



# **FRANCIS MARION UNIVERSITY**

**JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY  
AND CAMPUS CRIME STATISTICS ACT REPORT  
& ANNUAL FIRE SAFETY REPORT**

**2022**



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*This document is provided in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, The Drug-Free Schools and Communities Act Amendments of 1989, the Drug-Free Workplace Act of 1988 and the Fire Reporting Act of 2008.*

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Safety on the University campus is a natural source of concern for parents, students, and University employees. Education - the business of Francis Marion University (FMU) - can take place only in an environment in which people feel safe and secure. FMU recognizes this and utilizes a number of security measures to protect community members. The campus, with its small-town feel and neighborly attitude, is perceived to have a relatively low crime rate. However, because no campus is totally isolated from crime, crime prevention remains a high priority. FMU is committed to providing a safe and secure environment for our community and guests and does its part to ensure the safety of everyone. All members of our campus community share in the responsibility of making our campus a safe place to study, work, and live.

The FMU campus is located seven miles east of Florence, South Carolina on a 468-acre tract of land situated adjacent to US Highways 301/76. During fall 2021, FMU had a total student population of 3,923. Resident student capacity was 1,539 with 1,203 spaces occupied. FMU employed 489 full-time and 112 part-time employees.

## AUTHORITY & JURISDICTION OF THE FMU POLICE DEPARTMENT

FMU provides full-service police protection to the campus community through its Police Department. The Francis Marion University Police Department (FMU PD) is a fully independent law enforcement agency administratively reporting to the President of Francis Marion University. All FMU Police Officers are commissioned state law enforcement officers with statewide jurisdiction and have complete police authority to arrest anyone involved in illegal acts on and off campus. If minor offenses involving University rules and regulations are committed by a University student, officers with the FMU PD may also refer the individual to Student Life for disciplinary action. The office of Student Life ensures safety/security policies are uniformly executed and conveyed in a clear and consistent manner to the student body. Reports involving major offenses are shared with the State Law Enforcement Division (SLED), Florence County Sheriff's Office (FCSO), and Florence Police Department (FPD) and joint investigations may occur. SC Code of Laws Section 59-154-10 mandates that SLED take the lead in investigations of any death on campus and that they provide assistance to the FMU PD in sexual assault investigations. The FMU PD has Mutual Aid Agreements with the FCSO and FPD. Each agency may provide mutual support and assistance to another as necessary. The prosecution of criminal offenses, felony or misdemeanor, are conducted at Magistrate, General Sessions or Federal Court in Florence County. We encourage everyone to accurately and promptly report all crimes even when the victim elects not to do so in order to help ensure the safety of the campus community.

By mutual agreement with state and federal agencies, the FMU PD maintains a National Crime Information Center computer terminal. This and other systems are used to assist in criminal investigations and for accessing criminal history data, nationwide police records, driver/vehicle identification information along with other local, state and federal law enforcement information.

The FMU PD has direct radio communication with local law enforcement and first responder agencies over the FCSO radio communications network. This communication system gives the FMU PD access to state level responder frequencies. The University is also part of the Florence County E-911 enhanced emergency system. Calls from campus extensions to 911 will display the E-911 address location of the call to the dispatcher's screen.

Criminal activity engaged in by students at non-campus locations may be monitored and recorded by law enforcement agencies. This includes monitoring and recording by police agencies of criminal activity by students at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities. This information may be provided to the Dean of Students for any action that may be required and appropriate. While the FCSO has primary jurisdiction in most off-campus areas in close proximity to campus and concurrent jurisdiction on campus, FMU PD officers often respond to incidents that may involve students or to assist other agencies. The investigation into these off campus matters is handled by the local law enforcement agency.

The on-campus emergency phone number connecting you to the FMU PD is 843-661-1109 and should be used when fire, police, or medical response is required. This number is published online and in the University telephone directory. Throughout campus there are numerous outdoor emergency call boxes which provide one-button communication with The FMU PD. Anyone can dial 911 to report an emergency, on- or off-campus. The FMU PD's primary focus of responsibility is the campus itself and the area immediately adjacent to campus.

## CAMPUS FACILITY ACCESS

During business hours, the University (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and visitors. Residence halls and Forest Villas Apartments are secured 24 hours per day. During non-business hours, access to University facilities is by key or proximity card, if issued, or by admittance via the FMU PD or Housing and Residence Life staff. At 11pm, all campus gates except one are secured and access to the campus is restricted to community members and their authorized guests. Gate closing times may change during periods of decreased campus activity such as when the University is closed. Over extended breaks, the doors to the facilities will be secured. Only those with prior written approval to enter facilities will be admitted when facilities are closed. Some facilities may have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to the schedules developed by the department responsible for the facility.

The University's trespass policy, enforced by the FMU PD, is as follows: Only persons having legitimate business with FMU, members of the University community and their invited guests, are permitted in a building. The University reserves the right to exclude persons not conforming to acceptable behavior standards from the campus premises. Those who disregard this warning

are considered in violation of criminal trespass (under the South Carolina Code of Laws) and may be prosecuted. FMU PD Officers may serve verbal or written trespass notices, at their discretion, to persons found to pose a threat to the community and may make immediate arrests of persons violating the notice or found in areas for which they have no legitimate business. If a person served a trespass notice reappears on campus, or someone is found in a facility or on these premises with no legitimate purpose, he/she is subject to immediate arrest. Officers may stop vehicles on campus which do not display a current University decal and inquire as to the purpose for the operator to be on campus. Those who cannot provide a legitimate reason for being on campus may be asked to leave and return during normal business hours. Those who refuse to leave may be subject to arrest.

## CAMPUS SECURITY AUTHORITY

Even though we have the FMU PD, a student, other community member or other person with knowledge of a crime may be more inclined to report the incident to someone other than the police. For this reason, the Clery Act requires that institutions collect crime reports from a variety of individuals and organizations that the Act considers to be a Campus Security Authority (CSA). A CSA is a Clery-specific term that includes an individual to whom students or employees should report criminal offenses or an official of an institution who has significant responsibility for student and campus activities. A CSA encompasses four groups of individuals and organizations associated with an institution.

- The police department of the institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

In addition to the FMU PD, federal regulations identify examples of persons considered a CSA: a dean of students who oversees student housing, a student center, or student extracurricular activities, a director of athletics, a team coach, and a faculty adviser to a student group or organization; each has significant responsibility for student and campus activities. A single teaching faculty member is unlikely to have significant responsibility for student and campus activity, except when serving as an adviser to a student group. A physician in a campus health center or a counselor in a counseling center whose only responsibility is to provide care to students is unlikely to have significant responsibility for student and campus activities.

FMU CSA positions include the Director of Athletics; all Team

Coaches; Faculty Advisers to recognized student groups; the Provost; the Vice President of Administration; the Vice President for Student Life, the Dean of Students, the Directors of Housing and Residence Life; the Assistant and Associate Dean of Students; the Coordinator of Student Engagement; the Director of the University Center and the Director of Campus Recreational Services.

Crimes can be reported to the FMU PD or to any CSA listed here. The CSA must, by law, provide statistical information on crimes reported to him/her for inclusion in this Report. A CSA is encouraged, but not required, to recommend that the person reporting the crime to him/her also report the incident to the FMU PD. The final decision about reporting the specifics of any crime rests with the person making the report. Crime statistical information will be requested annually from the FCSO and FPD for inclusion in this report. Crimes occurring in those off campus jurisdictions will be investigated by the respective law enforcement agency.

According to the requirements of the Clery Act, a crime should be considered "reported" when it is brought to the attention of a CSA or local law enforcement personnel by a victim, witness, other third party, or even an offender. This means for example that if a parent calls her daughter's Resident Assistant (RA) and tells the RA that her daughter was the victim of a crime, the RA is required to file the appropriate report with the reporting structure identified by the institution. The reporting party and the individuals involved in the crime do not have to be affiliated with the institution for the crime to be reportable. There is no obligation under the Clery Act for the police to investigate the report. If the report is made in "good faith"—meaning that there is reasonable basis for believing that the information is not rumor or hearsay, the incident is reportable for Clery statistical purposes.

## CRIME REPORTING

We encourage everyone to accurately and promptly report all crimes even when the victim elects not to do so in order to help ensure the safety of the campus community. A crime in progress, suspicious persons or suspicious activity should be reported to the FMU PD at 843-661-1109, by using an outdoor emergency call box, or by dialing 1109 from any university telephone. If you should witness something, call the police as soon as you have the chance. The faster we get the information and can react to it, the more likely that the crime will be solved. Crimes can be reported anonymously by using the "Silent Witness Form" located on the main FMU PD webpage at [www.fmarion.edu/police/](http://www.fmarion.edu/police/). Information can be reported to on duty Resident Assistants who have contact with the FMU PD and can assist residents after normal working hours. FMU police incident reports are forwarded to the Dean of Students office or other appropriate vice presidents for review and potential action as needed. Any criminal activity may be prosecuted in the appropriate court system. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residence Areas should be reported to the FMU PD. You may also report crime to any of the following:

Vice President for Student Life  
Smith University Center Room 205  
843-661-1182  
Dean of Students  
Smith University Center Room 205  
843-661-1229  
Director of the Counseling & Testing Center  
Education Foundation Building  
843-661-1840  
Director of Student Housing  
Alston Housing Office  
843-661-1360  
Title IX (crimes involving sexual misconduct)  
Stokes Administration Bldg, Room 105  
843-661-1114

Off-campus crimes should be promptly reported to the FPD 843-665-3191 or FCSO 843-669-3911. Dial 911 for any emergency. The FMU PD and the local law enforcement agencies work closely together during mutual investigations, arrests and prosecutions. These off-campus law enforcement agencies share information with the FMU PD for incidents involving campus community members.

This publication contains information about on- and off-campus resources provided to help campus community members understand what is available to them should they become the victim of a crime. The “resource” information is not provided to infer that those resources are “reporting entities” for FMU.

Anyone who is the victim of or witness to a crime is encouraged to promptly report the incident to the police. Everyone should report all crimes to ensure inclusion in the annual crime statistics and to aid in providing timely warning to the community of any Clery Act reportable crime, when appropriate. The FMU PD cannot hold reports of crime in confidence. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics only can generally be made to CSAs.

## COUNSELORS & CRIME REPORTING

According to the Clery Act, a professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification. The institution is not required to report statistics for crimes reported to a pastoral or professional counselor. However, when reporting crimes to professional counselors, if and when the counselor deems it appropriate, the counselors may inform the person they are counseling of the procedures to report crimes on a voluntary basis for inclusion in this annual disclosure of crime statistics. The ultimate decision regarding reporting of a crime will remain with the person speaking to the counselor.

Victims have the option to keep their report of criminal activity in confidence, protecting their right to anonymity, when making a report or seeking professional services through the University’s Counseling and Testing Center. Reports are treated confidentially, except as necessary and required to investigate the allegations

and comply with state law. If the victim chooses to move forward with reporting the case the assigned investigator will work closely with the victim. The victim retains the right to drop or decline prosecution of the case at any time and to choose whether to pursue the case through the criminal justice system, the campus student judicial system, or both.

## CRIME PREVENTION EFFORTS

The active cooperation and participation of all members of our community is essential in order to successfully combat crime. One of the most effective actions anyone can take to prevent crime is to quickly report anything that appears suspicious. All members of the FMU community should notify the FMU PD by phone at 843-661-1109 or in person at the FMU PD’s offices located at 4804 Heyward Drive, of any situation on campus that involves potential criminal activity. Numerous efforts are made to advise community members about campus crime and crime-related problems. You can find information through sources such as the FMU PD Open Crime Log, or by reading the information provided in this report.

Through a cooperative effort between the FMU PD, Student Life, and the Counseling and Testing Center, programs on personal safety and security, rape prevention and response, date rape, substance abuse, self-defense and resistance to burglary, larceny and vandalism are available throughout the school year. The FMU PD conducts training sessions at the beginning of the fall and spring semesters on these topics as well as numerous individual training classes throughout the semester. RAs are encouraged to offer programs throughout the year to students in their areas on varying personal safety topics. Officers are available to help with these efforts. ReportIt, a personal property registration service, is available throughout the year from the FMU PD. Emergency Call boxes are linked to the FMU PD and can be used to report suspicious people/situations. Officers also provide information to students in freshman seminars at the request of the program instructor.

In addition to crime prevention programming throughout the year, the University participates in National Collegiate Alcohol Awareness Week, a week devoted specifically to alcohol and substance abuse prevention. Through these awareness programs, members of the University community learn more about the University’s efforts to enhance their safety and become aware of their personal stake in their own security and that of others. In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, displays, and on the FMU PD website - [www.fmarion.edu/police](http://www.fmarion.edu/police).

Student Life is hosting a series of healthy relationship and wellness programs with the goal of providing the campus community with a standard including prevention and steps to take before and after an incident. These programs are and should be culturally relevant, inclusive of diverse communities and identities, sustainable, and responsive to community needs. One aspect of these programs deals with bystander intervention: 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 the institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Another aspect deals with risk reduction: options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. The standard of evidence that will be used during any institutional disciplinary proceeding arising from an allegation will be preponderance of the evidence.

## THE INDIVIDUAL'S RESPONSIBILITY

Although FMU works hard to ensure the safety of all in the community, students and employees themselves must take responsibility for their own personal safety and that of their personal belongings. Everyone is encouraged to report crimes. As part of the University's educational mission, the FMU PD advises community members on ways to reduce their chances of experiencing crime against themselves or their property. Our crime prevention program is based on two concepts. First, eliminate or minimize, whenever possible, criminal opportunities. Second, encourage everyone to be responsible for their own security and the security of others. Simple, common sense precautions are the most effective means of maintaining personal security. Examples of these precautions include: anyone walking across campus or to parking lots at night should consider using the FMU PD to escort them, particularly if they feel something is "not right;" students living on campus should keep their room doors locked at all times and should never prop open room or external doors; residents must escort guests at all times and cannot leave the guest unattended. Harassing/obscene phone calls/emails should be reported to the FMU PD.

Valuable personal property should be registered with the FMU PD. Cars should be locked and parked in well-lit areas. All valuable items should be removed or locked in the trunk. Students and employees should notify the FMU PD or Residence Life staff of any individual present on campus who appears to have no legitimate business here or who arouses your suspicion. Further information about campus safety can be obtained on the FMU PD website:

[www.fmarion.edu/police/](http://www.fmarion.edu/police/) or by calling 843-661-1109.

## EMERGENCY NOTIFICATION AND TIMELY WARNING REQUIREMENTS

Francis Marion University must, in a manner that is timely and that withholds as confidential the names and other information concerning victims, report to the campus community on crimes that are 'Clery Reportable' which have been reported to CSA's or local police agencies in order to prevent similar crimes that are considered a threat to students and employees. If there is an immediate threat to the health or safety of students or employees occurring on campus, administrators will follow our emergency notification procedures. In the event the institution follows its emergency notification procedures, it is not required to issue a

timely warning based on the same circumstances. The institution must however provide adequate follow-up information to the community as needed.

All members of the FMU community should notify the FMU PD by phone at 843-661-1109 or in person at the FMU PD, 4804 Heyward Drive, of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or on-going threat to the health and safety of students and/or employees on campus. The FMU PD has the responsibility of responding to and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the FMU PD has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community. If that is the case, federal law requires that upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of members of the campus community occurring on the campus the institution must immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

The FMU PD will immediately notify the FMU President's Office and FMU Communications, if the department confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the FMU community. These offices will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the FMU community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. FMUPD and Public Affairs 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 the first responders (including but not limited to: FMU PD, FCSO, Windy Hill Fire Department and Florence County Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. All officers and dispatchers of the FMU PD have the training, capability and authority to send out an immediate notification via the outdoor warning system and SwampFox Alerts if the situation warrants such an immediate response.

Real Time Emergency Notification can provide a mechanism for campus authorities to provide guidance while an emergency is ongoing, including both information about the nature of the emergency, and what actions the community can take. In the event of a serious incident which poses an immediate threat to the FMU community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include posting on the FMU website at [www.fmarion.edu](http://www.fmarion.edu), network emails, and voicemail notifications, emergency text messages that can be sent to a cell phone via the SwampFox Alerts system or our campus-wide emergency siren.

Student members of the FMU community are automatically subscribed to the Swamp Fox Alert system. Members of the faculty and staff may subscribe via FMU's Human Resource office.

Anyone with information regarding any Clery Act crime should report the circumstances to the FMU PD or to their local police agency. In the event that a situation involving any Clery Act reportable crime arises, either on- or off-campus, that in the judgment of senior campus administrators, and constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The FMU PD may post a notice on the campus-wide e-mail system to faculty, staff and students. There may also be voicemail notifications, email notification, emergency text messages sent by the FMU PD, Public Affairs or Student Life to a phone and/or an announcement via the outdoor siren. A copy of the notice may be posted by Housing staff in each residence hall, at the front of on-campus apartment buildings, in the Housing Community Center and Smith University Center. The FMU PD Department may also post a notice on the FMU PD web site: [www.fmarion.edu/police/](http://www.fmarion.edu/police/).

## DAILY CRIME LOG INFORMATION

The University community is kept aware of reported incidents on-campus through a Daily Crime Log. This easily understood daily crime log records, by the date the crime was reported, any crime that occurred within our Clery Geography and which is reported to the FMU PD. This log includes the nature, date, time, and general location of each crime and the disposition of the complaint, if known. Entries or additions to an entry to the log are normally made within two business days of the report of the information to the FMU PD, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim. The FMU PD may withhold information required under this section if there is clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual or cause a suspect to flee or evade detection, or result in the destruction of evidence. Those wishing to view a hard copy of the most current information may view the crime log for the most recent 60-day period during normal business hours, which are normally Monday through Friday, 8:30am until 5:00pm. Portions of the log beyond 60 days, if not immediately available, may normally be made accessible within two business days of a request for public inspection. The log is open for review by anyone; however, it will not leave the premises. Notes may be taken of entry information.

## CRIME VICTIM'S RIGHTS

These rights are provided to all persons in South Carolina.

- The right to be treated with fairness and with respect for your dignity and privacy and informed of your legal rights.
- The right to be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped.
- The right to be informed of and present at all criminal proceedings where the defendant has the right to be present.

- The right to be allowed to submit either a written or oral statement at all hearings affecting bonds or bails.
- The right to be heard at any proceeding involving a post arrest decision, a plea or sentencing.
- The right to be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process.
- The right to confer with the prosecution, after the crime has been charged, before the trial or before any disposition and be informed of the disposition.
- The right to have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against you before trial.
- The right to receive prompt and full restitution from the convicted person or persons.
- The right to be informed of any proceedings involving post-conviction action or hearing and to be present at any hearing.
- The right to a reasonable disposition and prompt and final conclusion of the case.

## ALCOHOL AND DRUG POLICIES

The University recognizes, supports and enforces all laws related to alcohol and other drugs. The University does not offer a safe haven from applicable laws of personal behavior. A detailed explanation of the policies governing possession, use, and distribution of alcohol and other drugs at Francis Marion University can be found in the Francis Marion University Policies, Procedures and Sanctions for Alcohol and Other Drugs available in The Office of Student Life, The Office of Human Resources, and also in The Student Handbook, which can be found at [www.fmarion.edu/studentlife/](http://www.fmarion.edu/studentlife/). Questions regarding the alcohol policy should be directed to the Office of Student Life. It is permissible for persons of legal drinking age (21) to consume alcoholic beverages in their on-campus apartments only. No alcoholic beverages or alcoholic beverage containers are permitted in the residence halls (no matter the age of the possessor) or in any public areas of the University. FMU has a policy that permits the serving of beer or wine at certain University events, provided that prior approval has been obtained.

South Carolina State statutes prohibit certain activities regarding alcoholic beverages or drugs. Convictions for law violations could result in fines, loss of driver's license, and imprisonment. University sanctions could include penalties ranging from fines to suspension from the University. FMU is committed to work against the illicit use of drugs and alcohol among students and employees. FMU PD officers enforce all South Carolina laws and University policies concerning the purchase, possession, consumption, sale and storage of alcoholic beverages and drugs, including but not limited to the following:

- Public intoxication or driving under the influence of alcohol or other drugs.
- Purchasing, selling, giving or providing alcoholic beverages to a person under 21.
- Purchasing or possessing alcoholic beverages by a person under 21.
- Presenting a false or improper identification to obtain



alcoholic beverages.

- Possessing an open container of any alcoholic beverage in a moving vehicle or in any area where such possession is prohibited.
- Selling or furnishing alcoholic beverages to any person who, at the time of sale or exchange, is visibly under the influence of alcohol.
- Unlawfully manufacturing, distributing, dispensing, possessing or using alcohol or other drugs in the workplace.
- Impairment in the workplace from the use of alcohol or other drugs.
- Possessing, distributing, or consuming alcoholic beverages at events open to the community and held on University property, except when specific approval for the event is obtained.
- Sponsors failing to assure that all persons attending an event comply with state alcohol law and University alcohol policy.
- Possessing, using or distributing an illegal drug, controlled substance and/or drug paraphernalia as defined by South Carolina Law in any building or on any property-owned or -operated by the University. Possessing includes areas or property for which the student is responsible.

Many physical and psychological health risks are associated with the abuse of alcohol and other substances: including such things as difficulty with attention and learning; physical and psychological dependence; damage to the brain, liver and heart; unwanted sexual activity; and accidents due to impaired judgment and coordination. FMU Student Health Services, Counseling and Testing, or Student Life can provide more information.

Student Health Services provide assessment of medical conditions and limited medical assistance to students. Educational programs addressing alcohol and drug related issues, procedures, and penalties are in accordance with the Substance Abuse Compliance Policy available through the Office of Human Resources and The Student Handbook available through the Office of Student Life. The Substance Abuse Compliance Policy provides information and resources to faculty, staff, and students. Violations of the Substance Abuse Compliance Policy may result in disciplinary action, termination, or dismissal from the University, and may include legal consequences. The Student Handbook details offenses and discipline for students: ranging from sanctions under University procedures (probation, suspension, and dismissal) to incarceration for criminal violations. All community members are required to abide by the terms of the published policies as a condition of employment or student status. These handbooks meet federal standards of the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug Free Workplace Act of 1988.

The Office of Counseling and Testing offers referral and treatment services to all registered students who may be suffering from alcohol or drug abuse. In addition to University services, various organizations are available to assist with substance abuse problems. The Office of Counseling and Testing can provide information about these resources, some of which are listed in

this brochure. Students can obtain additional information about referrals for alcohol or drug problems by contacting Student Life 843-661-1182 or Counseling and Testing 843-661-1840. Faculty or staff should contact Human Resources 843-661-1140.

## SUBSTANCE ABUSE COMPLIANCE POLICY

The University's Substance Abuse Compliance Policy was prepared by the Office of the Vice President for Student Life and the Office of the Vice President for Administration in order to satisfy the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. Francis Marion University prohibits the unlawful manufacture, dispensation, possession, use or distribution of illegal drugs and alcohol on its property or as a part of any of its activities by faculty, staff, or students regardless of permanent, full-time, part-time, or temporary status, pursuant to state and federal laws. Violations of this policy by campus community members will result in disciplinary action, up to and including termination, dismissal from the University, and may have legal consequences. Violations of laws related to the unlawful possession or distribution of illicit drugs and alcohol will result in sanctions provided by law. Driving under the influence refers to alcohol and to other drugs. If you are planning to drive, avoid mind-altering substances, prescriptions or non-prescriptions (legal or illicit) because they have the potential to impair a variety of skills necessary for safe driving.

Violation of the University's Substance Abuse Compliance Policy by academic employees, regardless of tenure status, may lead to the initiation of procedures for termination or dismissal. Violation by other employees may be cause for disciplinary action. Violation of the University's Substance Abuse Compliance Policy by students or student employees will lead to sanctions detailed in the student alcohol and drug policy contained in The Student Handbook. Violators may also be exposed to legal consequences.

Community members are required to abide by the terms of this policy as a condition of employment or student status. Grant or contract employees are required to notify the Vice President for Administration of any criminal drug status conviction for a violation occurring in the workplace no later than five days after the conviction. Federal law requires the University to notify the granting or contracting agency of a criminal drug statute conviction in the workplace within ten days of the date the University receives notification. The Vice President for Administration will notify the granting or contracting agency.

Employees and students are encouraged to seek assistance for drug and alcohol problems before there is a drug- or alcohol-related conviction or other incident that would cause the University to impose sanctions. Assistance may be sought through programs and/or treatment facilities licensed by the state of South Carolina or by the state in which the program and/or treatment facility is located. Referrals to such programs may be self-referrals, supervisory referrals, or University referrals. If a referral is made, which includes satisfactory participation in a drug or alcohol treatment or rehabilitation program as a condition of continued employment or student status, the referral must be made through

the Vice President for Administration for faculty and staff or the Vice President for Student Life for students. Referrals and records of referrals will be handled with confidentiality as other records maintained by the University.

## SUBSTANCE ABUSE CONSEQUENCES

Experimental, recreational, and/or dependent use of drugs and alcohol is a serious matter. Abuse by employees and students poses major risks to workers' and students' health, safety, and productivity. It may cause the loss of job or student status. The misuse and abuse of chemical substances can increase absenteeism, reduce job efficiency, contribute to substandard work performance, and can endanger the workplace. Misuse and abuse can cause accidents and injuries to other employees or students, promote antisocial behavior, and affect judgment and decision-making. It can heighten major health risk factors, increase depression and anxiety, enhance stress, and contribute to cardiovascular disease. It can cause interpersonal problems, marital difficulties, financial hardship, and erode wholesome family relationships.

## HEALTH RISKS ASSOCIATED WITH ALCOHOL USE

Every person must make a decision concerning the use of alcohol. Often decisions to use alcohol are based on myths. Prevalence of alcohol use by friends and peers can be overestimated. Many think that alcohol makes them warm when they are cold, cure them of their ills, make them less scared of people, or be able to function better. These are common misconceptions and can have dangerous, even deadly, results.

Approximately one in ten people find it difficult to control consumption and have continuing problems associated with alcohol use. Those individuals with a family history of chemical dependency face a significantly higher probability of developing alcoholism or other forms of drug addiction. Low doses of alcohol significantly impair the judgment and coordination required to safely operate a motor vehicle. Moderate to high doses cause marked impairments in higher mental functions and alter a person's ability to learn and remember information. Very high doses cause respiratory depression and death.

Women who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. In addition, alcohol use has been found to be significantly related to the transmission of HIV, the virus that causes AIDS, sexually transmitted diseases, unplanned pregnancy, fighting, assault, vandalism, and other crimes.

Alcohol inhibits the secretion of the antidiuretic hormone, which causes increased urination. Alcohol reduces the amount of fat in the body that is oxidized resulting in increased body fat and weight gain. Alcohol is a peripheral dilator and causes the skin to feel warm and turn red. It increases gastric secretion, which stimulates appetite. High doses may harm the stomach and cause gastric distress. Higher doses cause the release of corticosteroids,

a general reaction to stress that is toxic to the body. Alcohol disrupts sleep patterns and suppresses REM sleep. Alcohol impairs memory function, which can have an acute effect on short-term memory. When high blood/alcohol concentrations are reached rapidly, blackouts may occur. Continued alcohol use produces tolerance. A minor withdrawal syndrome associated with alcohol use is a hangover. Alcohol impairs coordination and judgment. This may lead to negative consequences such as automobile accidents or assault.

## HEALTH RISKS ASSOCIATED WITH DRUG USE

**Narcotics:** Drugs included in this classification include: opium, morphine, codeine, heroin, hydromorphone, meperidine, methadone and other opium derivatives and synthetics. The effects of narcotics last between 3-6 hours and include: euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Effects of an overdose include: slow and shallow breathing, clammy skin, convulsions, coma, and possible death. After developing a physical dependence, withdrawal from narcotics may include any or all of the following: watery eyes, runny nose, yawning, and loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating.

**Stimulants:** Drugs included in this classification include: cocaine, amphetamines, Ritalin, methylphenidate, and other stimulants. The effects of stimulants last between 1-4 hours and include: increased alertness, excitation, increased pulse rate and blood pressure, insomnia, and loss of appetite. Effects of an overdose include: agitation, increase in body temperature, lethal blood vessel rupture, hallucinations, convulsions, and possible death. After use, withdrawal from stimulants may include any or all of the following: apathy, long periods of sleep, irritability, depression, and disorientation.

**Hallucinogens:** Drugs in this classification include: LSD, mescaline, amphetamine variants, phencyclidine and its analogues, and other hallucinogens. The effects of hallucinogens last anywhere between 8-12 hours and up to days at a time and include illusions, hallucinations, and/or perceptions of time and distance. Effects of an overdose include: longer, more intense "trip" episodes, psychosis, and possible death.

**Cannabis:** Drugs in this classification include: marijuana, tetrahydrocannabinol, hashish, and hashish oil. The effects of cannabis usually last 2-4 hours and include: euphoria, relaxed inhibitions, increased appetite, and disoriented behavior. Effects of abuse include: fatigue, paranoia, and possible psychosis. Withdrawal symptoms include: insomnia, hyperactivity, and sometimes a decreased appetite.

**Depressants:** Drugs in this classification include: barbiturates, benzodiazepines, methaqualone, chloral hydrate, and other depressants including ethyl alcohol. The risk of physical and psychological dependence ranges from high (barbiturates and alcohol) to low (benzodiazepines). The effects of depressants last between 4-8 hours and include: slurred speech, disorientation, and drunk-like behavior with or without the odor of alcohol.

Effects of an overdose include: shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. After developing a physical dependence, withdrawal from depressants may include any or all of the following: anxiety, insomnia, tremors, delirium, convulsions, and possible death.

**Designer Drugs:** The street names of designer drugs vary according to time, place, and manufacturer. The most well-known are ecstasy, rohypnol and GHB. Changing the molecular structure of an existing drug to create a new substance creates these drugs. They can be either stimulants or depressants. One of their most dangerous aspects is their uncertain chemical makeup. They are usually much more potent than the original drug. Each substance is made from a different formula, so it is difficult to predict exact side effects. These drugs can be placed in any drink, not just alcohol. Effects may range from a feeling of well-being and short term memory loss to an apparent aphrodisiac and intoxication effect. Some symptoms include: giddiness, muscle tension, clenched teeth, drooling, and increased heart rate. Serious adverse effects such as seizures, insomnia, anxiety, nausea, dizziness, hallucinations, coma, even death can occur. Common side effects include a drunken appearance, drowsiness, light-headedness, staggering, confusion, muscle relaxation and amnesia that can last up to 24 hours. Some psychological effects are: euphoria, confusion, hallucinations and paranoia. Overdose can result in amnesia, coma, and possibly death. If one suspects they or someone they know has been drugged and/or assaulted, first: go to a safe place, call the Campus or local police, go to the University Student Health Services or the local hospital's emergency room for immediate treatment of injuries, plus urine, blood, pregnancy, and sexually transmitted disease testing.

## FMU SUBSTANCE ABUSE RESOURCES

**Print and Video Resource Materials:** The Office of Counseling and Testing provides access to information on alcohol and other drugs and other health topics. Pamphlets are also available in the Student Health clinic. For more information, call 843-661-1840.

**Substance Abuse Intervention Programs:** FMU students who have an alcohol or drug related violation may be required to participate in a substance abuse education program. Educational services may include an online educational program, individual assessment and/or group intervention. The online education program is facilitated by the Dean of Students. The Office of Counseling and Testing provides individual and group services. Counseling and Testing may decide to refer a student to another agency for further treatment. The cost of off-campus services is the responsibility of the student.

**Drug Testing:** For individuals who wish to be drug tested, the Student Health Center offers referral services to the appropriate institution or agency. The cost of testing depends on the type of procedures necessary.

**Assessment and Treatment Service:** This service provides students an opportunity to meet individually with a professional counselor and discuss concerns they may have about either their own or a friend's or family member's use of alcohol and/or other drugs. These issues are explored in a nonthreatening manner, and

students' confidentiality is always ensured. When appropriate, outpatient treatment and/or referrals to campus or community prevention and treatment programs can be arranged. For those that need help identifying the most appropriate treatment option, or for other information, contact the Office of Counseling and Testing.

## COMMUNITY RESOURCES

Agencies and self-help groups provide support and/or treatment for alcohol and other drug-related issues for the individual with the problem and for his/her family and friends. Area self-help groups include: Alcoholics Anonymous and Al Anon Family Group at 843-445-7119 and for outpatient services can be obtained from Circle Park Behavioral Health Services 843-665-9349; McLeod's Behavioral Health Services 843-395-4200; MUSC Florence Medical Center Behavioral Health 843-674-5000; Pee Dee Mental Health Center 843-317-4073; FMU Counseling and Testing 843-661-1840. These organizations provide support for those in need but do not provide any statistical information for inclusion in this report. Beneficial hotlines include Narcotics Anonymous 1-800-777-1515 and the National Institute on Drug Abuse and Treatment Hotline 1-800-662-HELP.

## SMOKE FREE CAMPUS

FMU is committed to providing an environment conducive to its mission that is safe, healthy and comfortable. Due to well documented health and safety risks related to smoking and the University's commitment to support the comfort and well-being of its various constituents, FMU is a "smoke-free" campus. Smoking is prohibited on all property-owned or -controlled by FMU, the FMU Foundation, and the FMU Real Estate Foundation. This prohibition includes all buildings and grounds, as well as within vehicles owned, leased, or rented by the University. This policy also includes other devices for smoking such as e-cigarette, e-vaporizers or electronic nicotine delivery system type devices. This policy is in effect at all times with no exceptions.

## DATING OR DOMESTIC VIOLENCE AND STALKING

FMU is committed to providing on-campus safety, security, education, training, and victim services to combat violence against all persons. FMU prohibits the crimes of dating violence, domestic violence, stalking and sexual assault as they are defined for the purposes of the Clery Act. As a result of the implementation of the Campus Sexual Violence Elimination Act, known as the "Save Act," several definitions have been changed or expanded.

- The Higher Education Act defines "Dating Violence" as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on consideration of the following factors: the length of the relationship, the type

of relationship, and the frequency of interaction between the persons involved in the relationship. For the 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.

- The Higher Education Act defines “Domestic Violence” as any 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 jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- The Higher Education Act defines “Stalking” as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress. For the purpose of this definition, course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

The FMU Counseling Center offers support and counseling for individuals who have experienced dating or domestic violence through individual or group counseling.

A student victim of dating or domestic violence has the right, in addition to pursuing criminal charges through the criminal justice system, to file a complaint through any of the options of the Title IX Process as described in this document. It does not matter if the act of violence occurred on- or off-campus. Disciplinary action will result if a student’s behavior jeopardizes the educational atmosphere or mission of the institution. Examples of such off-campus behavior would include but not be limited to crimes of violence and sexual assault. Judicial response to referral(s) related to act(s) of dating violence can result in charges against the accused under the FMU Code of Student Conduct. The University will disclose in writing the outcome of any disciplinary proceeding conducted by the institution to the alleged perpetrator and the alleged victim of domestic violence, dating violence, sexual assault or stalking.

## EMERGENCY PLAN

FMU has an Emergency Plan that incorporates emergency response and evacuation policies and procedures for a variety of situations. Information in the plan ranges from general guidelines

for dealing with potential emergency situations to specific information on what to do for a variety of specific situations. The information is provided in an effort to better prepare all community members in the event of a natural or man-made emergency or disaster. The plan is reviewed periodically and is on the web at [www.fmarion.edu/police/](http://www.fmarion.edu/police/).

The University Emergency Plan is tested through regularly scheduled drills, training exercises and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

## FIRE SAFETY PRACTICES AND STANDARDS

Fire safety and prevention is of paramount importance in a campus living environment, and the responsibility for this safety rests on each resident. Over 1,500 students reside in 6 three-story residence halls and 18 apartment buildings on the FMU campus. Each residence hall is equipped with a fire alarm system monitored by the FMU PD and by Central Alarm Monitoring, fire sprinkler systems, smoke detectors, and portable fire extinguishers. The Village Apartments are equipped with local smoke detectors and portable fire extinguishers in each apartment. The Forest Villas Apartments are equipped with a fire alarm system monitored by the FMU PD and with Central Alarm Monitoring, fire sprinkler systems, smoke detectors and portable fire extinguishers in the apartments and in the hallways.

For health and safety reasons, certain appliances and items may not be used or possessed in the residence halls. Appliances that may not be used in the residence halls include appliances with a heating element (e.g. coffee pot, hot plate, hot pot, cooking coils, George Foreman type grills, etc.). Cooking appliances such as stoves may only be used in the kitchen area of the Village and Forest Villas apartments. No grills, space heaters, or halogen lamps are authorized in Housing. No open flame or flammable liquid (e.g., no oil lamps, candles, gasoline, or incense) is permitted in the residential facilities.

For residential facilities, mandatory supervised fire drills occur annually. In the event of fire alarm activation, all residents must completely and immediately evacuate the building. Treat any fire alarm activation as real; don’t gamble that the alarm is false. In a fire, the first rule is don’t panic. Residents should become familiar with all emergency exits, fire alarms, and extinguishers located in their residence and in academic buildings. In the event of a fire, pull the nearest fire alarm to notify others, evacuate the building, and call the FMU PD to ensure the alarm was received. Evacuate into the parking lot away from the building in order to provide fire responders with sufficient space to operate in the event of an actual emergency.

Members of the campus community should report all fires to the FMU PD at 843-661-1109 or in person at 4804 Heyward Drive. Federal law requires that a log be maintained for all fires occurring in campus housing and that this log be available for review during regular business hours. This log is maintained at the FMU PD along with the Open Crime Log discussed previously. Below is a list of fires that have occurred in campus

housing during this reporting period:

In 2019, there were no reported fires in the Village Apartments (B-N) 202 The Cottage Road, Residence Halls (A, B, & D-F) 4816 Heyward Drive, or the Forest Villas (Thigpen, Cusac, King, Allen and Beaty Halls) 296 Wallace Woods Road.

In 2020, there were no reported fires in The Village Apartments (A-G, I-J and L-N) 202 The Cottage Road, Residence Halls (A-F)

4816 Patriot Drive or the Forest Villas (Thigpen, Cusac, King, Allen, and Beaty Halls) 296 Wallace Woods Road.

In 2021, there were no reported fires in The Village Apartments (A-E, G-H and J-N) 202 The Cottage Road, Residence Halls (A-F) 4816 Patriot Drive or the Forest Villas (Cusac, King, Allen, and Beaty Halls) 296 Wallace Woods Road.

| FIRE INCIDENTS REPORTED                     |                    |                     |                |                          |                          |                        |
|---|--------------------|---------------------|----------------|--------------------------|--------------------------|------------------------|
| Location                                    | Date Fire Reported | Date & Time of Fire | Nature of Fire | Number Killed or Injured | Value of Property Damage | Incident Report Number |
| Anderson Apartments   202 Cottage Road      | 9/30/19            | 9/30/19 at 1:37pm   | Cooking Fire   | 0                        | \$0                      | 2019-0052              |
| Marion State Hall   4816 Heyward Drive      | 11/4/19            | 11/4/19 at 8:07pm   | Microwave Fire | 0                        | \$0                      | 2019-0062              |
| Henderson Apartments   202 The Cottage Road | 1/21/20            | 1/17/21 at 7:30pm   | Grease Fire    | 0                        | \$0                      | 2020-0002              |
| Kidwell Apartments   202 The Cottage Road   | 11/13/20           | 11/13/20 at 2:30pm  | Grease Fire    | 0                        | \$0                      | 2020-0041              |
| Ferguson Apartments   202 The Cottage Road  | 3/11/21            | 3/11/21 at 2:00pm   | Stove Fire     | 0                        | \$0                      | 2021-0008              |
| Ingram Apartments   202 The Cottage Road    | 9/26/21            | 9/26/21 at 9:00pm   | Trashcan Fire  | 0                        | \$0                      | 2021-0031              |
| Thigpen Hall   296 Wallace Woods Road       | 10/28/21           | 10/28/21 at 8:07am  | Stove Fire     | 0                        | \$0                      | 2021-0039              |

## MISSING STUDENT

If a member of the University community has reason to believe that a student who resides in on-campus housing has been missing for more than 24 hours, he or she should immediately notify the FMU PD at 843-661-1109. Reports can also be made to Student Life at 843-661-1182 or to Housing and Residence Life at 843-661-1330. If either of these offices is made aware of a missing student, they will notify the FMU PD. The FMU PD will initiate an investigation and may generate a missing person report. Efforts will be made to locate the student to determine his or her state of health and well-being through the collaboration of the FMU PD, Student Life, and other offices on-campus. The University may make an emergency welfare entry into the student's room. University officials will endeavor to determine the student's whereabouts through contact with friends, associates, and/or employers of the student. Whether or not the student has been attending classes, labs, and scheduled organizational or academic meetings, or appearing for scheduled work shifts, will be established. If the student is located, the student's state of health will be verified and an effort will be made to determine his/her intention of returning to campus. When and where appropriate if the need is determined, a referral will be made to the Office of Counseling and Testing and/or Student Health Center.

Resident students have an option to identify a separate contact person or persons, someone other than their normal emergency contact, whom the institution shall notify within 24 hours of the determination that the student is missing if the student is determined to be missing by the FMU PD. This contact information will be registered confidentially and will be accessible only to authorized campus officials. This contact information may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. If the

missing student is under the age of 18 and is not an emancipated individual, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. FMU will notify the student's parent or legal guardian immediately after the FMU PD has determined that the student has been missing for more than 24 hours.

After investigating the missing person report and determining the student is missing and has been missing for more than 24 hours, FMU may notify SLED, the FCSO and FPD for assistance. The institution will notify the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours of the determination that the student is missing unless the local law enforcement agency was the entity that made the determination that a student is missing. All pertinent law enforcement agencies, neighboring municipal, county, or state; those located along suspected travel corridors; or place of original domicile may be notified and requested to render assistance, through direct telephone contact or via the South Carolina Intelligence and Information Center message and/or radio transmission with a comprehensive message based on the totality of up-to date information. Upon closure of the investigation, all parties previously contacted will be advised of the status of the case.

If the student is an off-campus resident, appropriate family members or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction. The FMU PD will cooperate, aid, and assist the primary investigative agency in all ways prescribed by law. If the missing student is an on-campus resident, the FMU PD will open an investigation as the primary investigative unit.

## EMERGENCIES INVOLVING STUDENTS

For emergencies involving students, the FMU PD may call on the services of the Student Life staff, other campus resources, as well as local coalitions when and where appropriate. The Victim/Witness Assistance Program is designed to lessen the impact of criminal acts on the victims and witnesses of crimes and to ensure that such individuals receive fair treatment while participating in the criminal justice system. The FMU PD can outline what being a victim or witness can mean and the agencies available to assist in criminal justice procedures.

## RESIDENTIAL FACILITIES AND POLICIES

People living on-campus have a special responsibility for each other. Services and programs intended to enhance the quality of life and assure the safety of the resident student body are a major priority for Student Life, Housing, and the FMU PD. Live-in Resident Assistants receive training in enforcing residence hall security policies, community development, fire safety, CPR and AED operation and making the campus living experience better. They are available during weekend and evening hours to assist students. The University provides housing in a variety of configurations with set visitation hours. Residents must escort guests at all times and have approval from Housing staff for overnight guests.

All residence hall and Forest Villas Apartment doors accessing living areas remain locked 24 hours daily with access restricted to residents only. Perimeter security to all University-owned residence halls is maintained by an electronic access system. The Forest Villas Apartments are accessed by means of a proximity card system. The Village Apartments are accessed by means of a traditional key-in-lock system. All on-campus residence facilities are closed during holidays, vacations, and when the University is closed. During low occupancy periods, such as the summer terms, students remaining on-campus may be moved into concentrated areas of the residence life complex to enhance security effectiveness. When the campus is closed, residence facilities may also be closed. Those few students authorized to live on-campus during that time are registered with the Housing Office. The FMU PD, Residence Life, and Housing personnel work diligently to make the residence halls safe, but their efforts can be easily negated through a lack of cooperation of residents. The involvement of students in the safety and security of campus is critical to our success. Violations of the following precautions can expose residents to loss of property or possibly physical harm. Students must assume responsibility for their safety, the safety of others, and the security of property by taking simple, common sense precautions such as: reporting unusual activities to the FMU PD; never admitting unfamiliar people into hallways; locking room doors and windows when leaving; reporting lost keys immediately to Housing staff; reporting solicitors or unfamiliar people to the FMU PD; ensuring residence hall exit doors are not propped open; become familiar with the locations of emergency call boxes; asking visitors to identify themselves and whom they are visiting; being aware of your surroundings and of other people around you; carrying your keys at all times and never lending

them to others; and traveling at night with a friend in well-lit areas or calling for an escort.

Inspections surveying the security of University housing are conducted periodically. Repairs are made promptly, locks quickly replaced when keys are reported lost or stolen, and reports of potential safety hazards such as broken windows receive immediate response. Access to on-campus housing by University employees is on an “as needed” basis and incorporates strict key control procedures during hours of restricted access. All University repair and maintenance personnel are in FMU maintenance uniforms to allow for easy identification by residents.

The FMU campus is well-lit and further improvements in campus lighting are continually being considered and implemented, including the placement of high-intensity lights on buildings, in parking lots, in areas with heavy landscaping and along sidewalks and pathways frequently traveled by students. Representatives from segments of the campus community, including Student Life, Facilities Management, and the FMU PD, conduct lighting and shrubbery tours annually. Safety and security concerns are identified and recommendations for improvements made.

Visitors are welcome both in academic buildings and residence areas during regular business hours and as appropriate. Information regarding Housing policies and procedures are in The Student Handbook. Residents must adhere to the Guest Visitation Policy, escort guests at all times, and maintain responsibility for the actions of their visitors. Safety and security procedures, room security precautions, and other topics are discussed with residents in crime prevention seminars in residence hall meetings conducted by Resident Assistants and housing staff, and in printed materials. Book buyers must coordinate their visit with the Vice President for Administration's office and obtain clearance before proceeding and should never be in the Housing area.

The FMU Housing Contract states that the University reserves the right to refuse a student's admission to or remaining in housing if the student fails to meet University requirements or to adhere properly to University policies or regulations.

## OFF-CAMPUS STUDENT RESIDENCES

Off-campus housing includes apartments, private homes, individual rooms or apartments within private homes, and a small number of off-campus fraternity houses near campus. Crime prevention programs emphasizing what these residents can do to help themselves are available. The FPD, FCSO and other local law enforcement respond to and investigate criminal incidents at off-campus residences. While some student organizations maintain residences away from campus, the University neither officially recognizes nor endorses any residential facilities for students other than those owned by FMU. In those instances, when the University is made aware that a student organization recognized by the University is using a residence exclusively for its members, efforts will be made to obtain information from the appropriate law enforcement agency and include the statistics from these locations in this report. The University reserves the right to charge

an organization or individual with a violation of campus policy for off-campus infractions based upon sufficient evidence but does not provide supervision for off-campus housing.

## SEVERE WEATHER

**Hurricane:** If a hurricane warning is issued that affects FMU, an evacuation of the housing area and/or university closing may be necessary. Plans are in place to evaluate all circumstances before an evacuation decision is made. Once evacuation is called for, the FMU PD will coordinate efforts to notify campus residents who cannot leave because their home is in the path of the storm or for other reasons to possibly evacuate to the Smith University Center if warranted. After the storm, appropriate persons will inspect the situation and determine if it is safe for students to return to their residence hall or apartment.

**Thunderstorms:** The FMU PD may notify the university community when severe thunderstorms are predicted and the weather becomes threatening. Normally, evacuation of buildings is not necessary but everyone should be aware of the dangers of going outside during this type of storm.

**Tornado:** Tornadoes can occur anywhere in the United States. Under a Tornado Watch conditions are favorable for tornado activity. Under a *Tornado Warning*, a tornado has either been indicated by weather radar or has been sighted in our area. The FMU PD may advise persons in university buildings to take precautionary measures. If you are in a classroom and time allows, move to a lower floor and away from windows and near an inside wall. For maximum protection, remain inside the building. If you are in the residence facilities, move away from the windows to an inside wall and remain calm.

## SEXUAL MISCONDUCT

FMU is committed to providing a healthy living, learning, and working community with an atmosphere that emphasizes the dignity and worth of all individuals within that community. Towards that end, we promote personal integrity, civility and mutual respect, and an environment that is free from sexual misconduct and discrimination.

FMU follows all state, local, and federal laws banning discrimination in public institutions of higher learning. FMU adheres to all Title IX policies, and does not discriminate on the basis of race, color, sex, religion, ethnicity, national origin, age, sexual orientation, gender identity, veteran status or any other protected category under applicable state, local, or federal law. General questions regarding Title IX can be directed to the Office of Civil Rights ([www.ed.gov/ocr](http://www.ed.gov/ocr)). Specific questions may be referred to the University's Title IX Coordinator ([titleixcoordinator@fmarion.edu](mailto:titleixcoordinator@fmarion.edu)) or the University's Human Resources Office.

FMU's sexual misconduct (Title IX) procedures define the University's response to reports of sexual misconduct and explain the recourse and protections afforded complainants and respondents.

FMU's Title IX policy applies to all members of the FMU community, which includes currently enrolled students, staff, faculty, contractual, and vending employees in all university programs and activities. All members of the FMU community who are complainants regarding sexual misconduct shall be provided appropriate accommodations, and directed to appropriate resources, in order to ensure that their employment and/or educational experience at FMU is not unduly hindered. The University's Title IX policy addresses sexual misconduct that involves members of the FMU community. Sexual misconduct may involve a member of the same sex or the opposite sex. In addition, the Title IX policy remains applicable regardless of whether the incident occurs during working hours and regardless of whether the incident occurs on or off campus. Nothing in the Title IX policy shall be construed to infringe upon any of the due process rights available to a respondent under state, local, or federal laws. Under the *FMU Faculty Handbook*, faculty members have the right of academic freedom, but academic freedom does not shield faculty members from violations described in the Title IX policy.

FMU encourages faculty, students, and staff to report sexual misconduct to the FMU PD, Title IX Coordinator, and/or a Mandated Reporter as promptly as possible.

**Sexual Misconduct:** Sexual misconduct refers to a broad category of sexual behaviors which violate state and federal laws. The University's Title IX policy applies to all forms of sexual misconduct, as defined by applicable laws and University policies, including but not limited to, sex-based discrimination, sexual harassment, sexual assault, dating/relationship violence, and stalking by employees, students, or third parties. In general, any non-consensual contact of a sexual nature may constitute Sexual Misconduct. Information concerning the legal and regulatory aspects of consent and various classes of sexual misconduct is presented in an Appendix section of the University's Title IX policy. A detailed description is also available in the *FMU Student Handbook* and the *FMU Catalog*.

There is no specific legal definition of consent in the SC Code of Laws though conditions related to consent are noted below:

- If coercion, intimidation, threats, or physical force are used, there is no consent;
- If a person is mentally or physically incapacitated, or impaired, so that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent. This includes impairment or incapacitation due to alcohol, drug consumption, being asleep, or unconscious;
- Inducing incapacitation for sexual purposes includes using drugs, alcohol, or other means with the intent to affect the ability of an individual to consent or refuse to consent (as "consent" is defined in this policy) to sexual contact.
- There is no consent when there is force, expressed or implied, or use of duress upon the victim;
- Past consent to sexual activity does not imply ongoing or future consent;
- Consent can be withdrawn at any time.

**Anti-Retaliation/Anti-Intimidation Policy:** Title IX and FMU strictly prohibit retaliation against and intimidation of any person because of his/her reporting an incident of sexual misconduct or participation in the University's process. The University will take strong disciplinary action in response to any retaliation or intimidation.

## PROCEDURES FOLLOWING AN ACT OF SEXUAL MISCONDUCT

**Physical Care:** If physical trauma has occurred, a person should seek immediate assistance from the FMU PD (843-661-1109), local emergency responders (911), or at a local medical facility.

### EMERGENCY ROOMS:

**MUSC Florence Medical Center**  
805 Pamplico Hwy,  
Florence SC 29501  
(843) 674-5000

**McLeod Regional Medical Center**  
555 E. Cheves St,  
Florence SC 29501  
(843) 777-2000

If one's physical safety is threatened, call The FMU PD (843-661-1109) if on campus; Call Emergency Services providers (911) if off campus.

### Confidential Medical Response/Sexual Assault Kit:

An individual who has suffered sexual assault can elect to have a confidential sexual assault kit completed at a medical facility without first notifying the police. Once the sexual assault kit has been completed and the complainant has left the medical facility, the medical facility will notify the law enforcement agency where the incident took place. The law enforcement agency with jurisdiction over the incident location will then take custody of the sexual assault kit. The sexual assault kit has no identifying information on it and the law enforcement agency has no way of knowing to whom the kit is associated. This anonymous kit is then stored at the law enforcement agency for a length of time as determined by state law. The kit is stored in the event the complainant wishes to pursue charges later.

## FILING A SEXUAL MISCONDUCT COMPLAINT

Allegations of sexual misconduct or retaliation for reporting sexual misconduct should be promptly reported. The type of report is determined by the person who makes the report. A "reporter," can be an alleged victim, a bystander witness, or an anonymous person who may be a complainant or a third party. The term "reporter" will be used throughout this document when there is no need to distinguish between the type of report which has been filed.

The **complainant** is the individual who has been the object of

alleged sexual misconduct. He/she may file a report through any of the methods outlined in the Methods of Reporting section.

**Complainants have the option of using one option instead of the others, or may pursue multiple options at the same time.**

Third parties who are witnesses to, or have knowledge of, sexual misconduct are strongly encouraged to report the incident(s) and may use any of the methods described in the Methods of Reporting section. Each type of reporting can involve a different level of confidentiality, as well as potentially begin a different process (i.e. criminal, institutional).

## ANONYMOUS INDIVIDUAL

Individuals who do not wish to be identified may report sexual misconduct anonymously using the following methods:

- Silent Witness: [www.fmarion.edu/police/](http://www.fmarion.edu/police/)
- Written notification to the Title IX Coordinator at Room 105, Stokes Administration Building

In the event that an act of sexual misconduct is reported anonymously with no names attached or only the respondent's name attached, the Title IX Coordinator will alert the FMU PD concerning any potential safety issues in parts of the campus named in the report.

## WHERE TO MAKE THE REPORT

Each method of reporting can involve a different level of confidentiality, as well as potentially initiating a different process (i.e. criminal, institutional). Reporters of sexual misconduct have the option of using one method only or multiple methods at the same time. Reports made to a professional counselor will not be reported to anyone else without the consent of the individual unless state or federal law requires otherwise. There may also be other potential limits of client confidentiality. All individuals listed below are required to report alleged incidents of sexual misconduct to the Title IX Coordinator.

## FMU POLICE DEPARTMENT

Complainants or third party reporters are encouraged to report sexual misconduct immediately to the FMU PD in person, at 4804 Heyward Drive, or by phone at (843) 661-1109. Complainants can also file anonymous reports online at [www.fmarion.edu/police/](http://www.fmarion.edu/police/). In order to help the FMU PD, the complainant should preserve any evidence that is within his/her control or possession. In addition to following police procedures, the police will also notify the President of the University and the Title IX Coordinator about reports of sexual misconduct. The FMU PD is obligated by law to report instances of sexual misconduct involving a minor to the SC Department of Social Services.

The standard of proof in criminal cases involves a finding of guilt beyond a reasonable doubt and can only be determined in a court of law. This is a much higher standard of proof than the standard used in resolving complaints within the University which may determine responsibility based upon a preponderance of the



evidence.

## TITLE IX COORDINATOR

A complainant can file an institutional complaint of sexual misconduct by contacting FMU's Title IX Coordinator by phone at 843-661-1114, by email at [titleixcoordinator@fmarion.edu](mailto:titleixcoordinator@fmarion.edu), or via written communication at 105 Stokes Administration Building. This option is available regardless of whether or not the complainant chooses to meet with the FMU PD or file a police report.

Complaints to the Title IX Coordinator will remain confidential to the extent permitted by applicable state, local, and federal laws, and proper and reasonable precautions will be taken to protect the identity of the complainant. The Title IX Coordinator will balance confidentiality with the safety of other members of the FMU community. Instances where the Title IX Coordinator may be unable to ensure confidentiality could include, but are not limited to, cases involving repeat offenders or cases where the respondent poses an imminent threat to the community.

The Title IX Coordinator will meet with the complainant to discuss the incident. If a respondent is named, the Title IX Coordinator will also meet with the respondent in a timely fashion. At these initial meetings with the complainant or the respondent, the Title IX Coordinator will discuss requests for interim accommodations.

After these meetings, the Title IX Coordinator can then direct the complaint to the appropriate body for further deliberations:

- Complaints about staff will be referred to the Associate Director of Human Resources for resolution using the procedures set forth in the *FMU Staff Handbook*.
- Complaints about faculty will be referred to the Provost for resolution using the procedures set forth in the *FMU Faculty Handbook*.
- Complaints about FMU students will be referred to the Dean of Students for resolution using the procedures set forth in the *FMU Student Handbook*.

In general, the Title IX Coordinator will not begin a formal investigation or make a referral to the FMU PD without the consent or involvement of the alleged victim. The University may have an obligation to take action under state, local, or federal laws if the health, welfare, or safety of members of the campus community are at risk.

The University may wait for the conclusion of a criminal proceeding to begin its own investigation, and could temporarily suspend its evidence-gathering procedure so as to not interfere with the role of law enforcement in that process. In all cases, the University will take appropriate steps designed to remedy the effects of the reported sexual misconduct, prevent its recurrence, and implement interim accommodations for the complainant where necessary, regardless of whether a formal investigation is initiated.

Upon receipt of a report of sexual misconduct from either the FMU PD or the Title IX Coordinator, and a clear indication from

the complainant that he/she wants to pursue an institutional complaint against a named person, the appropriate University official (Dean of Students or his/her designee, Associate Director of Human Resources, or the Provost) will review the report and, in consultation with the Title IX Coordinator, set forth the allegations to be investigated. The standard of proof in the institutional resolution process is a preponderance of the evidence.

## MANDATED REPORTER

A complainant can also disclose an act of sexual misconduct to anyone whom the University has designated a Mandated Reporter. Mandated Reporters are University employees who have the obligation to report sexual misconduct. Mandated Reporters respect confidentiality to the extent permitted by state, local, and federal laws, except that they must report the nature of the complaint to the Title IX Coordinator, so that the Title IX Coordinator can take action if obligated to do so.

The following is a complete list of employees with the obligation to report sexual misconduct to the Title IX Coordinator:

1. All University administrators including the President, Provost, Vice Presidents, and administrative division heads and directors
2. Academic department chairs and deans
3. Title IX Council Chair
4. Athletic directors and coaches
5. All Student Life professional staff members
6. All officers and dispatchers with the FMU PD
7. Residence Life Staff and Resident Assistants
8. Faculty Executive Committee (Chair, Vice Chair, and Secretary)

The designation of Mandated Reporter ends when a person no longer fills one of the preceding positions.

## CONFIDENTIAL REPORTING

If a complainant wishes to maintain confidentiality in his/her disclosure of sexual misconduct, he/she should meet with professional, licensed counselors and/or pastoral counselors. These counselors are not required to report any information about an incident to the Title IX Coordinator or the FMU PD without the complainant's permission unless state or federal law requires otherwise. There may also be other potential limits of client confidentiality.

Students have free access to counseling through the FMU Counseling Services, which is located at 121 Evander Dr. in the Education Foundation building which is situated directly in front of the baseball stadium. To make an appointment, students can call 843-661-1840.

In addition, an individual can also go to FMU's Student Health Services during posted service hours. FMU's Student Health Services is located on the second floor of the Smith University Center, 290 Alumni Drive. For more information, call 843 661-1844. Please note that a sexual assault kit is not available at FMU's

Student Health Services.

Complainants can also access confidential counseling services through the Pee Dee Coalition Against Domestic Violence and Sexual Assault, by calling their crisis line at 1-800-273-1820, their office line at 843-669-4694, or by visiting in person at 220 South Irby Street in Florence. For more information about their services visit their website at [www.peedeecoalition.org](http://www.peedeecoalition.org)

Confidential counseling services will also advise complainants about medical support, evidence-gathering, and the complainant's options should he/she choose to file a complaint (criminal, institutional or both) at a later date. By disclosing to a confidential source, the complainant does not waive his/her options to disclose to another source later, but the complainant should know that not disclosing the event to the FMU PD at the time of occurrence may reduce the Police's ability to conduct a thorough investigation later. While campus medical personnel are not counselors per se, they are also considered confidential sources for the purposes of this policy.

Confidential counseling services will also advise complainants about medical support, evidence-gathering, and the complainant's options should he/she choose to file a complaint (criminal, institutional or both) at a later date. By disclosing to a confidential source, the complainant does not waive his/her options to disclose to another source later, but the complainant should know that not disclosing the event to the FMU PD at the time of occurrence may reduce the Police's ability to conduct a thorough investigation later. While campus medical personnel are not counselors per se, they are also considered confidential sources for the purposes of this policy.

## WHAT HAPPENS AFTER THE REPORT IS MADE

If a report is made to either the FMU PD or a Mandated Reporter, the Title IX Coordinator will be contacted. Once contacted, or when a report is made directly to the Title IX Coordinator, the Coordinator will contact the complainant and request a statement. If the complainant wants to cooperate, the Title IX Coordinator will inform him/her of his/her options concerning formal investigations, potential accommodations, and available support resources. In addition, the Title IX Coordinator will contact and attempt to meet with the respondent, if named. The following sections describe how the various types of investigations proceed once initiated, and explain the concept of accommodations, which may be used in lieu of or concurrent with a formal investigation.

## CRIMINAL PROCESS

When a student, faculty, or staff member contacts the FMU PD pertaining to a sexual assault, an officer will do the following:

- Notify the President of the University
- Notify the South Carolina Law Enforcement Division and request their assistance in the investigation.
- Interview the complainant in a setting that affords privacy and comfort concerning the incident;

- Assist the complainant in seeking medical treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services. At the hospital, evidence can be collected and a sexual assault protocol can be completed;
- Connect the complainant to a licensed counselor who is experienced in sexual assault counseling;
- Notify the Title IX Coordinator about the incident;

In cases where the complainant has control of evidence of sexual misconduct, the University encourages the complainant to take care to secure this evidence in the event that the complainant wishes to pursue criminal charges.

## STUDENT SEXUAL MISCONDUCT PROCESS

Generally, within five days of receipt of the report, the Dean of Students or his/her Designee will meet with the complainant to:

- Provide him/her with information about campus services, protections, and options;
- Indicate that the complainant can have an advisor to assist him/her;
- Explain the University's protections against retaliation;
- Discuss reasonable interim measures that may be implemented for the complainant's support and protection.

The Dean or his/her Designee will meet separately with the respondent to:

- Notify him or her that an allegation has been made and that the matter will be investigated and resolved through the Student Conduct process;
- Provide the respondent with information about the process and his/her rights and duties;
- Indicate to the respondent that he/she can have an advisor to assist him/her in the process;
- Inform the respondent about the University's policy prohibiting retaliation;
- Provide the respondent with information about his/her rights, including the right not to incriminate him/herself, and interim accommodations.
- Discuss reasonable interim measures that may be implemented to protect and support the complainant. If the interim measures include suspension, the Dean of Students or his/her Designee will inform the respondent of his/her option to appeal the suspension in accordance with the policy outlined in the *FMU Student Handbook*.

These two meetings will normally occur within 2-3 working days of one another, absent extenuating circumstances.

Following this initial meeting with both complainant and the respondent, the complaint will come before the standard Student Conduct Process at Francis Marion University that is fully outlined in the *FMU Student Handbook*.

**Faculty Sexual Misconduct:** The process for faculty members accused of sexual misconduct is the same as the procedures described for student sexual misconduct above, except that it is

the Provost who initiates contact and follows the disciplinary process in the *FMU Faculty Handbook*.

**Staff Sexual Misconduct:** The process for staff members accused of sexual misconduct is the same as the procedures described for student sexual misconduct above, except that it is the Associate Director of Human Resources who initiates contact and follows the disciplinary process in the *FMU Staff Handbook*.

## INTERIM ACCOMMODATIONS AND REMEDIES

The University will work with all complainants affected by sexual misconduct to ensure their safety and promote their well-being. Sometimes this assistance will take the form of interim accommodation measures, to support or protect a student in the immediate aftermath of an incident and while an investigation or a disciplinary action is pending. In some cases, these accommodations may become permanent remedies even if the complainant does not choose to file a formal disciplinary proceeding.

Complainants can request interim measures when meeting with the Title IX Coordinator and/or when the appropriate University official or his/her Designee meets with the complainant and the respondent separately at the beginning of the adjudication process. Students, faculty, or staff complainants may request interim accommodations even in cases when the complainant has requested that no investigation be undertaken, or chooses not to participate in University disciplinary proceedings or the criminal process.

The appropriate University official in conjunction with the Title IX Coordinator will evaluate any request for interim measures in light of the circumstances and information available at the time. The University will provide information about the interim measures only to those who need to know in order to make them effective.

Under appropriate circumstances, interim measures/remedies may include, but are not limited to, the following:

- Move a student's on-campus residence;
- Adjust a student, faculty, or staff work schedules for University employment;
- Change a student's academic schedule;
- Change a student's transportation arrangement;
- Allow a student to withdraw from or retake a class without penalty;
- Provide access to tutoring or other academic support;
- Reassign faculty or staff;
- Limit interaction between a complainant and the respondent;
- Issue a "no contact" order;
- Provide other academic, residential, and/or work interim measures;
- Increase monitoring, supervision, or security at locations;
- Take protective measures in consultation with the affected students in the event that retaliation might be reasonably expected.

The Student Life Office will also assist students seeking interim measures for a disability in connection with the process of reporting or responding to an incident of gender-based misconduct by working with Disability Services in the Office of Counseling and Testing.

Outside of the University, a complainant may also be entitled to obtain remedies under applicable law, such as a judicial restraining order. The University may assist the complainant in seeking these remedies.

## VIOLATION OF LAW, STANDARDS OF CONDUCT, AND SANCTIONS

When sexual misconduct violates both the Francis Marion policies and procedures and civil or criminal law, students, faculty, and staff should understand that they may be held accountable to both authorities. University procedures related to these matters will normally continue during the pendency of criminal proceedings and will not be subject to challenge on the grounds that criminal and civil charges involving the same incident have been dismissed or reduced. The University student conduct system is not analogous to the criminal justice system. The purposes, the standards of proof, the procedures, and many other aspects of the two avenues differ.

Institutional sanctions for sexual misconduct are described in the handbooks for student, faculty, and staff conduct, and may involve any sanctions therein up to and including expulsion or termination of employment.

## TIME FOR REPORTING

Any complaint should be submitted--whether to the FMU PD or to the University's Title IX Mandated Reporter--as soon as possible after the misconduct takes place or becomes known. Title IX has responsibility over enrolled students at FMU, faculty and staff in the University's employ, and contractual and vending employees. In the case of a student disciplinary action, a delay in filing could result in the respondent graduating or withdrawing before the case can be processed.

The University and the FMU PD strongly encourage complainants to report as soon as possible in order to preserve evidence.

**Amnesty for Alcohol and Drug Violations:** During the Student Conduct process, amnesty may be provided to students who have experienced sexual misconduct or violent crimes and who may be hesitant to file a complaint because they fear that they themselves may be responsible for policy violations, such as underage drinking, at the time of the incident. In addition, bystanders, witnesses, and respondents may be granted amnesty during the Student Conduct Process in order to provide information with more accuracy. Educational options may be explored, but no conduct proceedings or additions to conduct records against these categories of students will occur.

**Unknown/Non-University Offenders:** The University will investigate reports of incidents affecting University students that are committed by individuals who are not members of the University community, or whose identity is not known. The FMU PD will notify SLED of all sexual assault cases and request assistance. Also, the University will take appropriate actions designed to protect affected students and others in the University community. In addition, the Title IX Coordinator will assist students in identifying appropriate campus and other resources.

**Public Awareness/Education Events:** The University supports public awareness events such as “Take Back the Night,” candlelight vigils, the Clothesline Project, survivor speak outs, and other forums. These activities help inform the need for campus-wide education and prevention efforts. In addition, the University supplies educational seminars which address sexual misconduct prevention strategies and bystander intervention programs. The disclosure of incidents of sexual misconduct at such events is not considered a report to the University that will trigger an investigation of a particular incident.

**State and Federal Law:** Nothing in these procedures is intended to be in conflict with federal or state law.

## SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION

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 Clery Act, and the Family Educational Rights and Privacy Act of 1974, the FMU PD is providing information about the link to the South Carolina Sex Offender Registry. The Act requires institutions of higher education to advise the campus community where law enforcement information provided by a State concerning sex offenders can be obtained. The Act also requires sex offenders already required to register in a state to provide notice to each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. In South Carolina sex offenders must register at the County Sheriff’s Office for the site maintained by SLED. The web address for the SLED State Sex Offender Registry is: [www.sled.sc.gov](http://www.sled.sc.gov), and you can click on the “Public Records” tab and then on “Sex Offender Registry”. The information available includes the offender’s name; sex, race, age, date of birth, height, weight, eye, hair and skin color; last reported address, any scars, marks or tattoos, aliases used; the date of conviction, the statute violated; if the offender is a predator; and a photograph if available. Registry information provided under law shall be used for the purposes of the administration of criminal justice, for the screening of current or prospective employees or volunteers or otherwise for the protection of the public in general and children in particular. Use of the information for purposes not authorized by law is prohibited and a willful violation with the intent to harass or intimidate another can result in prosecution. Information on sex offenders across the nation can be obtained through the US Department of Justice Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking public website at [www.nsopw.gov](http://www.nsopw.gov). The FCSO has a Sex Offender page on its website at [www.fcso.org](http://www.fcso.org).

## SEXUAL HARASSMENT

**Policy:** It is the policy of FMU, in keeping with efforts to maintain an environment in which the dignity and worth of all students, employees and visitors of the university are respected, that sexual harassment of students, employees and visitors at FMU is unacceptable conduct and will not be tolerated. Sexual harassment may involve the behavior of a person of either sex against a person of the opposite or same sex, when that behavior falls within the definition as outlined below.

Offenders will be subject to disciplinary action, which may include, but is not limited to, oral or written warnings, demotions, transfers, suspension without pay, or dismissal for cause.

Sexual harassment is a form of sex discrimination, which is prohibited under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students. The South Carolina State Human Affairs Law also prohibits sex discrimination. Title IX protects students from sexual harassment in a school’s education programs and activities. Title IX protects students in connection with all the academic, educational, extracurricular, athletic and other programs of the University whether those programs take place in the University’s facilities or at a classroom training program sponsored by the university at another location.

**Definition:** Sexual harassment of students, employees and visitors at FMU is defined as any unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic status, or submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting that individual, or such conduct has the purpose or effect of unreasonable interference with an individual’s work performance or educational experience, or creates an intimidating, hostile, or offensive work or educational environment.

**Examples:** Prohibited acts take a variety of forms from subtle pressure for sexual activity to physical assault. Examples include, but are not limited to, threats or intimation of sexual relations or sexual contact which are not freely or mutually agreeable to both parties; continued or repeated verbal abuses or comments of a sexual nature; and threats or insinuations that the person’s employment, grade, wages, promotional opportunities, class or work assignments, may be adversely affected by not submitting to sexual advances.

**Procedure:** Any university employee or student who feels that she or he has been sexually harassed under the above definition and who wishes further information or who wishes to file a complaint, including a Title IX complaint, should contact the University’s Title IX Coordinator ([titleixcoordinator@fmarion.edu](mailto:titleixcoordinator@fmarion.edu)) located in Room 105 of the Stokes Administration Building or by phone 843-661-1114. The Title IX Coordinator is responsible for overseeing all title IX complaints and identifying

and addressing any patterns of systemic problems that arise during the review of such complaints.

When a student sexually harasses another student, the harassing conduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the University's program. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. Even a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe.

If the University knows or reasonably should know about student-on-student harassment that creates a hostile environment, Title IX requires the University to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects. The University ensures that employees are trained so that they know to report harassment to appropriate University officials, and that employees with authority to address harassment know how to properly respond. Training of employees should include practical information about how to identify and report sexual harassment and sexual violence. This training should be provided to any employee likely to witness or receive reports of sexual harassment or violence, for example administrators, counselors, health services and resident advisors.

The University has an obligation to respond to student-on-student sexual harassment that initially occurred off campus or outside an educational program or activity. If a student files a complaint with the University, regardless of where the conduct occurred, the University must process the complaint according to established procedures. Because students often experience the continuing effects of off-campus sexual harassment in the educational setting, the University should consider the effects of the off-campus conduct when evaluating whether there is a hostile environment on campus.

Regardless of whether a harassed student, a parent or a third party files a complaint under the University's grievance procedures or otherwise requests action on the student's behalf, the University must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. The University's Title IX investigation is different from a law enforcement investigation and a law enforcement investigation does not relieve the University of its Title IX obligation to investigate the conduct.

The University should inform and obtain the consent from the complainant before beginning an investigation. If the complainant requests confidentiality or asks that the complaint not be pursued, the University should take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request that the investigation not be pursued. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the University will inform the complainant that its ability to respond may be limited. The University will also tell the complainant that Title IX prohibits retaliation and that the University will take steps to prevent retaliation and take strong responsive action if retaliation occurs. If a complainant continues

to ask that his or her name or other identifiable information not be revealed, the University will evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The request will be weighed against such factors as the seriousness of the alleged harassment, the complainant's age, whether there have been other complaints about the same individual; and the harasser's rights to receive information about the allegations if the information is maintained by the University as an "educational record" under the Family Educational Rights and Privacy Act. The University shall inform the complainant if it cannot ensure confidentiality. Even if the University cannot take disciplinary action against the alleged harasser because the complainant insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

The University applies the following elements for prompt and equitable resolution of sexual harassment complaints. Notice to students and employees of the grievance procedures including where complaints may be filed; application of the procedures to complaints alleging harassment; adequate, reliable and impartial application of investigation of complaints including the opportunity for each party to present witnesses; reasonably prompt time frames for the major stages of the complaint process; notice to parties of the outcome of the complaint; and assurance that the University will take steps to prevent recurrence of any harassment and correct its discriminatory effects on the complainant and others.

## TRAFFIC REGULATION

Because of its status as primarily a commuter University, FMU has a high ratio of automobiles to students. The traffic regulation provides maximum use of existing facilities and ensures safe movement of pedestrians and vehicles. Everyone who operates a motor vehicle on campus is subject to the laws of South Carolina and this regulation. Detailed Campus "Rules of the Road" information is in the *Traffic Regulation* and *The Student Handbook*. Vehicles without proper FMU registration may be stopped, and the operator asked to explain his/her purpose on campus. Officers have equipment to attempt to jump-start or unlock vehicles if needed. This free service is only available close to campus and as duty and manpower permit.

## WEAPONS POSSESSION

Firearms and dangerous weapons of any type are not permitted in any University facilities, except when carried by law enforcement officers within their jurisdictions. The possession and/or use of a firearm (i.e. handgun, rifle, shotgun) on-campus is prohibited under state law with a few narrow exceptions. Violations can result in the arrest and incarceration of the violator. Intentional use, possession, or sale of firearms or other dangerous weapons by students on campus is strictly forbidden and is a violation of University policy and state law. Violations can result in arrest and confiscation and/or destruction of the prohibited item. Other weapons prohibited on campus include BB guns, pellet guns, air guns, blow guns, paintball guns, sling shots or other projectile weapons; hatchets, knives (with blades 2" or longer) or other

edged weapons; bows/arrows, explosives, fireworks, impact weapons such as batons, nunchucks, slap jacks, brass knuckles or martial arts type weapons; electrical shock devices (i.e. stun guns or Tasers); dangerous/noxious chemical mixtures, incendiary devices, propelled missiles or other dangerous substances. Possession of these prohibited items can result in removal from campus housing and/or suspension from the University. All weapons or prohibited items will be confiscated and may be destroyed.

## STATISTICAL INFORMATION & CRIMINAL OFFENSES

An institution must report to the Department of Education and disclose in its annual security report statistics for the three most recent calendar years concerning the number of Clery crimes that occurred on or within its Clery Geography and that are reported to local police agencies or to a CSA; see the list of crimes on the back page. An institution must include in its crime statistics all crimes reported to a Campus Security Authority for purposes of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing identifying information about the victim. An institution may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. An institution must report and disclose a crime statistic for the calendar year in which the crime was reported to local police agencies or to a Campus Security Authority.

For the purposes of collecting statistics on the crimes listed in this section for submission to the department and inclusion in an institution's annual security report, Clery geography includes buildings and property that are part of the institution's campus; the institution's non-campus buildings and property; and public property within or immediately adjacent to and accessible from the campus.

The FMU PD prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The full text of the report can be located on our web site at [www.fmarion.edu/police](http://www.fmarion.edu/police). You can also connect to the FMU PD website through the FMU Home Page at [www.fmarion.edu](http://www.fmarion.edu). This report is compiled in cooperation with the Vice President for Student Life, the Director of Housing and Residence Life and the Title IX Coordinator. Each entity provides updated information on their educational efforts, programs and policies to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the FMU Police, CSAs, and local law enforcement agencies. Student Life and the FMU PD serve as "clearinghouses" in the statistical gathering of crime data from CSAs and report statistics involving pertinent criminal incidents, arrests, or referrals. These offices routinely compare and reconcile gathered information to minimize multiple postings for the same reported criminal incidents or arrests. Likewise, pertinent statistics from the required geographical areas pertinent to FMU are requested from the FPD and FCSO annually. Other jurisdictions are asked to

provide statistical information when classes are provided in that jurisdiction. All reported figures are incorporated in the statistical table in this report for disclosure to the public. Offense definitions used are from the FBI's Uniform Crime Report. FMU Counseling and Testing staff inform clients of the procedures to report crime to the FMU PD voluntarily should they feel it is in the best interest of the client.

A hate crime is defined as a crime reported to local police agencies or to a Campus Security Authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the possible categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. Hate crime statistical disclosure applies to all offenses listed on the attached table along with offenses involving larceny-theft, simple assault, intimidation, destruction/vandalism/damage of property, domestic violence, dating violence, stalking, and to any other crime involving bodily injury. For the reporting period (calendar years 2019 through 2021) no crimes were reported that meet these requirements.

Each year a notification email is sent to all enrolled students, Faculty and staff at their University email address. The email supplies the web address to access this report. Students, Faculty and staff and prospective employees may print or request a hard copy of this report from the FMU PD. Copies of this report may be obtained at the FMU PD Department, 4804 Heyward Drive, or by calling 843-661-1109.

*This document is provided in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, The Drug-Free Schools and Communities Act Amendments of 1989, the Drug-Free Workplace Act of 1988 and the Fire Reporting Act of 2008.*

# THREE YEAR CRIME STATISTIC COMPARISON

| OFFENSE  | ON CAMPUS |      |      | *RESIDENTIAL FACILITIES |      |      | NON CAMPUS |      |      | PUBLIC PROPERTY |      |      |
|--|-----------|------|------|-------------------------|------|------|------------|------|------|-----------------|------|------|
|  | 2019      | 2020 | 2021 | 2019                    | 2020 | 2021 | 2019       | 2020 | 2021 | 2019            | 2020 | 2021 |
| MURDER/NON-NEGLIGENT MANSLAUGHTER                                      | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| NEGLIGENT MANSLAUGHTER   | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| ROBBERY  | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| AGGRAVATED ASSAULT   | 0         | 1    | 1    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| ARSON  | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| BURGLARY   | 0         | 1    | 1    | 0                       | 1    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| MOTOR VEHICLE THEFT  | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| SEX OFFENSES   | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| DATING VIOLENCE  | 5         | 3    | 4    | 3                       | 2    | 3    | 0          | 0    | 0    | 0               | 0    | 0    |
| DOMESTIC VIOLENCE  | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| STALKING   | 0         | 0    | 0    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| LIQUOR LAW ARRESTS   | 1         | 6    | 0    | 1                       | 4    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION                 | 56        | 38   | 54   | 52                      | 37   | 54   | 0          | 0    | 0    | 0               | 0    | 0    |
| DRUG LAW ARRESTS   | 29        | 10   | 1    | 10                      | 5    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION                   | 18        | 7    | 5    | 14                      | 5    | 2    | 0          | 0    | 0    | 0               | 0    | 0    |
| ILLEGAL WEAPONS POSSESSION ARRESTS                                     | 4         | 2    | 1    | 0                       | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION | 0         | 0    | 1    | 0                       | 0    | 1    | 0          | 0    | 0    | 0               | 0    | 0    |

\* CRIMES REPORTED IN THE RESIDENTIAL FACILITIES COLUMNS ARE INCLUDED IN THE ON CAMPUS CATEGORY.

**Hate Crimes:** There were no reported Hate Crimes for the years 2019, 2020 or 2021.

**Unfounded Crimes:** There were no unfounded crimes for the years 2019, 2020 or 2021.



**FRANCIS MARION UNIVERSITY**

4822 East Palmetto Street  
Florence, South Carolina 29506

[www.fmarion.edu/police](http://www.fmarion.edu/police)