights of every member of this community.

Definition of Sexual Harassment

Sexual harassment of employees or students at the University is defined as unwelcome sexual advance, requests for sexual favors, verbal or other expressive behaviors or physical conduct commonly understood to be of a sexual nature. Sexual harassment includes, but is not limited to, the following:

- Threats to make adverse employment or academic decision if another person refuses to engage in sexual activities.
- Demands that another person engage in sexual activities in order to obtain or retain employment or academic benefits.
- Promises, implied or direct, to give employment or academic benefits if another person engages in sexual activities.
- Unwelcome and unnecessary touching or sexually suggestive physical contact or threats to engage in such conduct.
- Indecent exposure.
- Invasion of sexual privacy.
- Sexual advances, requests for sexual favors, sexual comments and/or questions, and other sexually-oriented conduct that is directed against a specific individual and persists despite its rejection.
- Conduct not specifically directed at the complainant, which is sufficiently pervasive, severe, or persistent to alter the conditions of the complainant's employment or status as a student and create a hostile working or learning environment, when viewed from the perspective of a reasonable person of the complainant's gender.

Prohibited Conduct

- A member of the University community shall not engage in the sexual harassment of another member of the University community.
- A member of the University community shall not encourage, condone, or fail to take reasonable steps within this person's power to stop the sexual harassment of another member of the University community, regardless of whether the harassment is by another member of the University community or by persons doing business with the University.
- A member of the University community shall not retaliate, or attempt to cause retaliation against any person
(1) Who reasonably protests against sexual harassment practices within the University or (2) who becomes involved in any capacity in the procedures established in this Policy.

However, discipline may be imposed on a member of the University community who abuses the procedures established in this Sexual Harassment Policy: (1) by making claims of sexual harassment knowing them to be false or in reckless disregard of their truth or falsity, or (2) by making claims involving conduct that this person knows or has reason to know are not prohibited by this policy.

- A member of the University community shall not refuse to cooperate in the investigation of a sexual harassment complaint, but may assert whatever testimonial and evidentiary privileges available to that person by law.

Sanctions

Persons who violate the University of South Carolina System Non-Discrimination and Equal Opportunity Policies are subject to appropriate discipline by the University. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for the most serious violations may be termination from employment (and revocation of tenure) if the violator is an employee or permanent expulsion if the violator is a student. They may also be subject to civil damages or criminal penalties. Violations of this policy by students, including graduate assistants, will be governed by the following disciplinary procedures:

1st Offense: probation, community service, corrective action and in severe cases, suspension.

2nd Offense: suspension

3rd Offense: expulsion

Enforcement Procedures: Sources of advice and assistance with the procedures of the Non-Discrimination and Equal Opportunity Policies are available to all members of the community. They include: the dean of students (students); director of employee relations and equal opportunity (any member of the University community) the vice chancellor for administrative and business affairs (employees) and the executive assistant to the president for equal opportunity programs. --Dean of Students, Campus Life Center, Rm 303, 864-503-5107 --Director of Employee Relations & Equal Opportunity, Administration Bldg., Rm 310, 864-503-5344 --Vice

Chancellor for Administrative & Business Affairs, Administration Bldg., Rm.302, 864-503-5490 The Office of Employee Relations & Equal Opportunity can also provide training in the prevention, education, and the law relating to sexual harassment.

V. Policy on Sexual Assault (Student Handbook)

Introduction The University of South Carolina Upstate is an academic community preserved through mutual respect and trust of the individuals who learn, teach and work within it. Chief among the University's goals is a commitment to educating men and women to become responsible citizens. In this regard, the University is dedicated to maintaining a campus environment that actively discourages and condemns violence of any kind. Therefore, the University does not tolerate or ignore acts of sexual violence. As members of the University community, all individuals are expected to comply with and abide by the University policies and guidelines, Title IX, in addition to federal, state, and local laws whether off campus or on-campus.

The use of alcohol and other drugs in conjunction with an incident of sexual assault and/or acts of violence does not mitigate accountability for the commission of these acts or diminish the seriousness of the offense. The Student Right-to-Know and Campus Security Act (the Clery Act) of 1990 mandates the annual disclosure of statistics of sexual assaults and violent acts known to have occurred within the university's jurisdiction. The survivor's identity is not disclosed, in any such statistical reporting. Any act that constitutes a sexual assault or interpersonal violence of another person will not be tolerated and is a violation of the university's Code of Student Conduct, and may result in sanctions ranging from probation to expulsion. Disciplinary action on the part of the university does not preclude the possibility of criminal charges against the individual. Campus disciplinary procedures may proceed with or without prosecution by local, state or federal authorities. Disciplinary action will follow current University policy outlined in the Code of Student Conduct. These acts are defined in the following ways:

Dating Violence: Definition: Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purpose of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Domestic violence: Definition: A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological. It is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner 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 or intimate partner.
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of South Carolina.
- 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 State of South Carolina.

Stalking Definition: a pattern of conduct that is intended to cause or does cause a person to fear: (1) Death or death of others important to that person; (2) Assault or assault of others important to that person; (3) Bodily injury or bodily injury of others important to that person; (4) Sexual assault or sexual assault of others important to that person; (5) Involuntary restraint or involuntary restraint of others important to that person; (6) Damage to property or damage to property of others important to that person; (7) Confinement or confinement of others important to that person, (8) Threats of harassment via electronic devices. The relationship between the perpetrator and the victim may be a current or former partner or spouse, dating relationship, acquaintance, or stranger.

Non-Consensual Sexual Contact: Definition: occurs when there is coerced, manipulated or unwanted touching, directly or through clothing, of an intimate part of a person (i.e., the genital area, groin, inner thigh, anus, buttocks, mouth or breasts) that occurs against one's will, or without one's consent, including when one is unconscious, intoxicated or otherwise unable to give consent.

Non-Consensual Sexual Assault Definition: occurs when there is unwilling or non-consensual penetration of any bodily opening with any object or body part. This includes, but is not limited to penetration of a bodily opening without consent through use of coercion or manipulation.

Forced Sexual Assault Definition: occurs when there is unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was or should have been aware. Providing or making available to a victim, and/or using any substance (e.g. alcohol, GHB, Rohypnol, etc.) will be considered by the Administrative Hearing Officer, Honor Council, or pre-hearing Officer when determining responsibility and appropriate sanction. Use of these substances in violating this policy may constitute "Forced Sexual Assault" and result in expulsion from the University. In addition, the use of these substances by an alleged assailant may constitute violation of other University policies, and the student may be charged with these violations as well (e.g. Drugs, Harm to Persons, Disorderly Conduct, Disruptive Activity, Alcohol, etc).The use of alcohol and other drugs by either party, in conjunction with an incident of sexual assault, does not mitigate accountability for the commission of this offense or diminish the seriousness of the offense.

Consent is defined as follows:

- Both individuals are physically free and capable to act.
- Both individuals are willing and clear about their intent to engage in sexual activities.
- Silence may not in and of itself constitute consent.
- Past consent of sexual activities does not imply ongoing future consent.

B. Medical Attention: Whatever one does following sexual assault, it is essential that medical attention be sought immediately at the nearest emergency room to protect against internal injury or disease and to assist with later prosecution. A victim should observe the following recommendations: Preserve all physical evidence of the assault, even if you (or someone you know) are unsure whether to report the crime. Do not shower, bathe, douche, eat, drink, wash your hands or brush your teeth until after you have had a medical examination. Save all the clothing that was worn during the time of the assault and bring them and any other potential evidence to the emergency room (medical exam). Place each item of clothing in a separate paper bag (do not use plastic bags). Do not clean or disturb the area where the assault occurred.

Counseling: Counseling can be critical to regaining one's emotional balance following a sexual assault. There are trained professionals ready to assist you or refer you to other competent professionals. All assistance is free and strictly confidential as it is for other offices such as the University Police Department and the Office of Student Affairs. Counseling Services is located in CLC Suite 224 and can be contacted at 864-503-5195.

Reporting to the University Police or Local Police: If an assault occurs on University property, it should be reported to the campus police by calling 911 or 503-7777 by using a campus emergency phone. Assaults that occur off-campus should be reported to the local police (911). These numbers can be used 24 hours a day, seven days a week.

Other Reporting Options: in lieu of reporting a sexual assault to University police you may also make a report to a counselor in Counseling Services, or to the Dean of Students: 503-7777, 503-5195, 503-5107. The adverse emotional impact following sexual assault can be severe. The long term effects of the trauma of sexual violence can have serious and lasting psychological consequences. The University recognizes the importance of competent, comprehensive, sensitive professional help. Do not hesitate to contact any one of the offices listed to report any incidence of sexual violence:

- Counseling Services is an on-campus resource that provides free counseling visits to students. The phone number is 503-5195.
- University Police will provide on-going assistance in pursuing criminal prosecution. The phone number is 503-7777 or 911. They can also put a victim/survivor in touch with Victim/Witness Services.
- University Housing is available to assist a victim with housing needs, such as relocation. They can be reached at 503-5422. Time is absolutely critical when reporting a sexual assault. The sooner an assault is reported the easier it is to collect valuable evidence.

2012-2014 USC Upstate Campus Crime Statistics
Violence against Women Reauthorization Act
(VAWA) Offenses

Main Campus

*VAWA Offenses	2013	2014	2015
Domestic Violence	0	0	0
Dating Violence	0	1	0
Stalking	0	0	0

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*VAWA Offenses	2013	2014	2015
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

University Center Greenville (UCG)

*VAWA Offenses	2013	2014	2015
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

The Violence Against Women Reauthorization Act

Introduction

The Violence Against Women Act (VAWA) is a landmark piece of legislation that seeks to improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States. The passage of VAWA in 1994 and its reauthorization in 2000, 2005 and 2013, has changed the landscape for victims who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have been able to access services, and a new generation of families and justice system professionals has come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will not tolerate.

Procedures Victims Should Follow if a Crime of Sexual Assault, Domestic Violence, Dating Violence, or Stalking has Occurred.

If you are the victim of a sexual assault, dating violence, domestic violence or stalking at this institution, your first priority should be to go to a place of safety. You should then obtain necessary medical treatment if needed. The Department of Public Safety strongly advocates that a victim of sexual assault, domestic violence, dating violence or stalking report the incident in a timely manner to either the University Police Department or other law enforcement agency. This is a critical factor for effective evidence collection and preservation, assisting in criminal prosecution and helpful in obtaining an order of protection. Filing a police report with a University Police Officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will, however:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim;
- Provide for the collection of evidence helpful in prosecution, which cannot be obtained later;
- Assure the victim has access to free confidential counseling from counselors trained in the area of sexual assault crisis intervention.

Campus authorities such as the Dean of Students, Title IX Coordinator, Professional Counselors or others may assist the victim in notifying law enforcement authorities upon request. Alternatively, a victim may decline to notify law enforcement, pursue remedy through the campus judicial process or decline to notify such authorities entirely.

Incidents of sexual assault, dating violence, domestic violence or stalking on campus may be reported to any campus authority with whom the victim is comfortable and specifically to the following individuals by phone or in person:

Dean of Students	503-5107	CLC 303
Director of Health Services	503-5191	995 University Way
Director of Housing & Residential Life	503-5422	Palmetto House
Director of Employee Relations	503-5344	Administration 310
Title IX Coordinator	503-5634	Administration 222 B/C

When a victim contacts the Department of Public Safety, a state certified victim's advocate will be contacted as well. The victim of a sexual assault, dating violence, domestic violence or stalking may choose for the investigation to be pursued through the criminal justice system, University judicial system, or both. Alternatively, the victim may choose not to pursue either of these options. University disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct are detailed in the *Student Handbook*.

The *Handbook* provides in part, that the accused and the victim will each be allowed to choose one person who to accompany them throughout the hearing. Both the victim and the accused will be informed in writing of the outcome of the hearing that arises from an allegation of dating violence, domestic violence, sexual assault or stalking.

A student found guilty of violating the University sexual misconduct policy could be criminally prosecuted in State court and suspended or expelled from the University on the first offense. A Victim's Advocate from the Department of Public Safety and/or Counselor from the University Counseling Center will also guide the victim through the available options and support the victim in his or her decision. Various counseling options are available from the University through Health Services, Counseling Services and the Employee Assistance Program. Counseling and support service outside the University system may be obtained through Safe Homes.

Orders of Protection and Restraining Orders

If a victim of sexual assault, domestic violence, dating violence or stalking obtains an order of protection, no contact order or restraining order, the University Police Department should be presented a copy of the order. Upon receipt, the police department will maintain a copy of the order on file until such order(s) expire. All current orders issued by a court of competent jurisdiction will be enforced on campus by University Police.

Law Enforcement Relationships and Jurisdiction

The University of South Carolina Upstate maintains a full-service 24-hour Department of Public Safety staffed by certified law enforcement officers fully accredited by the State of South Carolina. Police Officers patrol the campus in clearly marked vehicles, bicycles, electric carts and foot patrol. For emergencies dial **911**. For non-emergencies, business, or general information the Department of Public Safety may be reached at any time by dialing Ext. 7777 from campus telephones or dialing (864) 503-7777 from a cellular or off-campus telephone. In the unlikely event of a campus-wide telephone system failure, the Department of Public Safety may be reached at (864) 503-9196. Magnolia House, Palmetto House and Palmetto Villas residents may also report an emergency to any Housing and Residential Life Staff Member who in turn will notify University Police via radio or telephone.

Main Campus

As State Constables, University Police Officers possess state-wide police powers to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, the Department of Public Safety may also refer the individual to the Dean of Students or Director of Housing and Residential Life for judicial action.

Major offenses such as rape, murder, aggravated assault and robbery may be investigated jointly with the Spartanburg County Sheriff's Department and/or South Carolina law Enforcement Division (SLED). The prosecution of criminal cases, both felony and misdemeanor are conducted in Magistrate, General Sessions, or Federal Court within Spartanburg County.

The Department of Public Safety works closely with local, state, and federal police agencies and has direct radio communications with the Spartanburg County Sheriff's Department, North Spartanburg County Fire Department and the County **911** Emergency Dispatch Center.

By mutual agreement with state and federal agencies, the Department of Public Safety maintains an American Law Enforcement Network (ALLEN). Through this system, police personnel can access the National Crime Information Computer System as well as the State of South Carolina criminal data base system. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

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As municipal law enforcement officers, City of Spartanburg Police Officers possess police powers to apprehend and arrest anyone involved in illegal acts within the City of Spartanburg including a 3-mile radius outside the city limit. This includes the Johnson School of Business campus and areas immediately adjacent to the same. If minor offenses involving University rules and regulations are committed by a University student, University Police may refer the individual to the Dean of Students for judicial action.

Spartanburg Police work closely with state and federal police agencies and have direct radio communications with EMS, the Spartanburg County Fire Department and the County **911** Emergency Dispatch Center.

University Center Greenville (UCG) Campus

As State Constables, Greenville Tech Police Officers possess state-wide police powers to apprehend and arrest anyone involved in illegal acts on the Greenville campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, University of South Carolina Upstate Police or the Greenville Tech Police may also refer the individual to the Dean of Students for judicial action.

Major offenses such as rape, murder, aggravated assault and robbery may be investigated jointly with the City of Greenville Police Department and/or SLED. The prosecution of criminal cases, both felony and misdemeanor are conducted in Magistrate, General Sessions, or Federal Court located within Greenville County.

Greenville Tech Police work closely with local, state, and federal police agencies and have direct radio communications with the Greenville Police Department, Greenville County Fire Department and the Greenville County **911** Emergency Dispatch Center.

Victim Advocate Services are available through a certified victim's advocate at the University Police Department. If you or a loved one become a victim of a crime, it's important to know your rights, and have a support base. Our Victim Assistance Response Team is available to provide services to victims and witnesses immediately after the crime occurs, during the investigation, and throughout the Criminal Justice Process in many different ways:

- Crisis Intervention
- Referrals and information to community agencies for professional counseling, support groups, medical, financial aid, and shelter.
- Informing victims/witnesses of their rights/responsibilities under the law.
- Acting as liaison between victims, police, investigators, and local agencies.
- Court preparation accompaniment and emergency transportation to court.
- Information regarding the current status of your case.
- Assistance in filing for victim compensation through the State Office of Victim Assistance (SOVA), to help with medical expenses, lost wages, counseling and funeral expenses.

Under the provisions of State Statute 16-3-1515, a victim or witness who wishes to exercise his or her rights under this article or receive services under this article or both must provide a law enforcement agency, a prosecuting agency, a summary court judge, the Department of Corrections, the Department of Juvenile Justice, as appropriate, his or her legal name, current mailing address, and current telephone number.

Confidentiality

In 1998 the federal government passed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, previously known as the Student-Right-To Know Act of 1990. This law requires colleges and universities receiving federal funding to disclose publically specific reported criminal activity on campus. The Department of Public Safety prepares a report annually to comply with this Act. However, these reports do not include personally identifiable information about the victim which is maintained as confidential.

Moreover, accommodations or protective measures provided to the victim are also considered confidential to the extent that maintaining such confidentiality would not impair the ability of USC Upstate to provide said accommodations or protective measures.

Victim and Witness Rights

Victims and Witnesses of Criminal Activity Have The Right To:

1. Be treated with fairness, respect and dignity. To be free from intimidation, harassment, or abuse throughout the criminal justice system and informed of a victim's constitutional rights.
2. Be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped.
3. Be informed of and present at all criminal proceedings which are dispositive of the charges where the defendant has the right to be present.
4. Be allowed to submit either a written or oral statement at all hearings affecting bond or bail.
5. Be heard at any proceeding involving a post-arrest, a plea, or sentencing.
6. Be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process.
7. Confer with the prosecution after the crime against the victim has been charged, before the trial, or before any disposition, and informed of the disposition.
8. Have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial.
9. Receive prompt and full restitution from the convicted person or persons.
10. Be informed of any proceeding when any post-conviction action is being considered, and be present at any hearing.
11. A reasonable disposition and prompt and final conclusion of the case.
12. Have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

Written Notice of Disciplinary Action

A written explanation of procedures for institutional disciplinary action will be provided to the accuser and the accused in cases of alleged dating violence, domestic violence or stalking. Moreover, when the institution receives a report that a student or employee has been the victim of dating violence, domestic violence, sexual assault or stalking, USC Upstate will provide the student or employee a written explanation of the student's or employee's rights and options.

Written Notification of Available Protective Services

The University of South Carolina Upstate will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victim, both within the institution and in the community.

USC Upstate provides a range of protective measures to the victim following an allegation of dating violence, domestic violence, stalking or sexual assault. These options will include written notification to victims for available assistance in, and how to request changes to:

- Academic situations
- Living situations
- Transportation situations
- Working situations
- Protective measures

Accommodations or protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to University Police or local law enforcement. This information is available online at www.uscupstate.edu or in the Student Handbook. Copies are also available at the Dean of Student’s Office, University Public Safety, Counseling Services, Human Resources and Health Services.

Reporting Procedures for Criminal Sexual Assault, Domestic Violence, Dating Violence and Stalking—

If a student or employee is a victim of criminal sexual assault, domestic violence, dating violence or stalking, the incident should be reported immediately to University Police. If the incident occurred off campus it should be reported to the law enforcement authority of jurisdiction where the crime occurred or University Police. However, campus and external community resources are available to students and employees regardless of where the crime occurred. These resources may include but are not limited to Health Services, Counseling Services, Dean of Students, and Victim Advocacy through the Department of Public Safety.

If a student does not want to make a police report they may contact the Dean of Students or Title IX Coordinator on campus to seek campus judicial relief and action. An employee not wishing to file a police report may contact either the Title IX Coordinator or the Director of Employee Relations for administrative relief and action. Listed below are some important phone numbers:

Resources	Phone Number	Address
University Police	911 or (864) 503-7777	219 E. Campus Blvd.
Victim Advocate	(864) 503-5309	219 E. Campus Blvd.
Dean of Students	(864) 503-5107	CLC Bldg. Room 303
Counseling Services	(864) 503-5195	CLC Bldg. Room 224
Title IX Coordinator	(864) 503-5634	Admin Bldg. Room 222B/C
Health Services	(864) 503-5191	995 University Way

Dating Violence, Domestic Violence, Sexual Assault and Stalking

The University of South Carolina Upstate prohibits the crimes of dating violence, domestic violence, stalking and sexual assault.

Dating Violence- Dating violence is the performance or threat of an act of violence by at least one member of an unmarried couple on the other member within the context of dating. This may *include any form of sexual assault, physical violence, and verbal or emotional abuse.*

Domestic Violence - In South Carolina, domestic violence involves someone causing harm or injury to a household member, or threatening or attempting to cause harm or injury to a household member with the ability to carry out the threat or attempted harm. The state also makes it a crime to violate a domestic violence protection order or to trespass on the grounds of a domestic violence shelter. Household members include spouses, former spouses, people who have children together, and people of the opposite sex who live together or have lived together.

Stalking – In South Carolina, stalking is defined as a pattern of words or conduct that causes fear of death, assault, bodily injury, criminal sexual contact, kidnapping, or property damage to victim or victim’s family member. Aggravated stalking is stalking accompanied by an act of violence.

Sexual Assault – Forced sexual assault occurs when there is unwilling or nonconsensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another’s mental or physical condition of which the assailant was or should have been aware. Providing or making available to a victim, and/or using any substance (e.g. alcohol, GHB, Rohypnol, etc.) will be considered by the Administrative Hearing Officer, Honor Council or Pre-Hearing Officer when determining responsibility and appropriate sanction. Use of these substances by an alleged assailant may constitute violation of other University policies, and the student may be charged with these violations as well (e.g. Drugs, Harm to Persons, Disorderly Conduct, Disruptive Activity, Alcohol, etc.). The use of alcohol and other drugs by either party, in conjunction with an incident of sexual assault, does not mitigate accountability for the commission of this offense or diminish the seriousness of the offense.

Consent is defined as follows:

- Both individuals are physically free and capable to act
- Both individuals are willing and clear about their intent to engage in sexual activities
- Silence may not in and of itself constitute consent
- Past consent of sexual activities doesn’t imply ongoing future consent.

Primary Prevention Programs- These are defined as programs that new students and new employees must be offered that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking

Bystander Intervention is part of being a member of the USC Upstate community. It involves engaging in a negative situation to help stop it. Such situations may include sexual violence, potential sexual violence, or speaking out against statements, attitudes or behaviors that may perpetuate a culture endorsing violence. As a caring and involved community, USC Upstate embraces the “It’s on Us” and “Are You OK?” programs to promote awareness that violence against women and other crimes on campus will not be tolerated. Moreover, that as a campus community we look out for each other; “to have each other’s back” and in so doing safely intervene when we see inappropriate actions taking place in lieu of turning a blind eye. Research on the causes of sexual violence and evaluation of prevention efforts indicates that bystanders are a key piece of prevention work. Common components of Bystander Intervention include:

- **Awareness.** A key first step is to heighten awareness so individuals and groups are better able to identify instances of sexual violence.
- **Sense of Responsibility.** A sense of responsibility gives the bystander motivation to step in and take action. Bystanders are much more likely to help friends than strangers, and are more likely to help strangers if they see them as part of a group they identify with (like supporting the same sports team).
- **Perceptions of Norms.** Perceptions of peer norms about helping (whether you think your friends are likely to help), and perceptions of authorities' (like professors') attitudes are related to bystander attitudes. People often mistakenly think others are less supportive of doing something to address sexual violence than they actually are. Studies show links between perceptions of helping, trust, and commitment among community members; trust in campus authorities; and their willingness to take action as a bystander.
- **Weighing Pros and Cons.** People weigh the costs and benefits of getting involved in a risky situation. These include threats to their own safety, negative consequences for their relationships with others, and the potential to change outcomes of a risky situation or help a victim.
- **Confidence.** People who feel more confident in their ability to help are more likely to take action. A consistent research finding is that prevention programs, particularly in-person educational and skill workshops, increase individuals' sense they can take effective action.

Building Skills. People need to know what to do and how to do it. Population survey data shows that many people are at a loss for specific ways to help. Survivors tell us that friends and family do not always do things that are useful or supportive, and these negative or unhelpful responses make coping with and recovering from abuse much harder. Bystander intervention training can give motivated community members skills to intervene in ways that protect their own safety and are truly supportive to victims.

Context. Bystanders also need safety nets for themselves – resources they can call upon and community policies that support intervention. AT USC Upstate these resources include University Police, Counseling Services, the Title IX Coordinator and Dean of Students.

Training. Bystander intervention training is offered through the University Police Department as well as through on-line training on the University's training website at: www.uscupstate.edu/offices/planning/training

On-Going Prevention and Awareness Campaigns/Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault and Stalking

Definition: On-Going Awareness Campaigns and Programs: Programs that continue from year to year and are intended to educate the campus community about violence against women crimes, how to prevent, report and intervene as a bystander. Prevention campaigns are systemic, aggressive events and activities that provide on-going educational information and prevention strategies.

The Haven, Alcohol 101, University 101 classes, "It's on Us," "Are You OK?", viewings of "The Hunting Ground," Rape Aggression Defense (R.A.D.) classes and the Personal Protection Series are on-going prevention and awareness campaigns on campus to educate and reduce risk from stalking, dating violence, domestic violence and sexual assault. Information and programming schedules for these offerings may be obtained through the Dean of Students Office or University Police.

Risk Reduction

Definition: Risk reduction is the ways and means of reducing or eliminating violence against women in all forms; sexual assault, domestic violence, dating violence and stalking.

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Information on risk reduction is available through the University Police Department, Dean of Students Office, Student Affairs Office, Title IX Coordinator and Human Resources. Risk reduction strategies include mitigation of workplace violence, participation in Rape Aggression Defense classes (R.A.D.), attendance at the Personal Protection crime prevention classes, on-line training, University 101 classes, and educational videos such as "I Didn't Know it Was Rape," and "The Hunting Ground."

Disciplinary Proceedings (Students)

Following an accusation of dating violence, domestic violence, stalking or sexual assault, a disciplinary hearing will be conducted through the University's judicial hearing process. The standard of evidence used during any institutional disciplinary proceeding is a preponderance of evidence standard; that the evidence presented indicates a greater likelihood (51% or greater) that the accused is responsible than not. This process will be prompt, fair, and impartial from the initial investigation to the final outcome. Hearings will be held by the Dean of Students and an Appeals Board consisting of three faculty members that periodically rotate. These officials receive annual training on:

- The issues related to dating violence, domestic violence, stalking and sexual assault.
- How to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Both the accuser and the accused are provided the same opportunities

To have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.

Disciplinary Action Notifications

USC Upstate will simultaneously notify, in writing, both the accused and the accuser of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, stalking or sexual assault including any changes to the result and when such results become final.

How to File a Disciplinary Complaint

Disciplinary complaints for alleged violations of dating violence, domestic violence, stalking and sexual assault not reported to the police department may be reported one of three ways:

1. Students may use the online RU OK? Complaint form. This form may be accessed at: <https://publicdocs.maxient.com/incidentreport.php?UnivofSCUpstate>
2. Students may also utilize the student affairs complaint form. This form may be accessed at: <http://www.uscupstate.edu/sacs/forms.aspx?ekfrm=36612>
3. Students may also contact the Dean of Students Office in the Campus Life Center 180 Gramling Dr. Spartanburg, SC 29303 Room 303, or by calling (864) 503-5107.
4. Faculty or staff may file a disciplinary complaint in the following ways:
 - Contact the Title IX Coordinator: Administration Building 800 University Way Spartanburg, SC 29303 Room 222 B/C, or by calling (864) 503-5634.

- Contact the Employee Relations & Equal Opportunity Office: Administration Building 800 University Way Room 310, or by calling (864) 503-5354.
- Fill out an on-line complaint form:
www.uscupstate.edu/uploadedFiles/Offices/Human_Resouces/Equal_Opportunity_Employment/Harassment%20Complaint%20Form%20July%202013.pdf

Disciplinary Sanctions

When an accused student is found not responsible, all records of the hearing proceedings except one, shall be destroyed immediately. One copy will be kept on file as a reference to the hearing procedure, and will be kept confidential by the dean of students.

Listed below are all of the possible sanctions that USC Upstate may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, stalking, or sexual assault.

1. **Official Reprimand/Warning** – Will serve as an official notice of censure cautioning a student against specific behavior. AN official reprimand shall carry no further restrictions.
2. **Practical Penalty** – The student may be assigned a penalty, fine or task commensurate with the offense. Penalties may include but are not limited to the following:
 - Damage to or littering of University-owned-property shall subject the violator to the responsibility for full restitution or restoration of any damaged property or item.
 - A recommendation may be made to the instructor that a failing grade be assigned for a specific project or requirement. Other sanctions may include revision of an assignment or additional work.
 - A student or student organization may also be prohibited from participation in some or all extracurricular activities and may not use certain University facilities or property as determined by the court.
3. **Definite Probation** – Definite probation shall be for one, two or three semesters. A student or student organization placed on probation may be prohibited from participation in some or all extracurricular activities and may not use certain University facilities or property as determined by the court. The individual will not be able to hold an elective office of any campus organization while on probation. He or she will also lose eligibility to assume any position supported by a university stipend.
4. **Indefinite Probation** – Indefinite probation shall require that the student or student organization serve a probationary period of at least one academic year and submit a written petition to the dean of students requesting reinstatement in good standing. This petition should include evidence during the probationary period of good citizenship such as recommendations from faculty, staff and other credible sources. During the probationary period the student or student organization may be prohibited from participating in some extracurricular activities and may not use certain University facilities or property as determined by the court.
5. **Definite and Indefinite Suspension** – Under definite suspension, there shall be a specific time limit of either one or two semesters in which the student may not enroll at the University, participate in activities designated for University students, or use certain University facilities or property. A student organization under suspension may not function as a USC Upstate organization. A student or student organization placed under the indefinite suspension must formally petition the chancellor to gain reinstatement to the University. A student who has been suspended indefinitely may not petition to be reenrolled in the University until at least one calendar year has expired from the effective date of the suspension.
6. **Expulsion** - Dismissed from the University without the ability to be considered for re-admittance.

Procedures for Appeal of a Disciplinary Proceeding

Either the accused or the victim may appeal the results of an institutional disciplinary proceeding. Appeals must be filed within 5 business days from the date of the decision.

Informal Administrative Hearing

Upon receiving an alleged violation of the Code of Student Conduct, the dean of students or designee will investigate the report. The dean of students or designee will conduct an initial interview with the accused. The rights and prerogatives of the accused will be explained at that time. It is at this time the student can resolve the matter through admission of responsibility, or request a hearing in the appropriate council. The Honor Council (see below for composition and procedures) is given the charge to handle academic honor code or student behavior code violations. The Student Honor Council (see below for composition and procedures) is given the charge to handle campus discipline code violations. Students with alleged campus discipline code violations may choose between which council will hear their case. The Honor Council does not have the role to examine severity of sanction appeals from the decisions of the dean of students or faculty member; those concerns will be forwarded to the Appeals Council. Should further action be necessary, the charged student will receive written notification of a hearing before the Council within a reasonable period of time.

The charge letter will include a statement of the charges and the time and place of the hearing. If the accused accepts responsibility in writing prior to appearing before a Council hearing, a sanction determined by the dean of students, or faculty member if an academic violation, will be imposed. If a student fails to respond to a charge letter within the time specified in a certain letter, he or she forfeits his or her rights and may have a sanction imposed by the dean of students. A hearing may be conducted in the absence of an accused student if the student fails to appear for a scheduled hearing.

Mediation

An agreement to participate in a mediation process. Resolution through mediation requires a voluntary agreement from both parties to participate in a mediation process. The option is reserved for situations where all of the immediate parties in the incident agree to have a conflict resolved in this fashion, and the option is considered appropriate by the dean of students or designee. Code of Academic Integrity charges will not be handled through mediation. Failure to fulfill the terms of a mediation agreement could lead to reactivation of the charges as well as additional disciplinary action.

Resolution of Alleged Infractions - The Honor Council Procedures

During an Honor Council hearing, the faculty chairperson will bring the council to order and present the alleged violation brought against the student. The accuser as well as the accused has the right to attend the hearing, at a designated time, to respond to any evidence, and to present witnesses and evidence. Council members as well as both parties shall be free to ask questions during the hearing. Following the presentation and hearing of all information pertaining to a particular violation, the Honor Council shall deliberate without the accused student being present. The Honor Council shall also determine the sanction that will be imposed if the student is found responsible for Code of Campus Behavior violations. Faculty members will determine the sanction assigned for Academic Code of Integrity violations that occur in their classes.

The dean of students will maintain all records of violations of the Code of Student Conduct confidentially for a period of six calendar years from the date of the hearing. Cases that result in suspension or expulsion will be retained indefinitely. Appropriate university officials may be notified of actions taken by the Honor Council on the basis of their need to know. Records will be made available to the Honor Council for specific cases where a student is found responsible, and has a record of any prior violations of the Code of Student Conduct. Any prior violations of the Student Conduct Code will be taken into account in determining the sanction or sanctions for a subsequent violation(s) of the Code. The hearing authority shall exercise active control over the hearing in order to elicit relevant information, avoid needless consumption of time, and to prevent harassment or intimidation of witnesses. Formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures necessarily invalidate a decision or

proceeding unless significant prejudice to the charged student, student organization or University is shown to have resulted. Ad hoc honor councils may be created when extenuating circumstances (e.g. summer break, University holidays, final exams, etc.) preclude an honor council or an appeal council from obtaining the usual quorum (two students, three faculty) for hearing a case. The dean of students or designee will serve as the administrator of this council.

Composition and Jurisdiction of the Honor Council

The Honor Council normally consists of two students and three faculty voting members. Participants for each council are selected by the dean of students from a pool of students and faculty. The dean of students is authorized to assign nonacademic integrity cases to a Student Honor Council that operates under the same guidelines as a council in which faculty participates.

The faculty pool consists of two faculty appointed by each academic division or department from each of the following disciplines; business, education, nursing, library, and the College of Arts and Sciences. The student pool consists of two students appointed by each academic division or department from each of the following colleges: business, education, nursing and the College of Arts and Sciences. Students serving on the Honor Council must have completed 30 hours at USC Upstate and maintain a 2.25 GPA and must be in good behavioral standing at the University. Members of the Honor Council are selected each fall to serve during the fall, spring and summer of the following year.

With the voluntary, informed and written consent of the University's representative and charged parties, the above provisions related to council composition, chairmanship and quorum may be waived in order to expedite the scheduling and completion of hearing procedures. The dean of students or designee acts as a nonvoting administrator of the council, and will appoint a faculty chairperson for each council hearing, and selects members from the pool to serve at a particular council hearing. All matters involving an alleged violation of the Code of Conduct shall subject the student or student organization to the jurisdiction of the campus judicial system. In special cases where the safety of the individual or the University community is threatened, a student may be subject to immediate suspension by the chancellor or his designee pending a hearing.

The Student Honor Council

During a Student honor Council hearing, the hearing chair will bring the hearing to order and present the charges brought against the student. The student and the accuser have the right to attend the hearing, at a designated time, to respond to any evidence, and to present witnesses and evidence. Student Honor Council members, the accused and the accuser shall be free to ask questions during the hearing. Following the presentation and hearing of all information pertaining to a particular violation, the Student Honor Council shall deliberate without the accused student being present. The Student Honor Council shall also determine the sanction that will be imposed as outlined in the Code of Conduct if the student is found responsible. The dean of students will maintain all records of violations of the Code of Student Conduct confidentially for a period of six calendar years from the date of the hearing. Cases that result in suspension or expulsion will be retained indefinitely. Appropriate University officials may be notified of actions taken by the Student Honor Council on the basis of their need to know.

Records will be made available to the Student Honor Council for specific cases where a student is found responsible, and has a record of any prior violations of the Code of Student Conduct. Any prior violations of the Code of Student Conduct will be taken into account in determining the sanction or sanctions for subsequent violation(s) of the Code. The focus of inquiry in disciplinary proceedings shall be the responsibility of the accused party. The hearing authority shall exercise active control over the hearing in order to elicit relevant information, avoid needless consumption of time, and to prevent harassment or intimidation of witnesses. Formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures necessarily invalidate a decision or proceedings unless significant prejudice to the charged student, student organization or University is shown to have resulted. Ad hoc student honor councils may be created when extenuating circumstances (e.g. summer break, University holidays, final exams, etc.) preclude an honor council or an appeal council from obtaining the usual quorum (five students) for hearing a case. The dean of students will serve as a non-voting chair of this ad hoc board.

Composition and Jurisdiction of the Student Honor Council

The student Honor Council normally consists of five students, one of whom is the student chair. Participants for each court are selected by the dean of students from a pool of students. The pool consists of students appointed annually through academic deans, department and division chairs. Students serving on the Student Honor Council must have completed 30 hours at USC Upstate and maintain a 2.5 GPA and must be in good behavioral standing at the University. Members of the Student Honor Council are selected each fall to serve during the fall, spring and summer of the following year. With the voluntary, informed and written consent of the University's representative and charged parties, the above provisions related to board composition, chairmanship and quorum may be waived in order to expedite the scheduling and completion of hearing procedures. The dean of students acts as non-voting administrator of the council, and appoints a student chair to serve as chairperson for each council hearing, and selects members from the pool to serve at a particular council hearing. All matters involving an alleged violation of the Code of Student Conduct shall subject the student or student organization to the jurisdiction of the campus judicial system. In special cases where the safety of the individual or the University community is threatened, a student may be subject to immediate suspension by the chancellor or his designee pending a hearing.

The Rights of the Charged Student

The following rights are guaranteed to persons involved in the University judicial system.

- The right of the Charged Student to a clear, simple written notice of actions alleged of the Code of Student Conduct. This notice should also include a brief statement of the nature of the evidence and possible sanctions.
- The right to be presumed innocent until guilt has been determined.
- The right of the charged student and the accuser to present information and respond to any information presented. This does not include cross-examination of either witnesses or the Honor Court members and does not grant the charged student the right to be present during testimony.
- The rights to a fair hearing.
- Both the accuser and the accused are entitled have an advisor present to advise and serve in a consultative role to the student, although they may not actively participate in the hearing. Parties wishing to have an advisor present must give prior notice to the dean of students when the student wishes to have an advisor present at the scheduled hearing. The notice must be given to the dean of students at least 48 hours before the hearing date.
- The right of the charged student and accuser to present witnesses and other substantive evidence.
- The right of either the charged student or the accuser to appeal an Honor Council decision.
- A charged student forfeits these rights if the student refuses to appear for a hearing or fails to respond in a timely manner to a hearing notice. A hearing may be held in a student's absence.

Resolutions of the Council

When an accused student is found not responsible, all records of the hearing proceedings, except one, shall be destroyed immediately. The one shall be kept on file as a reference to the hearing procedure, and will be kept confidential by the dean of students. In matters pertaining to academic coursework, a student should receive the earned grade when it is determined that the student is not responsible for the alleged violation.

Official Reprimand/Warning

The dean of students will serve official notice of censure cautioning a student against specific behavior. An official reprimand shall carry no further restrictions.

Practical Penalty

The student may be assigned a penalty, fine or task commensurate with the offense. Penalties may include, but are not limited to the following:

- Damage to or littering of University-owned property shall subject the violator to the responsibility for full restitution or restoration of any damaged property or item.
- A recommendation may be made to the instructor that a failing grade be assigned for a specific project or requirement. Other sanctions may include revision of an assignment or additional work.
- A student or student organizations may also be prohibited from participation in some or all extracurricular activities and may not use certain University facilities or property as determined by the court.

Definite Probation

Definite probation shall be for one, two or three semesters. A student or student organization placed on probation may be prohibited from participation in some or all extracurricular activities and may not use certain University facilities or property as determined by the court. The individual will not be eligible to hold an elective office of any campus organization while on probation. He or she will also lose eligibility to assume any position supported by a University stipend.

Indefinite Probation

Indefinite probation shall require that the student shall require that the student organization serve a probationary period of at least one academic year and submit a written petition to the dean of students requesting reinstatement in good standing. This petition should contain evidence during the probationary period of good citizenship such as recommendations from faculty, staff and other credible references. During the probationary period the student or student organization may be prohibited from participating in some or all extracurricular activities and may not use certain University facilities or property as determined by the court.

Definite and Indefinite Suspension

Under definite, there shall be a specific time limit of either one or two semesters in which the student may not enroll at the University, participate in activities designated for University students, or use certain University facilities or property. A student organization under suspension may not function as a USC Upstate organization. A student or student organizations placed under indefinite suspension must formally petition the chancellor to gain reinstatement to the University. A student who has been suspended indefinitely may not petition to be reenrolled in the University until at least one calendar year has expired from the effective date of the suspension.

Expulsion

Dismissal from the University without the ability to be considered for re-admittance.

Appeals

Any student (accuser or accused) or student organization found guilty by a faculty member or either Council may submit a written request for a review hearing with the Appeals Council on the grounds of (1) insufficient evidence, (2) severity of penalty, (3) denial of basic rights guaranteed by the Code of Student Conduct, or (4) new information not available at the time of the original hearing. An appeal request must be filed with the dean of students within five working days from the receipt of a written notification of a hearing decision. The Appeals Council may request from the dean of students any written statements, testimony information or evidence pertaining to the original hearing, the charges, or the penalty imposed against the accused. When an appeal is filed the original sanction imposed by the Council is delayed until the appeal is resolved.

Following receipt of the appeal request, the student or student organization will be notified if an appeal hearing is required. If so, the date, time and location will be included in the letter for notification. If a new hearing is not required, a decision regarding the appeal will be made on a review of statements, testimony information and evidence presented at the original hearing.

The chair of the Appeals Council will render a decision that may:

- Affirm the original decision, which shall be effective as of the date specified
- Affirm the original decision and reduce the penalty, which shall be effective as of the date specified
- Dismiss the original decision
- Specify other appropriate action as deemed necessary. In extraordinary circumstances, the Appeals Council may direct a new hearing. All deadlines expressed in any section are subject to change if exigent circumstances exist. The dean of students shall send written notification of the decision regarding the appeal to the accuser and the accused within 15 University business days of receiving the appeal barring special circumstances requiring an extension of this time limit. A copy of the decision will be sent to the original Hearing Board. The decision of the Appeals Council in all appellate matters is the final decision for the University.

Composition of the Appeals Council

The Appeals Council normally consists of one academic dean, and two faculty members as voting members. The dean of students serves as administrator of the appeals council as a non-voting member. The faculty and academic dean are given a one-year appointment by the senior vice chancellor for academic affairs. Members of the Appeals Council are selected each fall to serve during the fall, spring, and summer of the following year.

Student Grievance Procedures

Policy for Academic Grievances

Each school has developed its own policy for academic grievances. Any student having a grievance should start the process by first discussing the problem with the faculty member concerned. If the problem is not resolved, the student should speak with the dean of the school. An appeal to the executive vice chancellor for academic affairs is the next step if the problem is still unresolved. Academic grievances include, but are not limited to; grading, acceptance into programs, academic policies, and transfer credits.

Policy for Non-Academic Grievances

A grievance is defined as a dissatisfaction occurring when a student thinks that any condition affecting him/her is unjust, inequitable or creates an unnecessary hardship. Such grievances include, but are not limited to, the following problems: mistreatment by any University employee, wrongful assessment and processing of fees, records and registration errors, racial discrimination, sex discrimination (include sexual assault, dating violence, domestic violence and stalking), and discrimination based on disability, as they relate to non-academic areas of the University. The grievance procedure shall not be used for appeals of disciplinary decisions, residency classification decisions, traffic appeals decisions or any other type decision where a clearly defined appeals process has already been established.

Proceedings/Hearings

Proceedings will include a prompt, fair and impartial process from the initial investigation to the final result. A prompt, fair and impartial investigation is defined as a proceeding that is:

- Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay;

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- Conducted in a manner that is consistent with the institution's policies and transparent to the accuser and the accused;
- Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
- Provides timely and equal access to the accuser, the accused and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused

In addition, proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability;

Both the accuser and the accused are afforded the same opportunities to have an advisor present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. However, advisors are not allowed to speak on behalf of either the accused or the accuser. Advisors who become disruptive or who do not abide by the restrictions of their participation will be removed from the hearing.

Prior to a hearing, both the accused and the accuser will:

- Require simultaneous notification, in writing, to both the accuser and the accused of:
 - The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking.
 - The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
 - Any change to the result; and
 - When such results become final.

It should be noted that according to the Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

Reporting Procedures

Policy for Non-Academic grievances related to the University's non-discrimination and equal opportunity policies should be reported to the dean of students, and to the director of equal opportunity programs. The procedure is as follows: The initial phase of the student grievance procedure requires an oral discussion between the student and the immediate supervisor of the person(s) alleged to have caused the grievance. If the student wishes to file an official grievance, a grievance form may be completed and filed with the immediate supervisor of the person alleged to have caused the grievance. The form should be filed with the person's immediate supervisor within five (5) working days of the initial discussion referred to above. The supervisor shall immediately investigate the incident and render a decision. If the student feels the grievance is resolved, the process is complete. If the grievance is unresolved, the student may bring the matter before the dean of students by presenting a written statement within ten (10) working days of the supervisor's decision. The Dean of Students will investigate and render a decision within 10 working days.

Policy for Disability-Related Grievances Any student who believes s/he has been subjected to discrimination on the basis of disability, or has been denied access or accommodation required by law may invoke a grievance procedure and may expect an expedient and equitable resolution. The grievance should be addressed to the ADA Coordinator.

- The grievance should be filed within 30 calendar days of the date of the alleged discrimination.
- The grievance must include student contact information and a thorough description of the complaint. The student may submit supporting evidence, such as documentation from medical professionals, documents exchanged between the student and the university, witness testimony, etc.
- The ADA Coordinator will review the submit- ted grievance and may conduct informational interviews with the student and/or other campus personnel.

- The ADA Coordinator will submit a written determination to include a review of the grievance, a statement of the validity of disability discrimination, and a proposed resolution, if appropriate, within 30 calendar days of receipt of the grievance.
- The ADA Coordinator will file the determination with the university and provide a copy to the student, and will maintain files and records related to the grievance for a minimum of three years.
- If the grievance is against the ADA Coordinator, the grievance should be submitted to the Coordinator's supervisor (the Dean of Students), or the Director of the Equal Opportunity office. Although students are encouraged to attempt resolution of grievances pertaining to disabilities by using the above campus process, they have the right to file a grievance directly with the US Department of Education, Office for Civil Rights (OCR). Region IV office: 404-974-9450.

English Fluency Grievance Policy

Students who feel that they are unable to understand the spoken and/or written English of an instructor at USC Upstate shall schedule a meeting with the dean of the respective school and make their concerns known. The dean will conduct an investigation and report to the complaining student his/her findings within 10 working days of the complaint. In the event student charges are substantiated, the dean and the senior vice chancellor for academic affairs will take immediate action to rectify the problem. Such action may take the form of replacement of the instructor immediately, intensive remediation of the problem or any other solution that protects the due process rights of faculty and students.

The USC Upstate Code of Student Behavior It shall be the responsibility of all students and student organizations to abide by the Code of Student Behavior. All nonacademic conduct that infringes on the rights or welfare of others is thus embodied in the Code of Student Behavior. Violations of this Code are handled in the same manner as violations of the Academic Code. This does not preclude from criminal and civil charges being filed as well. Sanctions listed are guidelines; other sanctions may be applied as deemed appropriate by the Hearing Officer. Violations include but are not limited to:

Sanctions

Abuse of the University judicial system, including, but not limited to:

- Failure to obey summons of a judicial body or University official.
- Falsification, distortion or misrepresentation of information before a judicial proceeding.
- Harassment (verbal or physical) and/or intimidation of a member of judicial body prior to or during the course of the judicial proceeding.
- Failure to comply with sanctions imposed under the Code of Student Conduct.
- Influencing or attempting to influence another person to commit an abuse of the judicial system or Code of Student Conduct.

Listing of Possible Sanctions:

1st Offense: suspension, probation

2nd Offense: suspension

3rd Offense: expulsion

Alcohol Policy: (found on Page 141) Unauthorized possession, distribution or consumption of alcohol. Violating any other provision of the Student Code of Conduct while under the influence of alcohol is a violation of this Alcohol Policy. Such conduct includes, but is not limited to, public intoxication, providing alcohol to underage persons, etc.

Compliance with General Laws: Students or student organizations involved in violations of any federal, state, or local laws may be subject to disciplinary action. Action imposed by the University may precede and/or be in addition to any penalty imposed by an off-campus authority.

Listing of Possible Sanctions:

1st Offense: warning, reprimand, probationary status, community service

2nd Offense: suspension

3rd Offense: expulsion

Disruptive Activity: Individual or group behavior that interferes with the freedom of expression, movement or activity of others, or with the educational mission of the University is prohibited. Forms of expression that disrupt or materially interfere with such activities and operations or invades the rights of persons is also prohibited.

Listing of Possible Sanctions:

1st Offense: reprimand, probation, suspension

2nd Offense: suspension

3rd Offense: expulsion

Drug Policies: The unauthorized possession, use, manufacture, sale, or distribution of any counterfeit, illegal, dangerous, "designer," or controlled drug or other substance is prohibited. This includes prescription medications. Violating any other provision of the Student Code of Conduct while under the influence of any illegal or illegally obtained drug is also a violation of this policy (Refer to the Alcohol and Drug Policy on page 141). The possession of drug paraphernalia is also prohibited (i.e., pipes, bongs, etc.)

Failure to Comply with Official Requests:

Students and student organizations are expected to comply with and respond appropriately to the reasonable and lawful requests of University officials in the performance of their duties. Students are expected to appear at disciplinary hearings to respond to allegations or testify as a witness when reasonably notified to do so. A failure to properly comply with or complete a sanction or obligation resulting from a disciplinary hearing or adjudication may also be considered failure to comply with an official request. (Note to resident students: The definition of University officials in this regulation includes Housing staff).

Listing of Possible Sanctions:

1st Offense: reprimand, restriction of privileges, probation

2nd Offense: community service, probation

3rd Offense: suspension, expulsion

Forgery, falsification, alteration, or knowingly furnishing false information to the University or its officials.

Listing of Possible Sanctions:

1st Offense: grade change, cancel any benefit resulting from illicit activity, probation

2nd Offense: suspension

3rd offense: expulsion

Harassment/Bullying: Conduct that creates or attempts to create an intimidating, hostile, or offensive environment for another person. Such conduct includes, but is not limited to action(s) or statement(s) that threaten harm or intimidate a person, or any other form of unwanted contact.

Listing of Possible Sanctions:

1st Offense: probation, community service, corrective action and in severe cases suspension

2nd Offense: suspension

3rd Offense: expulsion

Harm to Persons: Actions which result in physical harm, have the potential for physically harming another person, which create conditions that pose a risk of physical harm to another, or which cause reasonable apprehension of physical harm are prohibited. Conduct which threatens to cause harm to persons, or creates hazardous conditions for persons.

Listing of Possible Sanctions:

1st Offense: suspension, probation

2nd Offense: expulsion

Hazing: defined as any act that endangers the mental or physical health or safety of a student, faculty member or other University official. This includes the removal of public or private property for the purpose of initiation, admission into, affiliation with or as a continued membership in a group or organization.

Listing of Possible Sanctions:

1st Offense: probation, community service

2nd Offense: suspension

3rd Offense: expulsion

Misuse of Keys: No person may use or possess any University key without proper authorization. No student is allowed under any condition to have a University key duplicated. (Note to resident students: Loaning a room/apartment key to a person not assigned to that residence may be considered a violation of this regulation.)

Listing of Possible Sanctions:

1st Offense: reprimand, restriction of privileges

2nd Offense: community service, probation

3rd Offense: suspension for not less than one semester

Sexual Assault: Refer to Policy on Sexual Assault for Definitions Non-Consensual Sexual Assault

Listing of Possible Sanctions:

1st Offense: probation, suspension, or expulsion; participation in sexual assault training program

2nd Offense: expulsion

Forced Sexual Assault:

Listing of Possible Sanctions:

1st Offense: suspension of not less than one semester

2nd Offense: expulsion

Sexual Misconduct or Non-Consensual Sexual Contact: Refer to Policy on Sexual Assault for Definition

Listing of Possible Sanctions:

1st Offense: probation, suspension, or expulsion; participation in sexual assault training program

2nd Offense: expulsion

Stalking: Defined as a pattern of conduct that is intended to cause or does cause a person to fear. See Sexual Assault policy for full definition.

Listing of Possible Sanctions:

1st Offense: warning, reprimand, probation, corrective action and in severe cases, suspension

2nd Offense: suspension for up to one calendar year

3rd Offense: expulsion

Unauthorized Entry, Presence/ Use or abuse of University facilities: Unauthorized entry into, presence in, or use of University facilities equipment or property which has not been reserved or accessed through appropriate University officials is prohibited.

Listing of Possible Sanctions:

1st Offense: reprimand, restriction of privileges, probation, suspension

2nd Offense: community service, probation, suspension

Violations of local, state or federal law: Violators may face prosecution off campus as well as disciplinary action on campus.

Listing of Possible Sanctions:

1st Offense: probation, community service, suspension

2nd Offense: community service, suspension

3rd Offense: expulsion

Weapons: The unauthorized possession or use of firearms, or weapons of any other kind (including but not limited to dangerous chemicals, dirks, slingshots, metal knuckles, razors, BB guns, and air pistols) is prohibited. The use or display of any object or instrument in a dangerous, provocative or threatening manner is prohibited.

Listing of Possible Sanctions:

1st Offense: suspension, confiscation of weapon(s) and/or materials

2nd Offense: expulsion

Disciplinary Procedures for Faculty and Staff

Faculty Members

Violations of the code of conduct for faculty members including the Violence against Women Act (VAWA) are reported to the employee's immediate supervisor and/or the Title IX Coordinator. In the case of the professional schools, this includes the Dean of the respective college in which the code of conduct violation was alleged to have occurred. For all other academic units, code of conduct violations including Violence against Women Act are reported through the Department Chair and/or Title IX Coordinator. In assessing the responsibility of a faculty member concerning the allegation, a "preponderance of evidence" standard will be employed. University employees who are determined to have violated applicable University polices regarding relationship violence, domestic and dating violence, stalking and harassment may be subjected to sanctions ranging from a written warning or reprimand, to suspension, expulsion, or termination, depending on the facts and circumstances of the particular case and legal prosecution.

In assessing the responsibility of a faculty member concerning the allegation, a "preponderance of evidence" standard will be employed. Listed below are the sanctions for these offenses:

- Sexual harassment 1st offense – Counseling, oral warning, written reprimand, suspension to dismissal
 2nd Offense - Written reprimand to suspension to dismissal
 3rd Offense - Dismissal

- Stalking 1st offense – Written reprimand to suspension to dismissal
 2nd Offense - Dismissal

- Dating Violence 1st Offense – Written reprimand to suspension to dismissal
 2nd Offense - Dismissal

- Domestic Violence 1st Offense – Written reprimand to suspension to dismissal
 2nd Offense - Dismissal

- Sexual Assault 1st Offense - Dismissal

Staff Members

Violations of the code of conduct for staff members including the Violence against Women Act (VAWA) are reported to the employee's immediate supervisor and/or the Title IX Coordinator. In assessing the responsibility of a staff member concerning the allegation, a "preponderance of evidence" standard will be employed. University employees who are determined to have violated applicable University polices regarding relationship violence, domestic and dating violence, stalking and harassment may be subjected to sanctions ranging from a written warning or reprimand, to suspension, expulsion, or termination, depending on the facts and circumstances of the particular case and legal prosecution.

Any classified or unclassified non-academic employee may be counseled, warned, reprimanded, suspended or dismissed whenever such action is considered necessary by the authorized supervisor, department chair, or higher level administrative official within the employee's line of supervision.

Any disciplinary or performance based action that is grieved through University Grievance Policy HR 1.42 or through the state Employee Grievance Procedures, must be reviewed by the Vice President for Human Resources or the Vice President's designee prior to the action being taken unless the seriousness of the violation or deficiency calls for immediate action. In all cases of immediate action, consultation with USC's Division of Human Resources must take place as soon as practicable.

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- Sexual harassment 1st offense – Counseling, oral warning, written reprimand, suspension to dismissal
 2nd Offense - Written reprimand to suspension to dismissal
 3rd Offense – Dismissal
- Stalking 1st Offense – Written reprimand to suspension to dismissal
 2nd Offense – Dismissal
- Dating Violence 1st Offense – Written reprimand to suspension to dismissal
 2nd Offense - Dismissal
- Domestic Violence 1st Offense – Written reprimand to suspension to dismissal
 2nd Offense - Dismissal
- Sexual Assault 1st Offense - Dismissal

University employees who feel they have been discriminated against by reason of race, color, sex, age, religion, national origin, disability, veteran status or sexual orientation may voice their complaint to their immediate supervisor or department head. Complaints that cannot be resolved satisfactorily within the department should be reported promptly to the Office of Employee Relations and Equal Opportunity at USC Upstate or USC. The complaint procedure is described in the USC System Affirmative Action Policy, USC Policies and Procedures Manual.

Non-discriminatory grievances relative to the employment process or conditions of work, e.g. dismissals, suspension, or demotions, may be brought to the attention of Humans Resources, or the Office of Employee Relations and Equal Opportunity in the USC Upstate Division of Human Resources, if they have been unresolved at the departmental level. There is a time limit of fourteen calendar days in which an employee may file a formal, written grievance. The fourteen day period begins with the effective date of the action which the employee is grieving. For further information on this grievance procedure refer to the University's Grievance Policy in the USC Policies and Procedures Manual. Grievance Procedures for faculty are outlined in the Faculty Manual.

**Annual Fire Safety Report
University of South Carolina Upstate
2013-2015**

Annual Fire Safety Report

HEA Section 668.41 Reporting Requirements

The Institutional Fire Safety Act is a federal law applicable to all Title IV colleges and universities. Each eligible institution participating in any program under this title that maintains on-campus student housing facilities shall on an annual basis, publish a fire safety report which contains, at a minimum, fire safety information with respect to campus fire safety practices and standards of the institution. This report shall be made available to students, prospective students, employees and prospective employees. Specifically this report shall include:

- (1.) Fire Statistics: Institutions must report statistics for each on-campus housing facility for the three most recent calendar years for which data are available, concerning:
 - The number of fires and cause of each fire;
 - The number of injuries related to a fire that resulted in treatment at a medical facility, including an on-campus health center;
 - The number of deaths related to a fire;
 - The value of property damage caused by the fire.
- (2.) A description of each on-campus student housing facility fire safety and sprinkler system, including the type, age, design, area covered, activation sensitivity, and other pertinent information.
- (3.) The number of regular mandatory supervised fire drills.
- (4.) The policies or rules on portable electrical appliances, smoking and open flames (such as candles) in a student housing facility.
- (5.) The procedures for evacuation in the case of a fire.
- (6.) A list of the titles of each person or organization to which students and employees should report a fire.
- (7.) The policies regarding fire safety education and training programs provided to students, faculty and staff.
- (8.) Plans for future improvements in fire safety, if applicable.

USC Upstate is required to submit a copy of this report to the Secretary of Health and Education annually. Additionally, USC Upstate maintains a fire log of any fire that occurs in an on-campus student housing facility. The log includes the nature, time, date and general location of each fire.

**2013-2015 Fire Statistics
University of South Carolina Upstate**

Villas	2013	2014	2015
Number of Fires	1	0	0
Cause of Fires	Towel left on stove	N/A	0
Number of Injuries	0	0	0
Number of Deaths	0	0	0
Value of Property Damage	\$200.00	0	0

**2013-2015 Fire Statistics
University of South Carolina Upstate**

Palmetto House	2013	2014	2015
Number of Fires	0	0	0
Cause of Fires	0	0	0
Number of Injuries	0	0	0
Number of Deaths	0	0	0
Value of Property Damage	0	0	0
Magnolia House	2013	2014	2015
Number of Fires	0	0	0
Cause of Fires	0	0	0
Number of Injuries	0	0	0
Number of Deaths	0	0	0
Value of Property Damage	0	0	0

Student Responsibilities

It is important to become familiar with your surroundings. The North Spartanburg Fire Department and University Police would like you to review the following safety tips to assist you in preparing for a fire.

Plan Ahead:

- Have a flashlight with you.
- Read the fire evacuation plan carefully. If one is not posted in your room request one from the HRL.
- Count the number of doors between your room and the exits. This will assist you in case of an emergency evacuation.
- Locate the fire alarms on your floor.

Life Safety Tips:

- If the fire is in your room, get out quickly. Close the door, sound the alarm and notify University Police.
- Always use a stairwell, never an elevator. The elevator could stop at the floor of the fire
- If the fire is not in your room, leave if it is safe to do so. Be sure to take your room key with you in case fire blocks your escape and you need to re-enter your room.
- To check the hallway for fire, touch the door with the back of your hand to test the temperature. If the door is cool, get low to the floor, brace your shoulder against the door and open it slowly. Be ready to close it quickly if there are flames on the other side. Crawl low in the smoke to the nearest exit; the freshest air is near the floor.
- If your room door is hot, do not open it. Instead, seal the door with wet towels or sheets. Turn off fans and air conditioners. Call the University Police to give your location.
- Signal from your window

University Housing Responsibilities

It is incumbent upon the staff of Housing and Residential Life to provide as safe of an environment as possible for the students in their stay at USC Upstate. Thus, the following tasks will be performed each year and documented by Housing and Residential Life staff and/or the Department of Public Safety.

- Fire safety education is provided for all residential students by Housing and Residential Life Staff, USC Upstate Department of Public Safety and North Spartanburg Fire Department.
- Fire extinguisher training is presented to all RA's by USC Upstate Department of Public Safety and North Spartanburg Fire Department.
- A minimum of two fire drills are conducted each semester in the Palmetto House, Magnolia House and Villas.
- Smoke detectors are placed in each bedroom within campus student housing and common living space of each dorm room.
- Smoke detectors and fire extinguishers are inspected by Housing and Residential Life staff three times a semester.
- Fire escape routes and other important information are posted on the back of each bedroom and exit door.
- The Director of Housing and Chief of Police will reassess all procedures updating as necessary and appropriate.

Residence Hall Fire Procedures Prevention and Response (Magnolia House and Palmetto House)

In the event of a fire, sound the fire alarm immediately and exit the building via the safest route. Call **911** immediately. Provide important details including possible breaks in gas or electrical lines or other special hazards.

Evacuate the building according to the following procedures and escape plan:

- Everyone should walk out of the designated exit in a quiet orderly manner. RA's will check their respective halls and be the last individual to leave.
- Do not close windows.
- No one should enter the building when the alarm sounds.
- Students, staff and visitors will evacuate to the Palmetto House parking lot.
- University Public Safety will designate alternate sites if the need arises. Everyone must remain out of any driveway or other hard surfaced area close to the building. University Public Safety will be designated to meet first responders with a master key. Access roads will be kept open for emergency vehicles.
- University Public Safety will have a designated individual or group of individuals to ensure that all access roads are open.
- Students and staff members will be allowed to return to the building by the head housing officer at the scene only upon recommendation of the Fire Department and University Public Safety.
- The Campus Fire Marshal will designate evacuation routes for all buildings. Each building will also have an alternate evacuation route.
- All media inquiries should be forwarded to the Assistant Vice-Chancellor of University Communications at 503-5210.

Fire Drills

In order to ensure fire equipment is working properly and that residents are aware of evacuation procedures, at least two fire drills will be held each semester. **All residents are required to vacate their building upon hearing the fire alarm and proceed to the Hodge Drive parking lot.** Those who refuse will face a fine and disciplinary action. HRL staff will walk through the building to make sure all residents and guests have vacated. Escape routes are posted in your apartment.

Fire Procedures Prevention and Response (Villas)

If the fire is in your room, get out quickly. Close the door, sound the alarm by yelling "FIRE", knock on other doors as you exit and notify University Public Safety. If the fire is not in your room, leave if it is safe to do so. Be sure to take your room key with you in case fire blocks your escape and you need to re-enter your room. To check for fire, touch the door with the back of your hand to test the temperature. If the door is cool, get low to the floor, brace your shoulder against the door and open it slowly. Be ready to close it quickly if there are flames on the other side. Crawl low in the smoke to the nearest exit; the freshest air is near the floor. If your room door is hot, do not open it. Instead, seal the door with wet towels or sheets. Turn off fans and air conditioners if possible. Call University Public Safety at **911** to give your location. Signal from your window.

Fire Drills

In order to ensure fire equipment is working properly and that residents are aware of evacuation procedures, at least two fire drills will be held each semester. **All residents are required to vacate their building upon hearing the fire alarm and proceed to the Hodge Drive parking lot.** Those who refuse will face a fine and disciplinary action. HRL staff will walk through the building to make sure all residents and guests have vacated. Escape routes are posted in your apartment.

Who to Notify in The Event of a Fire

The following persons and/or organizations should be notified in the event of a fire:

- North Spartanburg Fire Department **911**
- University Public Safety x7777
(From campus telephones)
- University Public Safety (From cell phones) 503-7777
- Campus Fire Marshall 503-5271

Misuse of Fire Prevention and Control Equipment

It is unlawful for any person to tamper with, misuse, or destroy any fire prevention and control equipment including but not limited to, smoke detectors on the ceilings and walls of each apartment unit, fire alarm stations, evacuation notices, fire drill procedures, or fire extinguishers. Note: there is a \$10 fine per resident in the suite/apartment for each smoke detector found tampered with or disconnected.

If the battery dies in your smoke detector, contact your RA as soon as possible. Any resident alleged to have committed an act of improper use or abuse of fire prevention and control equipment will be subject to disciplinary action up to and including loss of housing privileges and/or criminal prosecution.

Prohibited Items Include, But Are Not Limited To the Following:

- No smoking, anywhere on campus
- Weapons (including bullets)
- Multi-plug outlets
- Candles (not even for decorative purposes)
- Incense
- Darts
- Open flame items
- Lava lamps
- Halogen lamps
- Oil lamps
- Pets, except fish.

General Information Regarding USC Upstate Student Housing

At USC Upstate the Magnolia House (constructed 2009), Villas (constructed 1985) and Palmetto House (constructed 2003) are owned by the University. All facilities are operated by the Department of Housing and Residential Life.

The Villas are comprised of eleven single story buildings with 44 two bedroom apartments. The Magnolia House is a four-story structure with a basement consisting of 24 one bedroom apartments and 64 two bedroom apartments. The Palmetto House is also a four-story structure with a basement consisting of 24 one bedroom apartments and 63 two bedroom apartments.

All buildings are protected with an integrated fire sprinkler system and smoke detection system. Smoke detectors are located in all bedrooms, hallways and living areas. Manual pull stations are located in each hallway as required by NFPA 72A. Notification devices are located in bedrooms, common living areas and hallways.

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

The life safety systems are monitored for fire department response by the University of South Carolina. Emergency fire response is provided by the North Spartanburg Fire Department. The primary responding station is 2621 New Cut Road, Spartanburg, SC.

Fire Safety Improvements and Upgrades

The USC Upstate Fire Marshall reviews the fire system in each apartment building at least annually and recommends or orders upgrades, repairs or revisions as needed.

Fire Log

The USC Upstate Department of Public Safety maintains a Fire Log that records any fire occurring in on-campus housing. The log includes the nature, cause, any injuries, property damage value, date, time and location of each fire. The fire log entry or any supplemental entry shall be made within business days of the receipt of information. The fire log is available for public viewing during normal business hours.

Testing and Inspection of Fire Life Safety Systems

Testing and inspection of all fire systems is done in accordance with the National Fire Protection Association (NFPA 71 and 72), local ordinances and University

Building Fire Life Safety Devices

Building	Smoke Detectors	Fire System (Sprinklers)	Fire Extinguishers	Monitoring System	CO Detector
Magnolia House	Y	Y	Y	Y	Y
Palmetto House	Y	Y	Y	Y	Y
Villas	Y	Y	Y	Y	N

Building Fire Life Safety Devices

Building	Manual Stations	Horns	Strobes	Fire Drill Per Term
Magnolia House	Y	Y	Y	2
Palmetto House	Y	Y	Y	2
Villas	Y	Y	Y	2

Glossary of Terms

- Fire-any instance of open flame or other burning in a place not intended to contain the burning, or in an uncontrolled manner.
- Fire drill- a supervised practice of a mandatory evacuation of a building.
- Fire-related injury-any instance in which a person is injured requiring medical treatment as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting to rescue, or escaping from the dangers of a fire.
- Fire related death-any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting to rescue, or escaping from the dangers of a fire, or deaths occurring within one year of injuries sustained as a result of the fire.
- Fire safety system-any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including:
 1. Sprinkler or other fire extinguishing systems.
 2. Fire detection devices.
 3. Smoke alarms.
 4. Audible devices that alert one to the presence of a fire such as horns, bells or strobe lights.
 5. Smoke control and reduction mechanisms.
 6. Fire doors and walls that reduce the spread of a fire.
 7. Initiating devices such as manual pull stations.
- Value of Property Damage-the estimated value of the loss of a structure and contents in terms of the cost of replacing the same.
- Replacement is like and kind and quantity, including; contents damaged by the fire and related damages caused by smoke damage.

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Table 1 –Crimes reported on the main USC Upstate campus – No non-campus buildings at main campus

Type of Offense	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Murder & Non-Negligent Homicide	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Negligent Manslaughter	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Rape	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	1
Fondling	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Incest	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Statutory Rape	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Robbery	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Aggravated Assault	2013	1	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	6	6	N/A	0	0
Burglary	2013	2	1	N/A	0	0
	2014	5	0	N/A	0	0
	2015	1	0	N/A	0	0
Motor Vehicle Theft	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	1
Arson	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Dating Violence	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Domestic Violence	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Stalking	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Table 1 –Crimes reported on the Main USC Upstate Campus – No non-campus buildings at main campus

Other Offenses	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Arrests Only						
Liquor Law Violations	2013	18	17	N/A	0	0
	2014	22	16	N/A	4	0
	2015	10	5	N/A	0	0
Drug Law Violations	2013	13	12	N/A	1	0
	2014	5	3	N/A	0	0
	2015	2	2	N/A		0
Weapons Law Violations	2013	0	0	N/A	0	0
	2014	2	0	N/A	0	0
	2015	0	0	N/A	0	0
Disciplinary Referrals						
Liquor Law Violations	2013	25	25	N/A	0	0
	2014	12	12	N/A	0	0
	2015	28	28	N/A	0	0
Drug Law Violations	2013	12	12	N/A	0	0
	2014	8	8	N/A	0	0
	2015	13	13	N/A	0	0
Weapons Law Violations	2013	0	0	N/A	0	0
	2014	1	1	N/A	0	0
	2015	1	0	N/A	0	0

Note:

On-campus property is any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and is frequently used by students, and supports institutional purposes.

Residential Facility is any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution. These numbers are also included in the On-campus totals.

Non-campus property is any property owned or controlled by a student organization that is officially recognized by the institution or any property owned or controlled by an institution that is used for educational purposes, and is not within the same reasonably contiguous geographic area of the main institution.

Public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Table 1 –Hate Crimes reported on the main USC Upstate campus – There are no non-campus buildings at USC Upstate

Hate Offenses	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Murder & Non-Negligent Homicide	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Rape	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Fondling	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Incest	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Statutory Rape	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Robbery	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Aggravated Assault	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Burglary	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Motor Vehicle Theft	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Arson	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Simple Assault	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Larceny/Theft	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Intimidation	2013	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2015	0	0	N/A	0	0
Destruction/Damage/Vandalism	2013	0	0	N/A	0	0
	2014	1	0	N/A	0	0
	2015	0	0	N/A	0	0

Note: Hate crimes are defined as criminal offenses that also manifest evidence of prejudice based on race, religion, sexual orientation, gender, disability, or ethnicity as prescribed by the Hate Crimes Act (28 U.S.C. 534).

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Table 2 – Crimes reported on the USC Upstate Greenville Campus (UCG) – There are no residential or non-campus buildings

Type of Offense	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Murder & Non-Negligent Homicide	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Negligent Manslaughter	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Fondling	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	1	0
	2015	0	N/A	N/A	0	0
Incest	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Statutory Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Robbery	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Aggravated Assault	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Burglary	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Motor Vehicle Theft	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Arson	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Dating Violence	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Domestic Violence	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Stalking	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Table 2 – Crimes reported on the USC Upstate Greenville campus (UCG) – There are no residential or non-campus buildings

Other Offenses	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Arrests Only						
Liquor Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Drug Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	1	0
Weapons Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Disciplinary Referrals						
Liquor Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Drug Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Weapons Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0

Note:

On-campus property is any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and is frequently used by students, and supports institutional purposes.

Residential Facility is any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution. These numbers are also included in the On-campus totals.

Non-campus property is any property owned or controlled by a student organization that is officially recognized by the institution or any property owned or controlled by an institution that is used for educational purposes, and is not within the same reasonably contiguous geographic area of the main institution.

Public property, including thoroughfares, streets, sidewalks, and parking.

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Table 2 – Hate Crimes reported on the USC Upstate Greenville campus (UCG)-There are no residential or non-campus buildings

Hate Offenses	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Murder & Non-Negligent Homicide	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Fondling	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Incest	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Statutory Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Robbery	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Aggravated Assault	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Burglary	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Motor Vehicle Theft	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Arson	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Simple Assault	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Larceny/Theft	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Intimidation	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Destruction/Damage/Vandalism	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0

NOTE: Hate crimes are defined as criminal offenses that also manifest evidence of prejudice based on race, religion, sexual orientation, gender, disability, or ethnicity as prescribed by the Hate Crimes Act (28 U.S.C. 534).

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Table 3 – Crimes reported at the George Dean Johnson Jr. College of Business and Economics-No residential or non-campus buildings

Type of Offense	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Murder & Non-Negligent Homicide	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Negligent Manslaughter	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Fondling	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Incest	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Statutory Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Robbery	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Aggravated Assault	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Burglary	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Motor Vehicle Theft	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	1	0
Arson	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Dating Violence	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Domestic Violence	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Stalking	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0

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Table 3 – Crimes reported at the George Dean Johnson Jr. College of Business and Economics-No residential or non-campus buildings

Other Offenses	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Arrests Only						
Liquor Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Drug Law Violations	2013	0	N/A	N/A	3	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	1	0
Weapons Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Disciplinary Referrals						
Liquor Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Drug Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Weapons Law Violations	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0

Note:

On-campus property is any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and is frequently used by students, and supports institutional purposes.

Residential Facility is any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution. These numbers are also included in the On-campus totals.

Non-campus property is any property owned or controlled by a student organization that is officially recognized by the institution or any property owned or controlled by an institution that is used for educational purposes, and is not within the same reasonably contiguous geographic area of the main institution.

Public property, including thoroughfares, streets, sidewalks, and parking.

USC Upstate 2016 Annual Security Statistics with VAWA Amendments and Fire Safety Report

Table 3 – Hate Crimes reported at the George Dean Johnson Jr. College of Business and Economics – No residential or non-campus buildings

Hate Offenses	Year	On Campus	Residential Facility	Non-Campus	Public Property	Unfounded
Murder & Non-Negligent Homicide	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Fondling	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Incest	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Statutory Rape	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Robbery	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Aggravated Assault	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Burglary	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Motor Vehicle Theft	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Arson	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Simple Assault	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Larceny/Theft	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Intimidation	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0
Destruction/Damage/Vandalism	2013	0	N/A	N/A	0	0
	2014	0	N/A	N/A	0	0
	2015	0	N/A	N/A	0	0

Note:

Hate crimes are defined as criminal offenses that also manifest evidence of prejudice based on race, religion, sexual orientation, gender, disability, or ethnicity as prescribed by the Hate Crimes Act (28 U.S.C. 534).