In compliance with the Department of Education's Office for Civil Rights (OCR), the University of North Carolina at Pembroke has designated certain employees and students as Responsible Employees under Title IX of the Education Amendments Act of 1972 and/or Campus Security Authorities (CSA) under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) for reporting purposes. Under federal law, the concept of Responsible Employees and Campus Security Authorities is of great significance. By mandatory notifications to the Office of Title IX and Clery Compliance and/or Police and Public Safety, employees and students can provide options for our campus community that can help end and remedy incidents of criminal offenses and sexual misconduct.

Under UNC Pembroke policy, Sexual Misconduct includes the following:

- Sexual Discrimination (gender-based)
- Sexual Harassment (gender-based)
- Sexual Violence (and threats of sexual violence)
  - Dating Violence
  - Domestic Violence
  - Stalking (not relationship or gender-based; and e.g., in-person or social media)
  - Sexual Assault (fondling/sexual touching without consent; rape)

**Responsible Employees**

The Office for Civil Rights deems an institution to have notice of student/employee/visitor sexual misconduct when a Responsible Employee knew, or in the exercise of reasonable care should have known, that sexual misconduct occurred. It is this knowledge that triggers the university’s obligation to take appropriate steps to investigate and, as appropriate, end and remedy that sexual misconduct. Responsible Employees shall report incidents of sexual misconduct involving a student/employee/visitor, no matter where it has occurred, to the Title IX coordinator. While
incidents of sexual violence are crimes, students have the right to decide if they want campus law enforcement involvement, and if so, only then will notice with personally identifiable information be given to UNCP Police and Public Safety for incidents that occur on campus. If the student does not want law enforcement involvement, then no notice will be given to UNCP Police and Public Safety for incidents that occur on campus. However, the student, as well as an employee or visitor, may provide notice to the Office of Title IX and Clery Compliance (Title IX coordinator) for assistance in dealing with incidents of sexual misconduct, to include incidents of sexual violence. The Title IX coordinator should provide reasonable assistance designed to help the student/employee/visitor by providing, as appropriate, advocacy; counseling; an investigation; and interim measures such as mutual no-contact orders, academic, housing, and workplace modifications, excused absences, and extended time to complete and/or submit assignments.

So who is a Responsible Employee in the eyes of OCR?
A Responsible Employee is any employee:

1. Who has the authority to take action to redress sexual misconduct;
2. Who has been given the duty of reporting incidents of sexual misconduct to the Title IX coordinator or other appropriate designee; or
3. Who a student reasonably believes has this authority or duty.

So who is a Responsible Employee at UNC Pembroke?

1. All faculty
2. All staff with supervisory duties over employees and/or students
3. All staff and students with significant contact with students (e.g., employees within the offices of Student Affairs [all departments], Financial Aid, Bursar, Admissions, Registrar, and International Programs, Academic Resources Programs, the Department of Athletics, and Resident Advisors, Orientation Leaders, and SGA)

If you are an employee or student who falls within the category of Responsible Employee, the university is responsible for ensuring that once you become aware of an incident or allegation of sexual misconduct you report to the Title IX coordinator all relevant details about the alleged sexual misconduct that have been provided to you. This includes, if known, the names of the person who experienced the alleged sexual misconduct (Reporting Party), the accused (Responding Party), other individuals involved in the incident, as well as relevant facts such as date, time, and location. You
are not required (or even requested or encouraged) to investigate the incident; just report the information that has been shared with you.

Finally, as a Responsible Employee, when talking to a person who might reveal information about possible sexual misconduct that he or she may wish to keep confidential, you must inform them of your reporting obligation before that information is revealed. That is, you need to:

1. Tell the Reporting Party that you are a Responsible Employee under Title IX and that you have an obligation to report any information about sexual misconduct that is revealed to you to the Title IX coordinator. After notification, the Title IX coordinator will contact the Reporting Party and offer assistance.
2. Explain to the Reporting Party his or her option to ask that the Title IX coordinator consider maintaining the confidentiality of that information, but that the Title IX coordinator, while providing privacy, may not be able to guarantee confidentiality.
3. If the Reporting Party is a student, also advise him/her of the right to instead share this information confidentially with Counseling and Psychological Services (CAPS) and/or Student Health Services who are not obligated to report to the Title IX coordinator.
4. If the Reporting Party is an employee, also advise him/her of the right to instead share this information confidentially with Counseling and Psychological Services (one-time visit with possible referral to an Employee Assistance Program).

**What are the Sexual Misconduct offenses to be reported to the Office of Title IX & Clery Compliance?**

<table>
<thead>
<tr>
<th>Coercion</th>
<th>Gender-based Hazing</th>
<th>Harassment ~ Retaliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dating Violence</td>
<td>Gender-based Intimidation</td>
<td>Sexual Assault</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>Harassment ~ Sexual</td>
<td>Sexual Exploitation</td>
</tr>
<tr>
<td>Gender-based Bullying</td>
<td>Harassment ~ Hostile Environment</td>
<td>Sexual Misconduct</td>
</tr>
<tr>
<td>Gender-based Discrimination</td>
<td>Harassment ~ Quid Pro Quo</td>
<td>Stalking</td>
</tr>
</tbody>
</table>

For more information, visit the Sexual Misconduct Offenses – Definitions section of the website.

**What are the specific Sexual Violence offenses?**

Per the UNC Pembroke Student Sexual Misconduct policy, Sexual Violence includes the specific offenses of the Violence Against Women Act (as part of the Clery Act):

- Dating Violence
• Domestic Violence
• Stalking
• Sexual Assault (fondling/rape)

How can a Responsible Employee report an incident to the Office of Title IX and Clery Compliance and, if requested by the student, to UNCP Police and Public Safety?

• If there is an immediate risk to life, safety, or property, please call directly to campus police at 521.6235 or 911 for Robeson County Dispatch.

• Office of Title IX & Clery Compliance: While students have the right to report or NOT report an incident of sexual violence to campus police, Responsible Employees shall report all incidents of sexual misconduct (to include sexual violence) to the Office of Title IX & Clery Compliance by using the Sexual Misconduct Reporting Form on the Title IX & Clery Compliance website or calling 910.521.6281.

• UNCP Police and Public Safety: Responsible Employees may report, with the consent of the student, any incident of sexual violence to campus police by calling 910.521.6235 or by using the Campus Police Reporting Form on their website.

Campus Security Authorities

The university is obligated, under the Clery Act, to identify and annually train Campus Security Authorities (CSA). Campus Security Authorities are required to report any Clery qualifying crimes that occur on campus that they become aware of to UNC Pembroke Police and Public Safety and/or the Director of Title IX and Clery Compliance. CSAs are notified of this designation and receive annual training on their reporting obligations. CSAs are not required (or even requested or encouraged) to investigate any reported incidents; just report the information that you have seen or has been shared with you. Please note that individuals designated as CSAs per the Clery Act are also Responsible Employees under Title IX.

The law outlines 4 categories of CSAs the university must designate:

1. Sworn law enforcement officers
   - UNCP Police and Public Safety
   - Local law enforcement officers when assisting UNCP Police and Public Safety
2. Non-sworn campus security personnel, such as, but not limited to, those working at
   o UNCP Police and Public Safety
   o University athletic events
   o Residence halls
3. Staff in offices designated as “reporting options”
   o Office of Title IX and Clery Compliance
   o Office of the General Counsel
   o Office of Student Affairs
   o UNCP Police and Public Safety
4. Officials with significant responsibility for student and campus activities outside of normal
   classroom instruction, such as, but not limited to:
   o Faculty with supervisory duties
     ▪ Deans and Department Heads
     ▪ Program Directors and Associate Directors
     ▪ Academic advisors
   o All staff with supervisory duties over employees and/or students
   o All staff and students with significant contact with students (e.g., employees within
     the offices of Student Affairs [all departments], Financial Aid, Bursar, Admissions,
     Registrar, and International Programs, Academic Resources Programs, the
     Department of Athletics, and Resident Advisors, Orientation Leaders, and SGA)

Who is NOT a Campus Security Authority?
Staff who do not have supervisory duties (e.g., employees within the offices of Finance and
Administration and DoIT, and administrative support employees, and faculty without
responsibilities beyond classroom instruction) are generally not designated as CSAs. Individuals
who are not designated as CSAs are strongly encouraged (but not obligated) to report Clery
qualifying crimes to UNCP Police and Public Safety and/or the Office of Title IX and Clery
Compliance.

What are Clery Qualifying Crimes?
The Clery Act requires us to report all incidents of the following crimes when they occur within
UNC Pembroke Clery geography:
• Primary Offenses
  o Criminal Homicide
- Murder/Non-negligent Manslaughter
- Manslaughter by Negligence
  - Sexual Assault
    - Rape
    - Fondling
    - Incest
    - Statutory Rape
  - Robbery
  - Aggravated Assault
  - Burglary
  - Motor Vehicle Theft
  - Arson
- Violence Against Women Act Offenses
  - Dating Violence
  - Domestic Violence
  - Stalking
  - Sexual Assault (also a Primary Offense)
- Alcohol, Drug and Weapons offenses
- Hate Crimes

The Clery Act defines hate crimes as any of the above offenses, plus those listed below, when those crimes are motivated by the offender’s bias or prejudice:
- Destruction of Property/Vandalism
- Intimidation
- Larceny/Theft
- Simple Assault

CSAs do not designate an offense as a hate crime. The university will count any of the above offenses as a hate crime when it can be demonstrated by campus police that the offender’s act was the result of a bias or prejudice based on the following:

<table>
<thead>
<tr>
<th>Race</th>
<th>Sexual Orientation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religion</td>
<td>Ethnicity</td>
</tr>
<tr>
<td>Gender</td>
<td>National Origin</td>
</tr>
<tr>
<td>Gender Identity</td>
<td>Disability</td>
</tr>
</tbody>
</table>
What is Clery Geography?
Only crimes that occur within Clery geography are included in the Annual Security and Fire Safety Report (the Clery Report). UNC Pembroke's Clery geography is comprised of:

- **Campus Property:** Any building or property owned or controlled by UNC Pembroke that is within the reasonably contiguous geographic area of the university (within one mile) that is used by UNC Pembroke directly for, or in a manner related to, educational purposes. This also includes private food or retail vendors on campus property. Examples include:
  - Residence Halls
  - Administrative Buildings
  - Academic Buildings
  - UNCP Entrepreneurship Incubator
  - Parking Lots
  - Chick-fil-A
  - Papa John’s Pizza
  - Einstein Bros. Bagels
  - Jazzman’s Café Bakery

- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities that is within the UNC Pembroke campus or immediately adjacent to and accessible from the campus. This includes the sidewalk, street, and opposite sidewalk immediately adjacent to UNC Pembroke property. For example:
  - Prospect Road, Pembroke, NC
  - University Road, Pembroke, NC
  - Third Street, Pembroke, NC
  - Livermore Drive, Pembroke, NC

- **Non-Campus Property:** Any building or property that is owned or controlled by an officially recognized (or registered) student organization and those located off campus but owned or controlled by UNC Pembroke that is used for educational purposes, frequented by students and not reasonably contiguous to the main campus (within one mile). This includes:
  - Office for Regional Initiatives
  - Cross Country/Track & Field practice course (Lumbee Tribe Cultural Center)
  - Pond (Lumbee Tribe Cultural Center)
There are no buildings or property owned or controlled by an officially recognized (or registered) student organization at UNC Pembroke.

**What to report to Police and Public Safety**

All incidents of Clery qualifying crimes should be reported to UNCP Police and Public Safety. However, while incidents of sexual violence are crimes, students have the right to decide if they want campus law enforcement involvement, and if so, only then will notice with personally identifiable information be given to UNCP Police and Public Safety for incidents that occur on campus. If the student does not want law enforcement involvement, then no notice will be given to UNCP Police and Public Safety for incidents that occur on campus. However, the student, as well as an employee or visitor, may provide notice to the Office of Title IX and Clery Compliance (Title IX coordinator) for assistance in dealing with incidents of sexual misconduct, to include incidents of sexual violence. The Title IX coordinator should provide reasonable assistance designed to help the student/employee/visitor by providing, as appropriate, advocacy, counseling, an investigation; and interim measures such as mutual no-contact orders, academic, housing, and workplace modifications, excused absences, and extended time to complete and/or submit assignments. The Director of Title IX and Clery Compliance will maintain Clery statistics of incidents of sexual violence that occur on UNC Pembroke’s Clery geography.

**How can a CSA report an incident to UNCP Police and Public Safety and/or the Office of Title IX and Clery Compliance?**

- **If there is an immediate risk to life, safety, or property, please call directly to campus police at 521.6235 or 911 for Robeson County Dispatch.**
- UNCP Police and Public Safety: CSAs shall report a non-emergent incident by calling campus police at 910.521.6235 or by using the [Campus Police Reporting Form](#) on their website.
- Office of Title IX & Clery Compliance: While students have the right to report or not report an incident of sexual violence to campus police, CSAs, as Responsible Employees, shall report all incidents of sexual violence to the Office of Title IX & Clery Compliance by using the [Sexual Misconduct Reporting Form](#) on the Title IX & Clery Compliance website or by calling 910.521.6281.