



MEDICAL UNIVERSITY OF  
SOUTH CAROLINA

# 2023 ANNUAL SECURITY REPORT

This report has been prepared and was published on September 26, 2023, in accordance with the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act of 1998 ("Clery Act") 20 U.S.C ss1092 (f), title 34 U.S. Code of Federal Regulations Section 668.46



## Table of Contents

### Contents

Introduction.....	1
Preparation and Distribution of the Annual Security Report.....	2
<i>Clery Act</i> , Legal Requirements.....	3
Main Campus Overview.....	5
Clery Geography.....	5
The Medical University of South Carolina Department of Public Safety.....	8
Law Enforcement Authority and Inter-Agency Relationships.....	8
Public Safety Services.....	8
Relationships with State and Local Police Agencies.....	9
Assistance from Local and State Law Enforcement Agencies Regarding Investigation of Criminal Incidents.....	10
Monitoring and Reporting of Criminal Activity (Other Agencies).....	11
Local Law Enforcement Agency Response to Student Organizations and Housing at Non-Campus Locations.....	11
Reporting Crimes.....	12
Making reports.....	12
Emergency Call Boxes.....	15
LiveSafe app.....	16
How the Department of Public Safety Responds to Crime.....	16
Accurate & Prompt Reporting of Crimes.....	16
When you call the police, be prepared to provide the following information:.....	17
Department of Public Safety Victim’s Assistance Program.....	17
South Carolina Constitution, Article I SECTION 24. Victims’ Bill of Rights.....	17
Campus Security Authorities.....	18
Exemption for Pastoral and Professional Counselors.....	20
Counseling Advisement of Crime Reporting.....	20
Confidential Reporting of Crimes.....	21
Anonymous Reporting.....	21
Silent Witness.....	22
MUSC’s Harassment and Discrimination Reporting Form.....	22

Crime Stoppers .....	22
Confidential Hotline .....	22
LiveSafe app.....	22
Daily Crime Logs and Publication .....	23
Emergency Notification, Response & Evacuation Procedures .....	24
Emergency Notification & Timely Warning Policy .....	24
Procedure.....	24
Emergency Response .....	28
Shelter-In-Place .....	29
Deny Entry (Lock Down) Procedure .....	29
Emergency Response and Evacuation Procedures Tests.....	30
Timely Warning Policy.....	31
Notification Process .....	32
Exemptions for Releasing Protected Information .....	33
Coronavirus/Covid-19 Updates and Directives.....	33
for MUSC Faculty, Staff & Students for Staying Safe.....	33
Security Awareness & Crime Prevention Programs.....	34
OurDay Learning Modules .....	35
Department of Public Safety Services and Programs .....	35
Rape Aggression Defense (R.A.D.) Physical Defense Course .....	36
Bicycle Safety and Registration.....	37
Engraving.....	38
Security Surveys .....	38
Safety Escorts.....	39
National Association of Drug Diversion Investigators (NADDI) Drop Box .....	39
Community Events .....	40
Active Shooter Training and Resources .....	41
Run. Hide. Fight .....	41
Active Shooter: How to Respond Resource Materials.....	41
Primary Prevention & Awareness Programs to Prevent Sexual Assault, Domestic Violence, Dating Violence & Stalking for Students & Employees.....	42
Primary Prevention and Awareness Programs .....	42

Bystander Intervention .....	43
Risk Reduction.....	44
Crime Prevention and Risk Reduction Tips .....	44
Personal Safety .....	44
Protection from Date Rape .....	44
Campus Safety .....	45
Workplace Safety.....	45
Self-Awareness Strategies .....	45
Protecting Your Property .....	46
Help Reduce Your Risk and Avoid Potential Attacks.....	46
Ongoing Educational Programs & Awareness Campaigns.....	47
Sex Offender Registration Information .....	56
Access & Security of Campus Facilities.....	57
Classrooms.....	59
James W. Colbert Education Center & Library and other Public Buildings .....	59
The Waring Historical Library .....	60
The MUSC Wellness Center .....	61
Garages and Parking Lots.....	61
General Campus Security of Institutional Campus Facilities and Buildings.....	62
Medical University Hospital Authority Buildings .....	62
Reporting Lost or Stolen Access Cards .....	62
Maintenance of Campus Facilities .....	62
Alcohol & Drug Policy .....	63
Drug-Free Schools and Communities Act.....	63
Annual Notice .....	63
Policy Statement Addressing Alcoholic Beverages.....	64
Alcohol Availability.....	65
MUSC Responsible Hosting Guidelines.....	65
Illegal Drugs.....	65
Human Resources Drug-Free Workplace (Policy 47).....	66
Violation of the Alcohol and Drug Policy .....	66
Related Information (references, citations) .....	67

Human Resources Policy 49: Tobacco-Free Campus .....	67
South Carolina State and Local Alcohol Laws .....	67
Summary of State and Local Laws and Sanctions Concerning Drugs .....	68
Federal Drug Laws.....	69
Other References.....	69
Biennial Review Team.....	69
Procedures.....	70
Health Risks of Drugs and Alcohol Abuse .....	70
Health Risks of Alcohol Abuse.....	70
Short-Term Health Risks .....	70
Long-Term Health Risks .....	71
Health Risks of Illicit Drug Use .....	71
Alcohol & Other Drug Abuse Prevention and Awareness Programs.....	71
AOD Program Elements:.....	72
Alcohol and Drug Abuse Assistance / Treatment Programs.....	75
MUSC Student Counseling and Psychological Services (CAPS) .....	75
Employee Assistance Program (EAP).....	76
Other counseling and treatment program options.....	76
MUSC Workplace Violence / Weapon Policy .....	77
Nondiscrimination, Anti-Harassment and Equal Opportunity Policy.....	79
PROHIBITED CONDUCT & RETALIATION .....	79
Important Policy Terms and Concepts:.....	81
Responsibilities of the Title IX Coordinator .....	83
Discriminatory Harassment .....	84
Online Harassment and Misconduct.....	84
Sexual Harassment.....	85
Sexual Assault .....	85
Other Civil Rights offenses.....	88
South Carolina Criminal Definitions.....	89
Reporting Options and Obligations .....	94
Reporting to the Police .....	94
Alternatives to Immediately Filing a Police Report .....	95

Reporting to the Medical University of South Carolina.....	96
Title IX Coordinator.....	96
Reporting to Responsible Employees.....	96
Anonymous Reporting.....	97
Confidential Reporting.....	98
Seeking Medical Care & Preserving Evidence.....	98
Restraining Orders and Orders of Protection.....	99
Orders of Protection.....	99
Emergency Protection.....	100
Restraining Orders.....	100
MUSC Institutional Disciplinary Procedures.....	107
Initial Assessment, Anonymity, & Supportive Measures.....	107
Written Notification About Available Options and Assistance.....	107
Counterclaims.....	109
Violence Risk Assessment.....	109
Supportive Measures.....	110
Emergency Removal.....	111
The Right to An Advisor.....	112
Grievance Process Pool.....	113
Sanctions.....	115
Student Sanctions.....	115
Employee Sanctions.....	116
Withdrawal or Resignation While Charges Pending.....	116
Long-Term Remedies/Other Actions.....	117
Failure to Comply with Sanctions and/or Remedies and/or Responsive Actions.....	118
Promptness.....	118
Clery Act Timely Warning Obligations.....	118
Obligation to Cooperate and Provide Truthful Information.....	118
Recordkeeping.....	119
Disabilities Accommodations in the Resolution Process.....	119
Education and Prevention Programs.....	120
Complaint Procedures for Alleged Violations of Title IX.....	120

Initial Assessment, Investigation, Hearings, Appeals & Resolution Process .....	120
Statement of Rights of the Parties.....	138
Missing Student Notification .....	140
Annual Fire Safety Report .....	140
Fire Log .....	140
CRIME STATISTICS.....	140
Primary Crimes.....	141
Hate Crimes .....	141
Domestic Violence, Dating Violence and Stalking (VAWA) Offenses .....	141
Arrests and Disciplinary Referrals for Violation of Weapons, Drug and Liquor Laws .....	141
Definition of Clery Geography, Terms for Statistical Charts.....	142
Definition of On-campus:.....	142
Definition of Public Property.....	142
Definition of Non-Campus .....	142
Definitions of Reportable Clery Crimes .....	143
Section A: Primary Clery Crimes.....	143
Section B: Domestic Violence, Dating Violence, and Stalking Offenses.....	144
Domestic Violence .....	145
Dating Violence.....	145
Stalking.....	145
Section C & D: Arrests and Referrals for Disciplinary Actions for Weapons Law Violations, Drug Law Violations, and Liquor Law Violations.....	145
Definitions.....	145
Weapon Law Violations .....	146
Drug Abuse Violations .....	146
Liquor Law Violations.....	146
Section E: Hate Crimes.....	146
Section F: Unfounded Crime Reports .....	148
Collection of Crime Statistics.....	148
Campus Crime Statistics .....	150
Section A: Clery Act Crimes .....	150
Section B: VAWA Offenses:.....	150

Section C: Arrests:.....	151
Section D: Referrals for Disciplinary Action:.....	151
Section E: Hate Crime Statistical Data for Sections A & B: .....	151
Section F: Statistical Data for Unfounded Crime Reports .....	152
Crime Statistics for the State of South Carolina .....	152
APPENDICES.....	153
Appendix A: Clery Act History.....	153
Appendix B: Campus Map.....	154
Appendix C: Patrol Jurisdiction Map.....	155
Appendix D: SC Drug and Alcohol Summary.....	156
Appendix E: Local Alcohol Laws .....	158
Appendix F: Local Drug Offenses .....	163
Appendix G: Federal Drug Offenses .....	165
Appendix H: MUSC Weapons Policy and SC Law .....	167
Appendix I: Local Weapons Ordinances.....	176
Appendix J: South Carolina VAWA Summary.....	179



## Introduction

### Why We Report

#### A Brief History of Campus Crime Reporting

## Jeanne Clery

1966-1986

Photo from: *Safe Campuses* Retrieved from  
[Jeanne Clery Act Compliance Hub – Safety Advisors for Educational](#)



### ***Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act***

The *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (or *Clery Act*) is a consumer protection law, which requires all colleges and universities who receive federal funding to share information about crime on campus and their efforts to improve campus safety as well as inform the public of crime in or around university facilities. This information is made publicly accessible through the University's website and Annual Security Report.

The *Clery Act* was named in memory of a student, Jeanne Clery, who was raped and murdered in her dorm room at Lehigh University in 1986. Her attacker was also a student at the University whom Jeanne did not know prior to the attack. Her parents championed laws requiring the disclosure of campus crime information, and the federal law that now bears their daughter's name was enacted in 1990. The *Clery Act* requires colleges and universities to keep records and report on the nature, date, time, and place of crimes occurring on campus, including hate crimes. It also prescribes several security-related protocols for emergency response procedures, timely notifications for on-campus crimes and missing students, fire incident reporting, and the like. It is one of the most frequently modified sections of the *Higher Education Act* and has been amended many times since it was signed into law in 1990.

The *Clery Act* is intended to provide current and future students, their families and university employees, faculty and staff, as higher education consumers, with accurate, complete, and timely information about safety on campus so they can make informed decisions. Choosing a college or university is a major decision for students and their families. The issue of campus safety is a vital concern, which drives this nationwide law. In essence, the law requires colleges and universities to collect, report, and disseminate crime information to the campus community with the goal of maintaining a safe environment for students to learn, faculty to teach, and employees, staff, and administrators to work by increasing the awareness of crimes committed on campus.

## Preparation and Distribution of the Annual Security Report

The Medical University of South Carolina (MUSC) Department of Public Safety (DPS) is primarily responsible for preparing the Annual Security Report (ASR) to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. This responsibility is specifically designated to the University Clery Coordinator. The process includes collecting crime data and statistics obtained from multiple reporting sources on an on-going basis and then reporting them annually to the MUSC community. The ASR is compiled using information maintained by MUSC's DPS, the six colleges and other academic units encompassing the University. Other reporting sources from University offices, departments and divisions include, but not limited to, the Provost Office, Education Innovation & Student Life, Office of Student Programs and Student Diversity, Department of Diversity, Equity, and Inclusion, Title IX Coordinator, Internal Audit's Controlled Substance Investigator, South Carolina Area Health Education Consortium (or SC AHEC), University Human Resources, non-police reporting officials at the University known as Campus Security Authorities (hereafter known as CSAs) and through the various law enforcement agencies having concurrent jurisdiction over the University's main campus and other non-campus buildings and property owned or controlled by the University throughout the state and across the country. For statistical purposes, certain criminal offenses reported to any of these sources are recorded in the calendar year in which the crime was reported.

In addition to the collection of data on an on-going basis, a written request for statistical information is made on an annual basis to CSAs and to the various law enforcement agencies having concurrent jurisdiction over the University's main campus and other non-campus buildings and property owned or controlled by the University or any of its recognized student organization throughout the State of South Carolina, across the United States, and in foreign countries. DPS, in collaboration with the Provost Office, Education Innovation & Student Life, respective Academic Unit Leaders, Title IX Coordinator, and Office of General Counsel share the responsibility for this report at MUSC.

The University has developed a Clery Act Compliance Committee comprised of representatives, in part, from key departments, offices and divisions of the University, and other stakeholders, including DPS, Student Programs, Title IX Coordinator, University Human Resources, Center for Global Health, the six colleges, and other academic units encompassing the Institution. The report is reviewed by key members of the Clery Act Committee and the Office of General Counsel. Each of these University officials and offices provides updated policy information and data. The University Clery Coordinator in consultation and collaboration with these representatives will gather the crime statistics, prepare, and publish the final ASR to the MUSC Community. The University Clery Coordinator further submits the annual crime statistics published in this report to the U.S. Department of Education, which is also available to the public through the U.S. Department of Education [website](#).

On an annual basis, enrolled students and current employees of the University are notified via email by DPS of the ASR's availability. This "Notice of Availability" of the ASR is distributed annually to all

members of the MUSC community. This email message provides an overview of the ASR's content, the physical address for the MUSC DPS and its website [link](#) where the report can be obtained directly on-line and how a hard copy or "printed version" can be obtained free of charge. This information may also be made available through multiple other campus sources, such as the Office of Enrollment Management Admissions and University Human Resources webpages, bulletin boards, social media postings, speaking engagements, training presentations and other venues. The ASR contains information regarding campus security and personal safety including topics such as crime prevention, public safety authority, crime reporting policies, disciplinary procedures and other matters of importance related to security on campus. The report also contains information about crime statistics for the three previous calendar years concerning reported Clery crimes that occurred on campus; in certain non-campus buildings or property owned/ controlled by the University; and on public property within, or immediately adjacent to and accessible from the main campus.

Anyone, including prospective students and employees, may obtain a free paper copy of the ASR by stopping in our office during normal business hours at the Department of Public Safety Headquarters Building located at 101 Jonathan Lucas Street, MSC 859, Charleston, SC 29425; or you can request that a free copy be mailed to you directly by contacting the University Clery Coordinator at (843)-792-3767 or by email at [cleryact@musc.edu](mailto:cleryact@musc.edu). The ASR along with the Daily Crime Log are made available together for public review on the DPS website at: <https://web.musc.edu/about/safety/public-safety/reporting>

### *Clery Act, Legal Requirements*

The *Clery Act*, in part, requires colleges and universities to:

- Publish an Annual Security Report (ASR) every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the main campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities, remote classrooms, buildings, or property owned or controlled by the institution or recognized student organizations. The statistics are gathered by the MUSC DPS from local and state law enforcement agencies, and other MUSC officials designated as CSAs who have "significant responsibility for students and campus activities;"
- Immediately provide emergency notifications to the entire campus community upon confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or patients occurring on campus.
- Provide "timely warning" notices of those crimes that have occurred and "pose an ongoing threat to students and employees;" and
- Disclose in a public daily crime log any crime that occurred on campus or within the patrol jurisdiction of the MUSC DPS and is reported to the MUSC DPS.

**Questions on the *Clery Act*:**

The **Clery Act Appendix for the Federal Student Aid Handbook** assists universities and colleges in meeting the regulatory requirements of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act*. The handbook covers such topics as Classifying and Defining Clery Crimes, Timely Warnings, the Daily Crime Log and Annual Disclosure Requirements. It can be found at <https://www2.ed.gov/admins/lead/safety/cleryappendixfinal.pdf>

This publication is intended to provide a general description of campus security arrangements, and not to serve as a contractual agreement between MUSC and the recipient. Security procedures are subject to change without notice. See [Appendix A](#) for Legislative Overview of the *Clery Act*.

## Main Campus Overview



The Medical University of South Carolina (MUSC) is an open 82-acre campus consisting of six colleges: College of Medicine, College of Health Professions, College of Pharmacy, College of Nursing, College of Dental Medicine, College of Graduate Studies, and Medical University Hospital facilities; including, approximately 95 buildings, 8 parking garages, and over 50 surface lots. The main MUSC campus and Medical University Hospital Authority (MUHA) facilities are collocated in the peninsular of beautiful downtown Charleston, South Carolina and has an estimated daily population of approximately 26,000 people that includes 3264 registered students, about 13,600 employees, residents, fellows, faculty, staff and volunteers, with the remainder being comprised of contractors, visitors, inpatients and outpatients of the medical center facilities. A brief history about the Medical University of South Carolina can be found on the page titled "[About MUSC](#)".

**Campus Law Enforcement** services are provided on the main campus by the Medical University of South Carolina Department of Public Safety (MUSC DPS). MUSC DPS may be reached primarily by calling 843-792-2261 for all non-emergency calls or by dialing 843-792-4196 or (843) 792-4911 for all emergencies. MUSC DPS officers are certified by the South Carolina Criminal Justice Academy and commissioned by the Office of the Governor with full arrest powers. MUSC DPS officers work closely with local, state, and federal law enforcement agencies. In the event of an emergency off-campus, students and employees should dial **9-1-1** to contact the local police agency having primary jurisdiction.

**Clery Geography** is defined as including the areas that meet the definitions of (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that our institution owns or controls, as well as locations within the patrol jurisdiction of MUSC DPS.

Campus definitions, according to the *South Carolina Code of Laws* § 59-154-10, "**institution of higher learning**" or "**institution**" means a public two-year or four-year college, community or junior college, technical school, or university located in this State.

1. The term "**on-campus**" or the "main campus" means any building or property owned or

controlled by our institution within the same reasonably contiguous geographic area of the institution (including but not limited to those building or property owned or controlled by the Medical University Hospital Authority, MUSC Physicians, Carolina Family Care, the MUSC Foundation, and the Foundation for Research and Development hereafter, collectively referred to as "MUSC") that is used by the institution in direct support of, or in a manner related to, the institution's educational purposes. On-campus also includes property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person or business, is used by students, and supports institutional purposes (such as a food or other retail vendors).

2. MUSC **does not** own or maintain any student housing facilities on-campus.
3. The "main campus" also includes all **public property**, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
4. A **patrol jurisdiction** is any property that does not meet any of the Clery geographic area definitions, but which is generally provided with law enforcement or security patrol services by the MUSC DPS. Reported crime statistics do not include crimes that occur in privately owned homes or businesses on or adjacent to the MUSC campus, or on privately owned property within the patrol jurisdiction of the MUSC Department of Public Safety.

The MUSC main campus and DPS's patrol jurisdiction, in part, includes those properties, streets, retail operations and facilities owned or controlled by MUSC and used by students, staff, faculty and visitors that are collocated in the peninsular of beautiful downtown Charleston, South Carolina, bounded primarily by Calhoun Street, Courtenay Drive, Charleston Center Drive/ Bravo Street, Cherry Street, Cannon Street, U.S. 17 North/ Cannon Street, Ashley Avenue, Rutledge Avenue, Vanderhorst Street to Ogier Street, Ogier Street to Calhoun Street. MUSC leases parking space including the Hagood parking lot located nearby (NW of U.S. 17) at Hagood Avenue and Fishburne Avenue adjacent to the Charleston City Police Department, and is used for parking by students, faculty and employees of the institution as well as employees of the Medical University Hospital. Bus transportation for students and employees from the Hagood Parking Lot and the Harborview Office Tower parking facility to the main campus is provided free of charge by the University Transportation Services and Charleston Area Regional Transportation Authority (or [CARTA](#)).

A Campus Map can be found at <https://web.musc.edu/about/visitors> and is attached to this report as [Appendix B](#). Keep this information where it can be easily located; it provides you with a useful reference source of information.

5. The term "**non-campus building or property**" means any building or property owned or controlled by a student organization officially recognized by the institution; or any building or property owned or controlled by MUSC (including but not limited to those building or

property owned or controlled by MUHA, MUSC-P, CFC, the MUSC Foundation, and the Foundation for Research and Development) that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

For example, MUSC assists MUSC students attending the Summer Institute Program and the Summer Undergraduate Research Program (SURP) in securing temporary off-campus housing during these summer sessions. Additionally, MUSC contracts with the South Carolina Area Health Education Consortium (or SC AHEC) to provide temporary housing to students while on community based clinical rotations at various regional locations throughout the State. Crime statistics from local law enforcement agencies having jurisdiction for these locations when in use by our students are included in the annual security report under non-campus building locations. These non-campus locations, including temporary housing facilities for students, are not within the patrol jurisdiction of the MUSC Department of Public Safety.

Likewise, the Medical University Hospital Authority (MUHA), MUSC Physicians (MUSC-P), and Carolina Family Care (CFC) own or control a variety of satellite medical facilities and offices located away from the main Medical University Hospital complex (i.e., Medical University Health and diagnostic clinics) some that are used by students in direct support of, or in relation to, the institution's educational purposes. Any Clery crimes committed within any of these locations that are frequently used by our students and reported to MUSC DPS by the local police agencies or Campus Security Authorities are disclosed in the annual crime statistics for the institution under the non-campus building/ property category.

MUSC, MUHA, MUSC-P, CFC owns or controls a variety of other support facilities such as the University Surplus Warehouse and administrative offices located away from the main academic campus; however, some of these administrative buildings/ medical offices are not educational facilities used by our students. Therefore, crimes committed at these types of locations are not included for disclosure in the annual crime statistics for the institution.

Many students live off campus (in privately owned housing, not university or student organization owned or controlled housing) in the communities surrounding MUSC. We do not formally track where students live off campus and student organizations at MUSC do not enter into leases for housing. In the event of an emergency off-campus, students and employees living off-campus should dial **9-1-1** to contact the local police agency having jurisdiction.

## The Medical University of South Carolina Department of Public Safety



The Medical University of South Carolina Department of Public Safety ([MUSC DPS](#)) is a nationally accredited professional law enforcement organization staffed by highly trained men and women. It is our mission at the Department of Public Safety to support the mission of the Medical University of South Carolina by creating and assuring a safe, orderly and secure environment for patients, students, visitors, faculty and staff.

MUSC DPS operates 24 hours a day, 7 days a week and provides comprehensive law enforcement and security services to its community. To accomplish our goals, we maintain a professionally trained staff of approximately sixty full time sworn police officers, six (6) security specialists, nine (9) telecommunications specialists, one victim's advocate, one emergency management coordinator, and an administrative support staff of seven (7) full time employees.

Our officers diligently patrol the campus on foot, on bicycles, in marked cars and with a variety of specialized vehicles. We maintain and monitor approximately **152** "blue light" emergency call boxes (press button to talk, release button to listen) and approximately **372** alarm accounts (that include security, panic, and research freezer alarms). The campus (not including MUHA or MUSC-P facilities) has nearly **948** card access doors at present and about **761** surveillance cameras.

### Law Enforcement Authority and Inter-Agency Relationships

The sworn officers employed by the Department of Public Safety are appointed and commissioned through the South Carolina Law Enforcement Division as State Constables by the Governor of South Carolina as provided by Title 23, Chapter 1, and Article 60 of the *South Carolina Code of Laws*, as amended in 1976. As such, they are empowered to enforce the laws of South Carolina, including the powers of arrest, anywhere in the state. As a matter of policy, that authority is not typically utilized off campus. However, when required, officers are lawfully authorized to execute arrest and search warrants outside Medical University property for crimes committed within their jurisdiction. They also retain all police powers and authority when officially assigned to the mutual aid and assistance of other law enforcement agencies. All sworn officers are state-certified law enforcement officers mandated to have successfully completed the training requirements of the South Carolina Criminal Justice Academy ([SCCJA](#)).

### Public Safety Services

Some services provided to the MUSC Campus by the Department of Public Safety include, but not limited to:

- Respond to police, fire, medical and environmental emergencies.
- Investigate criminal reports, traffic accidents, and suspicious activities.



- Assist victims of crime by taking reports, doing follow-up investigations and referring them to appropriate resources.
- Monitor alarms for intrusion, robbery, and environmental hazards.
- Comply with federal, state, and local laws regarding release of information.
- Assist with sick/injured, slip & falls, and other non-criminal activity.
- Provide police and security services at special events such as graduation commencement exercises, parades, marathons, and Student Government Association (SGA) activities on and off campus.
- Provide police and security consultations to students and office personnel.
- Assist motorists with vehicle unlocks, dead batteries, and flat tires.
- Ensure the safety of the campus by monitoring environmental and safety hazards.
- Hold, inventory, and return found property.
- Present crime prevention and awareness programs
- Safety Escort program
- Bicycle safety and registration
- Electronic fingerprinting

#### Relationships with State and Local Police Agencies

There is a written Memo of Understanding (MOU) or Mutual Aid Agreements between MUSC DPS and the Charleston Police Department regarding the investigation of criminal incidents on campus. However, because MUSC DPS police officers have statewide jurisdiction and arrest authority, the Department may investigate crimes that occur not only on campus, but also anywhere in the State without the assistance of other agencies.

The General Assembly of the State of South Carolina has enacted into law § 23-20-30 and § 23-20-40 of the *South Carolina Code of Laws, 1976*, as amended; provides the basis for mutual aid agreements with local law enforcement agencies that is currently in effect and signed by the Director of MUSC Department of Public Safety and the Chief of Police of the City of Charleston; Chief of Police and Security Services, U.S. Department of Veterans Affairs Medical Center, Charleston, SC.; Director of Public Safety for the College of Charleston; and the Sheriff of Charleston County, Charleston, SC.

The MUSC campus is integrated within other law enforcement jurisdictions. MUSC DPS works closely with these and many other law enforcement agencies on a regular basis. Because of MUSC's geographical location, any crime that could occur in the metropolitan area of Charleston may occur on campus.

MUSC DPS officers patrol and enforce laws immediately on campus as well as public property that run through or are immediately adjacent to the main campus. MUSC DPS officers are expected to appropriately respond to and address suspicious behavior and criminal activity on or immediately

adjacent to the campus. The statewide authority MUSC DPS officers possess is crucial for them to perform appropriate and effective law enforcement duties to protect the entire community.

MUSC DPS has and will continue to work with federal, state, county, and municipal law enforcement agencies to investigate matters of mutual interest and when incidents arise that require joint investigative efforts. Meetings are periodically held involving the leaders of these agencies on both a formal and informal basis. MUSC DPS officers and supervisors communicate regularly at the scene of serious incidents that occur in and around the campus area. The Department participates in intelligence sharing with many area law enforcement agencies. The Department has enjoyed a positive professional partnership with local and state prosecutors, the court system, county coroner's offices, insurance and other private investigators, and other regulatory departments and agencies.

#### [Assistance from Local and State Law Enforcement Agencies Regarding Investigation of Criminal Incidents](#)

In accordance with the *Jessica Horton Act*: Section §59-154-10 of the *South Carolina Code of Laws*, the Chief or his designee of DPS will immediately notify the South Carolina Law Enforcement Division (SLED) if there is a death resulting from an incident occurring on the property of the institution **or** if the officer or another official of the institution is in receipt of a report alleging that an act of criminal sexual conduct (or CSC) has occurred on the property of the institution. Upon notification, SLED shall participate in a joint investigation of the death or alleged act of CSC. In the case of a death, SLED shall lead the investigation.

All other serious incidents to include, but not limited to cases such as armed robberies, auto thefts, hit and runs resulting in serious personal injury or death, and other serious crimes beyond the scope and ability of this agency to investigate may be referred to the Charleston City Police Department (CPD), Charleston County Sheriff's Office (CCSO), or SLED for investigation. Depending on the circumstances, CPD, CCSO, or SLED may be the lead agency in all such cases and the MUSC DPS will provide any assistance as requested in such cases.

In cases requiring crime scene processing beyond the scope and ability of this agency, CPD may be notified, and their assistance requested per our mutual aid agreement. Typically, MUSC DPS will be the lead agency in such cases. However, depending on the circumstances, CPD or SLED may be the lead agency and MUSC DPS will provide any assistance as requested in such cases.

## Monitoring and Reporting of Criminal Activity (Other Agencies)

### Local Law Enforcement Agency Response to Student Organizations and Housing at Non-Campus Locations

Currently, there are no permanent or temporary non-campus housing facilities owned, leased or operated by student organizations officially recognized by the institution. Some student organizations may at various times, on a temporary basis, have control over certain off campus locations for special events or trips away from the institution and not within the patrol jurisdiction of the Department of Public Safety. Monitoring/recording of criminal activity at locations of MUSC student organization events and activities off-campus are patrolled by, and crimes are reported to, the respective law enforcement agency of that jurisdiction. In the event of an emergency at any off-campus location, students should dial **9-1-1** to contact the local police agency having jurisdiction.

If a local law enforcement agency is called to respond to a privately owned home or temporary off-campus lodging facility or property involving a student or student organization, the local agency may notify MUSC of the situation. However, the local law enforcement agency does this completely out of courtesy and is not “required” to notify or involve MUSC when they respond to any call involving MUSC students on private property or any other off campus locations owned or controlled by the institution or officially recognized student organization.

The University requires all recognized student organizations to abide by federal, state, and local laws, as well as University regulations. The University may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to affect a substantial University interest in violation of the MUSC’s Code of Conduct or Student Handbook and based on the guidance surrounding off-campus activities.

Occasionally at the request of MUSC organizations, such as the Student Government Association (SGA) sponsoring student events, security is provided by hiring off-duty MUSC DPS law enforcement personnel to attend activities involving students off campus. Otherwise, the University relies on its close working relationships with local law enforcement agencies to receive information about any reported incidents involving students off campus.

If the University is notified of crime or other serious incidents or in which a campus community member is the victim of a crime, MUSC DPS may, depending on the situation, issue a Timely Warning detailing the incident and provide tips so that other community members may take protective measures and/ or avoid the occurrence of similar incidents. If DPS is notified of crime or other serious incidents regarding student misconduct occurring at a MUSC sponsored event or student organization location, we will forward any information for disciplinary action to the appropriate college(s).

As previously stated, MUSC collects information for incidents that occur at non campus locations owned or controlled by the institution and/or officially recognized student organizations in the

same way it collects information for all other non-campus locations (annual requests to local law enforcement for such non-campus locations of the institution and student organizations). MUSC DPS works closely with these agencies and departments to share information and collect applicable criminal statistics and information for reporting and follow up purposes. This data would be made part of this report and reported to the Department of Education, as required by the *Clery Act*.

## Reporting Crimes

### Making reports

The Medical University of South Carolina is committed to creating and maintaining a working, learning, and patient care environment that is free from violence. Understanding and mutual respect toward all individuals are essential elements to excellence in teaching and learning and to the existence of a safe and healthy workplace.

The University prohibits violent acts, threats of violence or intimidation (specific or implied), and these acts are not tolerated on campus. Any person who commits a violent act, or threatens to commit a violent act, is subject to disciplinary action and/or civil or criminal prosecution as appropriate. Upon written request, the University will disclose the results of any administrative disciplinary proceeding conducted by the institution against a student or employee of the University who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim or next of kin, if the victim is deceased. Crime reports can be made at any time. MUSC DPS services are available 24 hours a day, seven days a week. Priority is given to reports of incidents that threaten the life or safety of people, the security of property and the peace of the community.

Students, employees, faculty, staff, guests, and other members of the MUSC community should report all crimes and public-safety related incidents to MUSC DPS in a timely manner. This not only allows officers to respond quickly, but also ensures reported crimes are included in the daily crime log, disclosed in our annual crime statistics, and aids in providing timely warning notices to the community, when appropriate.

Call MUSC DPS if:

- You see someone committing a crime.
- You need to report an old crime.
- Someone is injured or ill.
- You see fire or smell smoke.
- You see anyone or anything suspicious.
- You think you see a drunken driver.
- You have knowledge of a chemical spill.

Our professionally trained dispatchers at MUSC DPS are available 24 hours a day to answer your calls via phone, call box, or the LiveSafe app. In response to your call, MUSC DPS will take appropriate action, either by dispatching an officer to your location or asking you to present to the Department of Public Safety building located at 101 Jonathan Lucas Street (on the corner of President Street and Doughty Street), first floor, Charleston, SC, to file an incident report. Advising MUSC DPS of a crime may be facilitated in several different ways. The easiest way is to call us at (843) 792-4196 for emergencies or (843) 792- 2261 for non-emergencies. You can also dial 2-4196 from any campus phone for police assistance. Consider saving the MUSC DPS phone numbers in your cell phones to avoid any delays. If you are the victim or witness to a crime off-campus, just dial **9-1-1** to contact the local police agency.

Although MUSC encourages all members of its community to promptly report all known or suspected incidents of criminal activity to law enforcement, it is the victim’s choice whether to make such a report. Victims have the right to decline involvement with the police. MUSC DPS will support all victims of crimes regardless of whether the victim decides to seek criminal prosecution of the offender or not. When a member of the MUSC community requests assistance with reporting a crime, MUSC officials will without delay comply with the individual’s request in notifying the proper authorities.

**The Department of Public Safety (MUSC DPS) is the official campus authority for reporting all crimes. However, students and employees may also elect to report crimes to the following designated offices without involving law enforcement officials:**

Exec. Vice President for Academic Affairs and Provost	Colcock Hall, 179 Ashley Ave. Rm 213	(843) 792-3031
Associate Provost for Educational Innovation and Student Life (EISL)	Colcock Hall, 179 Ashley Ave. Rm 205	(843) 792-2228
College of Dental Medicine, Dean	Basic Science Building – 173 Ashley Ave. Rm BSB447	(843) 792-3811
College of Dental Medicine Assoc. Dean for Academic and Student Affairs	Basic Science Building – 173 Ashley Ave. Rm BSB443	(843) 792-2344
College of Graduate Studies, Dean	Bioengineering Bldg. – 68 President Street, Rm: 101	(843) 876-2408
College of Graduate Studies Assoc. Dean for Admissions & Career Development	Bioengineering Bldg. – 68 President Street, Rm: BE 101N	(843) 876-2403
College of Health Professions, Dean	CHP Complex - 151-A Rutledge Ave, Rm A326	(843) 792-3328

College of Health Professions Associate Dean for Student Affairs	CHP Complex – 151-A Rutledge Ave, Rm: A321	(843) 792-4492
College of Medicine, Dean	Clinical Sciences Bldg. – 96 Jonathan Lucas St. Ste: 601	(843) 792-2081
College of Medicine, Assistant Dean for Student Affairs Director, Student Support and Wellness	Clinical Sciences Bldg – 96 Jonathan Lucas St. Rm: 601	(843) 792-1672 (843) 792-6645
College of Nursing, Dean	College of Nursing Bldg. – 99 Jonathan Lucas St. Rm. 303	(843) 792-8515
College of Nursing, Director of Student Services	College of Nursing Bldg. – 99 Jonathan Lucas St. Rm. 224	(843) 792-3941
College of Pharmacy, Dean	College of Pharmacy Bldg.- 280 Calhoun St. Rm: QF108C	(843) 792-8450
College of Pharmacy, Assoc. Dean for Student Affairs	College of Pharmacy Bldg.- 280 Calhoun St. Rm: QE223B	(843) 792-8451
Executive Director of Student Programs and Student Diversity	45 Courtenay Dr. Ste. 213	(843) 792-2146
Assistant Director, Student Life and Engagement	45 Courtenay Dr. Ste. 213	(843) 792-2636
Director, MUSC Wellness Center	45 Courtenay Dr. Ste. 222	(843) 792-2533
Chairperson, Behavioral Support Intervention Team (BSIT)	100 Doughty Street, Rm: BA104F	(843) 792-0686
Executive Director, Center for Global Health	Harper Student Center 45 Courtenay Dr. Rm. SS402	(843) 792-5602
Program Manager, Health, Safety and Cultural Affairs, Center for Global Health	Harper Student Center – 45 Courtenay Dr. Rm SS454	(843) 792-2156
Director, Office of Parking Management	PG2 - 91 President Street, 2 <sup>nd</sup> Floor	(843) 792-3665
Director, Human Resources Management, University	1 South Park, Suite 100 Charleston, SC 29407	(843) 792-2122
Director, Employee Relations University Human Resources Mgmt.	135 Cannon St, Suite 110	(843) 792-2237

Director of Medical University Hospital Safety & Security	Main Hospital – 169 Ashley Ave. Rm. 241	(843) 792-4831
Director, Libraries and Learning Resource Centers	171 Ashley Ave, UHE 629A	(843) 792-8839
Director, Office of Enrollment Management	Harper Student Center – 45 Courtenay Dr. Rm SS444	(843) 792-4364
MUSC Controlled Substance Investigator, Internal Audit	45 Bee Street, 2 <sup>nd</sup> Floor	(843) 792-4199
Title IX Coordinator	Basic Science Building, BSB 102	(843) 792-1282 <a href="mailto:titleix@musc.edu">titleix@musc.edu</a>
Clery Coordinator	Public Safety Bldg. – 101 Jonathan Lucas Street	(843) 792-3767 <a href="mailto:cleryact@musc.edu">cleryact@musc.edu</a>
Associate Program Director for Education and Evaluation/ SC Area Health Education Consortium (SC AHEC)	1 South Park, Suite 203 Charleston, SC 29407	(843) 792-4431 (843) 792-8230
Director of University Compliance	49 Bee Street	(843) 792-9607
Director of Hollings Cancer Center	86 Jonathan Lucas St. Rm.124H	(843) 792-1164

### Emergency Call Boxes

There are approximately **152** Emergency Call Boxes placed conspicuously around campus, including in the parking lots and parking garages. These are intended to provide members of our community with a convenient and quick method of contacting MUSC DPS in the event of an emergency. Use these boxes to report any type of emergency whether fire, medical, suspicious activity or crime-in-progress, or if you simply need police assistance. By pressing the "emergency" button on this box, you are immediately placed in contact with the MUSC DPS dispatcher, and the blue light begins to flash. Please remember, it is for **Emergency Use Only**. If you believe someone is following you and you don't want to stop at the call box, press the button and keep moving to the next call box and press it also. This will allow responding DPS officers to determine your direction of travel so they may intercept you and provide assistance.

## LiveSafe app



You may provide tips and information related to crime directly to the Department of Public Safety by downloading the LiveSafe app in the App Store or Google Play for your iOS or Android mobile devices. This app is available free to anyone wishing to download it and information may be submitted in the “Report Tips” section by using the slider bar just above the send button.

The SafeWalk feature on the app allows users, utilizing GPS-enabled location technology, to virtually walk family, friends, and colleagues home or to another designation by monitoring their location on a real-time map. For more information about the LiveSafe app, please contact the MUSC DPS Training/ Crime Prevention Officer at (843)-792-6207.

## How the Department of Public Safety Responds to Crime

It is the policy of the MUSC DPS to respond to all reports of crime immediately and with resources appropriate for the type of crime or incident reported. Reports of crimes in progress, call box and panic alarm calls and other calls involving imminent threat to human life or extreme property damage normally will result in multiple units being dispatched to the location of the incident.

## Accurate & Prompt Reporting of Crimes

Preventing crime is a shared responsibility between law enforcement and the population it serves. At MUSC, crime prevention is equally divided between the Department of Public Safety, employees, the faculty, staff, students, and visitors. Every individual needs to realize that apathy promotes criminal activity and personal involvement prevents it. Employees, faculty, staff, and students are encouraged to assume responsibility for their own security and the security of others. Do not become apathetic should you witness something suspicious. If you suspect a crime is being committed or has been committed, whether you are the victim or a witness, contact the MUSC DPS immediately. Do not assume someone else has or will report it. ***If you see something - say something®.***

If you are off campus when you need assistance or experience or witness a crime call 9-1-1 to contact the local police agency having jurisdiction. Regardless of which police agency is contacted, all members of the community are highly encouraged to promptly report all crime to the appropriate police agency when the victim of crime elects to or is unable to make such a report. In doing so, always remember to accurately report the crime by answering these questions: *Who; What; When; Where; and How.*



When you call the police, be prepared to provide the following information:

- Your name and telephone number; type of incident or suspicious activity.
- Location of the incident that you are reporting.
- Detailed description of the suspect(s) and his/her location or direction of travel.
- Detailed description of any vehicle(s) involved in the incident; and
- Necessity for medical assistance.

#### Department of Public Safety Victim's Assistance Program

When an officer takes a report or makes an arrest involving a victim of a crime as described above, the officer will complete the victim's information sheet and explain the victim's rights statement on the back of their copy. The victim's information sheet is provided to the MUSC DPS Victim Advocate.

Upon request, the Victim Advocate will assist victims in applying for compensation and other financial, social service, and counseling assistance; intervene on behalf of victims with creditors, employers, etc.; make a reasonable attempt to inform the victim of the status and progress of the case and investigation through disposition in summary court, referral to the Department of Juvenile Justice, or through final transmittal of general sessions warrant(s) to the prosecutor; notify victims of the arrest, detention, bond hearing, pretrial hearing or other court dates; make a reasonable attempt to notify victims prior to the release of a juveniles defendant to their parent/guardian; inform the MUSC DPS of a need for transportation of victims and/or witnesses to and from court, and/ or protection at court. The Victim Advocate for the MUSC DPS can be reached in-person at 101 Jonathan Lucas Street, or by phone at (843) 792-2261.

#### **South Carolina Constitution, Article I SECTION 24. Victims' Bill of Rights.**

To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion or economic status, victims of crime have the right to:

1. Be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse throughout the criminal and juvenile justice process, and to be informed of the victim's constitutional rights, provided by statute.
2. Be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped.
3. Be informed of and present at any criminal proceedings which are dispositive of the charges where the defendant has the right to be present.
4. Be informed of and be allowed to submit either a written oral statement at all hearings affecting bond or bail.

5. Be heard at any proceeding involving a post-arrest release decision, a plea or sentencing.
6. Be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process.
7. Confer with prosecution, after the crime against the victim has been charged, before the trial or before any disposition and informed of the disposition.
8. Have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial.
9. Receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury including both adult and juvenile offenders.
10. Be informed of any proceeding when any post-conviction action is being considered and be present at any post-conviction hearing involving a post-conviction release decision.
11. A reasonable disposition and prompt conclusion of the case.
12. Have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

## Campus Security Authorities

For certain incidents, MUSC has specific reporting protocols designed to ensure that any criminal incident that occurs within MUSC's Clery Geography (on campus, on public property bordering campus, and in non-campus areas leased or otherwise controlled by MUSC) is reported to the Department of Public Safety, the official campus authority for reporting all crimes. Alternatively, victims may choose to report criminal incidents to any employee or office that is designated as a Campus Security Authority (CSA). Whenever a CSA becomes aware of conduct that reasonably appears to constitute a Clery Act offense they must immediately report the incident to DPS.

The following crimes<sup>1</sup> constitute Clery Act offenses:

1. All primary crimes (murder, non-negligent manslaughter, and negligent manslaughter), sexual assault (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson.

---

<sup>1</sup> Please refer to pp. 142-148 of this report for further information about MUSC's [Clery Geography](#) and [Clery Crime definitions](#).

2. Hate crimes, which include all bias-motivated primary crimes above and larceny/theft, simple assault, intimidation, and destruction/damage/vandalism.
3. VAWA<sup>2</sup> crimes: dating violence, domestic violence, and stalking.
4. Arrests for liquor, drug, and weapons law violations, and/or
5. Referrals for disciplinary action to university officials for violations of liquor, drug, and weapons laws, involving university students or employees.

CSAs must report Clery Act incidents even if the information regarding the incident was shared with them in confidence. Specifically, **CSAs must report** the date and time of the crime, the location, and the individuals involved if it is not an anonymous reporting situation. DPS provides CSAs with Clery Act Statistic Report Forms and Referral Forms, but CSAs can also report crimes to DPS by phone, email, or in person.

De-identified information is published in the Annual Security Report and may be published in the daily crime log. This information helps to provide the community with an understanding of the extent and nature of campus crime to ensure transparency and greater community safety. Moreover, the University has a responsibility to notify the campus community about crimes that pose an ongoing or serious threat to the community, and, as such, CSAs are obligated by law to immediately report Clery crimes to the MUSC DPS. CSAs should promptly notify the MUSC DPS of any crimes reported to them, even if they are not sure whether an ongoing or serious threat exists.

The University Clery Coordinator maintains a list of all identified CSAs and other *Clery Act*-related documentation for the University. CSAs are notified annually of their status and reporting obligations, and they complete online training on an annual basis.

Pursuant to the *Clery Act*, MUSC has four categories of Campus Security Authorities:

1. The Department of Public Safety.
2. Non-DPS personnel with security responsibilities, such as those monitoring access to campus buildings and property.
3. Any individual or organization specifically identified in policy to which students and employees should report criminal offenses;<sup>3</sup> and
4. Officials<sup>4</sup> with significant responsibility for student and campus activities. The term “responsibility” is interpreted broadly, so that most employees who interact with students in any position of authority are CSAs. This includes but is not limited to student affairs/student conduct

---

<sup>2</sup> VAWA stands for Violence Against Women Reauthorization Act of 2013.

<sup>3</sup> Refer to pp. 13-15 of this report for a list of offices and officials that are specifically designated by policy as CSAs.

<sup>4</sup> An “official” is a person with the authority or duty to take action or respond to particular issues on behalf of MUSC.

staff, student activities staff, human resources employee relations staff, and advisors to student groups and student organizations.

### Exemption for Pastoral and Professional Counselors

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are not CSAs and are exempt from reporting requirements under the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*:

- **Pastoral counselor:** A person, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional counselor:** 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 his or her license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. An individual who is not yet licensed or certified as a counselor but is acting in that role under the supervision of an individual, who meets the definition of a pastoral or professional counselor, is considered to be one for the purposes of the *Clery Act*. An example is a Ph.D. counselor-trainee acting under the supervision of a professional counselor at MUSC. However, a dean of students who has a professional counselor's license but is employed by MUSC only as a dean and not as a counselor, is not exempt from reporting. If that same dean is employed by MUSC as both a professional counselor and an academic counselor and learns of a criminal incident while engaged in academic counseling, the dean is not exempt from reporting that incident. If MUSC has an individual with dual roles, such as one of a professional or pastoral counselor and the other as an official who qualifies as a CSA, and the roles cannot be separated, that individual is considered a CSA and is obligated to report Clery crimes of which they are made aware.

An individual who is counseling students and/or employees, but who does not meet the above Clery definition of a pastoral or professional counselor, is not exempt from being a CSA if they otherwise have significant responsibility for student and campus activities.

*Campus security authority exemptions citation 34 CFR 668.46(a)*

### Counseling Advisement of Crime Reporting

Professional counselors at MUSC are encouraged in writing, when they deem it appropriate, to

inform persons they are counseling of their option to report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of crime statistics. There are no formal policies or procedures in place that require professional counselors to inform persons they are counseling of any procedures to report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of crime statistics.

### Confidential Reporting of Crimes

The purpose of confidential reporting is to comply with the reporter's request for confidentiality, and yet allow the MUSC DPS to maintain accurate records to ensure the safety of the community. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

MUSC encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, law enforcement agencies such as the Charleston Police Department and the MUSC DPS cannot hold reports of crime in confidence. However, MUSC DPS and all University offices will protect the identity of victims, witnesses, complainants, and other necessary parties associated with sexual or gender violence crimes, in accordance with state and federal statutes and regulations. As such, all publicly available recordkeeping by the institution will be maintained without the inclusion of personally identifiable information of victims, witnesses, or complainants of sexual or gender violence crimes, which includes the Daily Crime Log, Timely Warnings, and Emergency Notifications. The University will also maintain it as confidential and not share within or outside the institution information regarding any accommodation or protective measure provided to a victim unless such confidentiality impairs the effectiveness of the measure.

With the only exceptions being professional and pastoral counselors, previously discussed, MUSC does not provide a confidential reporting option to CSAs. The Director of Student Health Services, for example, in his/her capacity as a CSA, and not as a professional counselor, can make crime reports to DPS to ensure inclusion in the annual disclosure of crime statistics without disclosing personally identifying information. The Director of Student Health Services, in this instance, will work closely with DPS to allow DPS to properly assess crime reports for timely warning consideration and to avoid double counting of crimes.

### Anonymous Reporting

Crimes reported confidentially to the counseling centers or pastoral counselors are not disclosed in the University's crime statistics or reporting processes, unless those crimes are reported to DPS through the facilitated anonymous reporting process, which may be accomplished only by or at the request of the victim to sources below.

Anyone may report a crime anonymously by calling 843-792-2261 or by filing a report online to these sources below. Anonymous reports of *Clery Act* crimes made through internal channels will be included in the University's ASR. Providing information will help MUSC maintain accurate

records regarding the number of incidents, determine if there is a pattern of conduct regarding a particular location or responding party, and alert the campus community to potential dangers. Please keep in mind, however, that while anonymous reporting is available by these limited means, the University's ability to investigate, respond, and appropriately address allegations of misconduct meaningfully may be significantly limited depending on the amount of information provided.

### Silent Witness

Current students and employees may provide tips and information related to crime anonymously by accessing the [Silent Witness](#) link via the [Public Safety website](#). Use the form on the secure link to anonymously report crimes occurring on campus to DPS. You may provide your contact information if you want to be contacted by DPS, otherwise the origin of this information will be unknown to the recipient.

### MUSC's Harassment and Discrimination Reporting Form

Anonymous reporting may also be made online using the MUSC Harassment and Discrimination Reporting Form by clicking the following link:

[https://cm.maxient.com/reportingform.php?MedicalUnivofSC&layout\\_id=6](https://cm.maxient.com/reportingform.php?MedicalUnivofSC&layout_id=6)

### Crime Stoppers



Confidential and anonymous tips regarding criminal activity can also be made externally to Crime Stoppers of the Low Country by dialing (843)-554-1111 or 1-888-CRIME-SC, or by visiting the [Crime Stoppers website](#). You may send an anonymous tip by following the instructions on this website. However, crimes reported in this manner may not be included in the annual disclosure of crime statistics, depending on the details provided. Information received by MUSC DPS from Crime Stoppers must be investigated to determine its validity and accuracy. Depending upon the details provided, leads, type and severity of the incident, an investigation may or may not take place.

### Confidential Hotline

Report any activity reasonably believed in violation of any law or regulation, any MUSC policy, or any Federal or State healthcare requirement by means of the **Confidential Hotline: 1-800-296-0269** (toll free, available 24 hours, 7 days a week). The Confidential Hotline is monitored by a third-party vendor and does not answer questions about MUSC services or facilities, give directions, schedule appointments, etc.

### LiveSafe app

You may provide tips and information related to crime **anonymously** by downloading the LiveSafe app in the App Store or Google Play for your iOS or Android mobile devices. This app is available

free to anyone wishing to download it and information may be submitted directly to MUSC DPS anonymously in the “Report Tips” section by using the slider bar just above the send button.

## Daily Crime Logs and Publication

Daily Crime Log locations are defined as the areas that meet the definitions of campus, in or on non-campus building or property, or on public property. For the purposes of maintaining a daily crime log as required under § 668.46(f), Clery Geography is defined also to include, but not limited to areas within the patrol jurisdiction of the Department of Public Safety.

A patrol jurisdiction is any property that does not meet any of the Clery geographic area definitions, but which is generally provided with law enforcement or security patrol services by the MUSC DPS. A campus map of the MUSC DPS’s general patrol jurisdiction is attached in [Appendix C](#). The Daily Crime Log is maintained to include all crimes reported to the Department of Public Safety and is recorded within two business days of the reporting of the information. The crime log lists the nature of the crime, date of report, the date(s) and time(s) of occurrence and general location, as well as the disposition of the complaint, if known.

An administrative designation of “active,” “administratively (admin) closed,” “cleared by arrest,” “exceptionally cleared,” or “unfounded” shall be assigned to each case, as appropriate, to assist in case management and control.

- Active - (open) - indicates that the case is assigned to an officer and investigative efforts are active and ongoing.
- Cleared by Arrest - (closed) - indicates the case has been cleared by the arrest of at least one offender.
- Exceptionally Cleared - (closed) - indicates the case has been cleared due to the death of the offender, no prosecution, extradition denied, victim declines to cooperate, or juvenile - no custody.
- Unfounded - indicates that the alleged offense did not occur. A crime is considered unfounded for *Clery Act* purposes only if sworn or commissioned law enforcement personnel decide that the report is false or baseless.
- Administratively Closed - the case is suspended until further investigative leads are developed or other information leading to possible solutions of the crime surfaces.

Entries or updates may be withheld if the information is protected by statute, or if there is a danger to the victim’s safety, the victim’s identity, or if there is a need to keep the investigation confidential. If there is reason to believe the release of information will result in the perpetrator fleeing the area, or that evidence will be destroyed, the information also may be withheld until the jeopardy no longer exists.

The Daily Crime Log is available free of charge to the public and may be inspected at the MUSC DPS building during normal business hours for the most recent 60-day period. Data older than 60 days will be made available free of charge within two business days of a request for public

inspection.

MUSC will protect the confidentiality of victims and other necessary parties associated with reports of Sexual Assaults, Domestic Violence, Dating Violence and Stalking. Similarly, all publicly available record keeping by the University, including Clery Act reporting and disclosures, will be maintained without the inclusion of personally identifiable information of the victim and other necessary parties. In sum, MUSC DPS must withhold any information from the Daily Crime Log to the campus community or the public that may lead to the victim's identity, or identity of the complainant, or any witnesses.

A printed copy of the Daily Crime Log is maintained by the MUSC DPS Records Office and is made available free of charge for public viewing upon request during normal business hours at the MUSC Department of Public Safety Building located at 101 Jonathan Lucas Street, Charleston, SC 29425. The MUSC Department of Public Safety also maintains an on-line Daily Crime Log detailing crime responses by the Department of Public Safety, which may be accessed along with the Annual Security Report on the Department of Public Safety's [Reports and Crime Statistics page](#).

## Emergency Notification, Response & Evacuation Procedures

### Emergency Notification & Timely Warning Policy

The Medical University of South Carolina (MUSC) has developed an [Emergency Response and Notification plan](#) that provides a comprehensive set of guidelines to assure the immediate notification to the campus community in an emergency and for directing resources before, during and after campus emergencies and disasters. It is also the policy of MUSC to alert the entire campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes.

### Procedure

#### A. Emergency Notifications

MUSC Department of Public Safety (DPS) will immediately notify the entire campus community upon confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or patients occurring on the main campus or public property adjacent to the campus. MUSC Alerts is a multi-model emergency notification system designed to provide warnings and notifications as quickly and accurately as possible. Users must register their respective personal contact information with MUSC Alerts to receive emergency notifications on their privately owned cell phone and alternative email account through the MUSC Alert System, including personal cell phone/SMS text messaging, and voice messaging. Users must register their personal devices/ accounts to receive notifications by going to the MUSC Alerts page (MUSC NET-ID required).



The immediate notification capability of the emergency mass notification process is designed to assist DPS in determining the content of the notification and initiating the notification system without delay, considering the safety of the community, unless issuing a notification will, in the professional judgment of responsible institutional authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency/incident. This notification system is used to keep people informed of an ongoing situation and will only to be used in case of an Emergency, on or adjacent to an MUSC owned or controlled location on campus.

Some examples of Emergency Notifications (Alerts) are:

- Approaching extreme weather (i.e., Hurricane and Tornado warnings)
- Armed intruder (i.e., Active shooter, Active threat)
- Bomb threat
- Explosion, fire, or gas leak
- Serious health-related outbreak
- Riot
- Terrorist incident

Immediate notification to the campus about a confirmed seriously violent or extremely hazardous incident or dangerous situation involving an immediate threat to the health and/or safety of students or staff occurring on the campus or near the campus can be accomplished through a variety of communications methods, but the use of the emergency cell phone text/voice messaging, and all campus email accounts would be seen as the most common and quickest form of communications under these circumstances. Confirmation typically involves the response and assessment of DPS officers, university/ enterprise-wide officials, and other emergency responders. As previously stated, notification will occur for these types of incident situations as described unless the notification will compromise efforts to assist a victim(s) or contain, respond to, or otherwise mitigate the emergency.

All Department personnel will follow the below listed guidelines for the timely issuance of an emergency notification to the campus in an emergency:

1. When the MUSC DPS dispatcher or a Public Safety officer is notified of a potential emergency on or adjacent to an on-campus MUSC owned or occupied location they will immediately notify the on-duty supervisor. The on-duty Public Safety officer(s) will then evaluate (through response, investigation, or collaboration with emergency responders) whether a significant emergency exists and as practical without jeopardizing life safety, will immediately notify the Chief of Public Safety or his designee<sup>5</sup>, or in his absence the Patrol Commander of the situation

---

<sup>5</sup> In certain situations, the DPS Duty Supervisor is vested with the authority to make emergency notification decisions as the Chief's designee. All police supervisors are trained in the emergency notification process and authorized to activate the system upon confirmation of extremely violent or hazardous incidents that pose immediate danger or threat to the health and safety of campus community members; and are directed to monitor events that could require an immediate notification.

to determine if an emergency alert is warranted.

2. When a significant emergency or dangerous situation is confirmed on campus, one of the following individuals may initiate the MUSC Alert System or designate an individual to do so:
  - Chief of Public Safety
  - Public Safety Patrol Commander
  - Public Safety Operations Support Commander
  - Public Safety On-Duty Patrol Supervisor (officer-in-charge)
  - University Emergency Manager
  - Director, Public Affairs & Media Relations, Communications & Marketing

Any one of these individuals, in coordination with Public Safety personnel, may initiate the University's emergency notification processes upon confirmation of extremely violent or hazardous incidents that pose immediate danger or threat to the health and safety of campus community members wherein MUSC officials need to notify campus community members immediately to reduce the likelihood of casualties or injuries.

3. **Content of message.** Any one of these individuals in coordination with Public Safety personnel then develops the content of the notification message, which may include instructing dispatch as to the language to be used in the emergency notification, as well as identifying the appropriate segment or segments of the campus community affected within the notification.
4. MUSC will protect and must withhold as confidential the names and other identifying information that may lead to the identity of victims, complainants, and witnesses. Moreover, all publicly available record keeping by the University will be maintained without the inclusion of personally identifiable information of the victim, complainant, or witnesses in the content of any notification message.
5. Notification message content is determined based on the type of incident, the context with which it is occurring, and the immediate danger or threat to the campus community and the need to advise campus community members to act. Pre-canned, pre-scripted messages have been prepared as part of the emergency notification system to aid in rapid communication deployment processes during incidents of grave concern.
6. When the emergency notification system is activated using email and cell phone text/voice messaging, university officials will notify the entire campus community members of the emergency, its exact location, and will most likely request community members to protect themselves by avoiding an area or evacuating the affected area if it is safe to do so and/or by employing the "shelter-in-place" concept.

7. **Segment(s) of the campus receiving an emergency notification.** MUSC, based on the judgments of members of Public Safety, will endeavor to notify the entire campus community immediately upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on or near the campus. A threat is imminent when the need for action is instant, overwhelming, and leaves no moment for deliberation. Such situations may include, but are not limited to, a hazardous materials incident requiring sheltering in place or evacuation, an active shooter on or near campus, or a shooting incident on or near the campus. Follow-up notices will be provided as necessary during an active incident and may be provided by the Chief of Public Safety or his designee.

Generally, the segment(s) of the campus receiving an emergency notification is decided based on who is directly impacted by the emergency and whose health and/or safety may be in jeopardy. However, in most all situations the entire community will be notified due to the size and uniqueness of the campus. In situations where an imminent threat is present, the Chief of Public Safety or designee, including the on-duty public safety supervisor as previously stated, has the ability and authority to issue an emergency alert without delay and without further consultation with any other University official. The Charleston City Police Department and other first responders may be notified by the dispatcher of any actual on-campus emergency that poses a threat to the campus and/or the immediate local community.

8. **Methods of dissemination.** Emergency Notifications will be issued by various communication media listed below to increase the likelihood of reaching the entire campus community if there is an imminent threat of danger according to MUSC's Emergency Response and Evacuation Procedures.

MUSC Alert Emergency Notifications will be disseminated immediately via all MUSC email accounts and MUSC issued cell phone / SMS text messaging, voice messaging, social media, networked desktop computers, and registered personal cell phone/ SMS text messaging, voice messaging and personal emails. MUSC professional staff are informed of their responsibility to share Alert information with their sponsored visitors and/or guests.

MUSC Alert Emergency Notification Systems include:

- Every [muscd.edu](http://muscd.edu) email account and MUSC-owned cell phone will promptly receive notifications of emergencies and timely warnings. No registration is necessary.
- Students and Employees with privately owned cell phones/ SMS text messaging, voice messaging and email accounts registered through MUSC Alerts will promptly receive notifications of emergencies. To enter/update personal contact information and to receive notifications on personal cell phone and up to two personal email accounts users must go to the [MUSC Alerts](#) page to register. (MUSC Net ID required)
- Every MUSC-networked desktop computer will receive a visual alert during an emergency.

- MUSC Information Line (843-792-MUSC) will be updated with important information regarding emergency situations.
  - MUSC affiliated social media: Facebook, Yammer, X (formerly Twitter).
  - With RAVE Alerts SMS Text opt in features, guests, visitors, patients, contractors, and all others (without a musc.edu email account) can now get MUSC Emergency Text Alert on your cell phone. Just text “MUSCAAlert” to **226787** to begin receiving the text alerts. When you are no longer affiliated with MUSC, you can text “End” to have yourself removed from the alert notification list.
9. When using the voice message mode, users of the RAVE Emergency Notification System will listen to the message before it is sent to ensure message clarity. In extreme emergencies, this requirement will be waived.
10. **Follow-up Notifications.** Subsequent notification messages may be issued to provide additional detail/protective actions. In situations lacking an imminent threat which necessitate the release of confirmed details to the public, the Chief of MUSC DPS or designee, along with the MUSC Office of Public Affairs and/or Media Relations, may coordinate with MUSC enterprise senior leadership to create a unified message. MUSC emergency-related information and updates may also be provided via MUSC’s Information Line: 843-792-MUSC (6872), Yammer and X (formerly Twitter) accounts and local TV news/ radio alerts.
11. **“ALL CLEAR” Notifications.** When a threat is neutralized or effectively removed, campus community members will be appropriately informed via all or some of the previously mentioned communications methods. An “All Clear” message will be disseminated upon confirmation that an imminent threat to loss of life or property no longer exists.

### Emergency Response

During certain emergency conditions, it may be necessary to evacuate all or part of a building. Examples of such incidents may include smoke/fire, gas leak, or bomb threat. The [MUSC Fire and Life Safety, Fire Reaction Plan](#) outlines pertinent information regarding protective actions for employees and students to take in order to reduce the threat of fire. This plan also identifies steps for individuals to take upon the discovery of a fire or notification of a building evacuation. Each department is expected to maintain a plan with details specific to individual and departmental responsibilities for evacuation and defend- in-place emergencies.

The University Emergency Manager publishes [MUSC’s Severe Weather Plan](#) that is designed to provide information to students, residents, faculty and staff regarding preparedness, mitigation, response and recovery actions for severe weather. The Severe Weather Plan delineates the responsibilities of University and Medical University Hospital personnel, outlines requirements for departmental planning, describes the process for campus closure, and provides regional evacuation

information to include personal planning recommendations.

### Shelter-In-Place

Shelter-In-Place actions are intended to provide safety in circumstances when evacuation would present a greater risk to individuals than remaining in their current location. Circumstances that may warrant a shelter-in-place response may include severe weather, HAZMAT incident, active shooter or other violent criminal behavior in the area, or any situation where it is best for you to stay where you are to avoid an outside threat. Depending on the threat or hazard, students, faculty, patients, visitors, volunteers, and staff may be required to move to rooms that can be sealed (such as in the event of a chemical or biological hazard) or are without windows. Notification to shelter-in-place can come from MUSC DPS, local authorities, MUSC Rave Emergency Notification System, Office of Communications, University Risk Management, or over a public address system.

Upon notification to shelter-in-place, you should:

- Seek shelter in an interior room (if available) and with the fewest windows.
- Shut and lock all windows (provides a tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans. Close vents to ventilation systems if possible.
- For some threats, it is not wise to turn on any noise source audible from the outside. Remain quiet unless instructed that it is safe to turn on such devices.
- If instructed, for weather-related events or for HAZMAT incidents turn on a radio or television if available and listen for further instructions.
- Remain alert for instructions and updates as they become available from emergency personnel and MUSC administrators.
- Make a list of all the people with you; call the list in to MUSC DPS (843-792-4196) so that they know where you are sheltering.
- Remain calm and look after each other. You will be notified when it is safe to come out. Do not leave until you are sure that the identity or source of the announcement is from a public safety or MUSC official.

### Deny Entry (Lock Down) Procedure

Incidents that pose an immediate threat of violence such as an active shooter may require further action to safeguard your environment. The primary objective of a lockdown is to quickly ensure all faculty, staff, students, patients and visitors are secured in rooms away from immediate danger. If you receive notification or suspect an imminent threat of violence, follow these guidelines:

- Go to a room that can be locked or barricaded by using available material.
- Close the window blinds, turn off the lights and get everyone down on the floor so that no one is visible from outside the room.

- If possible, secure the room you are in by either locking or barricading the door using available material and follow the same procedures described above.
- If you cannot secure the room, determine if there is a nearby location that you are able to reach safely and then secure or if you can safely exit the building.
- Spread out and seek concealment behind walls, desks, filing cabinets, etc.
- Have someone call MUSC DPS Dispatch (843 792-4196) using a cellular telephone or call 2-4196 from any campus telephone. Be aware that the Public Safety Dispatch system will most likely be dealing with a large volume of calls.
- When you reach the dispatcher, describe the situation, and give your name and location; remain in place until a law enforcement authority gives the 'All Clear.'
- Unfamiliar voices may be the shooter attempting to lure victims from their safe space; do not respond to any voice commands until you can verify with certainty that they are being issued by a law enforcement authority.

MUSC DPS and Medical University Hospital Safety and Security coordinate and maintain Deny Entry (Lock Down) plans for limiting or prohibiting access to buildings affected by imminent threat of criminal behavior.

### Emergency Response and Evacuation Procedures Tests

MUSC's Emergency Response and Evacuation Procedures will be reviewed at least annually in conjunction with a scheduled test that addresses emergency response and evacuation procedures on a campus-wide scale. Each emergency response and evacuation procedures test will include a drill that tests a single procedural operation (i.e., issuing emergency notification) and an exercise of coordination efforts (i.e., coordination of first responders). After each test, a brief after action report is written to evaluate the event against measurable goals. This document should also include the purpose, date/time, whether the test was announced or unannounced, participants, including participant feedback, if any, description of the drill, successes, shortcomings, and corrective action recommendations.

Emergency Management officials conduct numerous announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. At a minimum, the entire MUSC enterprise participates in The Great Southeast Shakeout Earthquake Drill each October utilizing the MUSC Rave Alert System. Students and employees learn and practice what to do in the event of an earthquake. MUSC's Rave Alert emergency notification system is tested on at least an annual basis.

The annual test of MUSC's emergency response and evacuation procedures and test of the MUSC RAVE Alert system was conducted on October 20, 2022, at approximately 10:20 a.m. As with the past three years, each documented test was timed to coincide with the Shake Out drill throughout the southeast United States. Promotion of each event was publicized through MUSC Office of Communication and Media Relations, along with MUSC President's Office, MUSC Student Programs,

MUSC Catalyst News, and the FAN Newsletter online. Announcement of The Great Southeast Shakeout drill information was also distributed campus-wide via posters with earthquake safety information provided by the Southeast Shakeout. Participants were encouraged to **Drop** to the ground, take **Cover** under a table or desk, and **Hold On** to it as if a major earthquake were happening (sheltering in place and staying down under a table or desk for at least 60 seconds).

The next annual Great Southeast Shake Out Earthquake Drill is tentatively scheduled for October 19, 2023, at 10:15 a.m. Participating is a great way for your family or organization to be prepared to survive and recover quickly from big earthquakes– wherever you live, work, or travel. For more information about the [Great Southeast ShakeOut](#), and/or [South Carolina's Great Southeast Shake Out](#) visit their websites.

## **B. Community Timely Warning or Advisory**

### **Timely Warning Policy Statement**

It is the policy of MUSC to alert the entire campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. To enable people to protect themselves, a Timely Warning will be issued to increase the likelihood of reaching the entire campus community via all musc.edu email accounts and registered personal email accounts as soon as pertinent information is available. In most all situations, the entire community is notified due to the size and uniqueness of the campus. The cell phone/ SMS text messaging, and voice messaging notification method will only be used when lives are at immediate risk. If necessary, the alert will be updated as facts surrounding the incident become available. MUSC professional staff should share Alert information with their sponsored visitors and/or guests.

The Chief of the Department Public Safety, their designee,<sup>6</sup> or in their absence the Patrol Commander, is authorized on behalf of MUSC to issue Timely Warnings for Clery Act crimes reported to CSAs or local police agencies. The on-duty DPS supervisor must immediately notify the Chief of DPS, the designee, or in their absence the Patrol Commander upon confirmation of the commission of any Clery Act crime committed on any campus geography that may pose an ongoing or serious threat to the personal safety of students, faculty, staff, and/or guests. In addition to Clery Act crimes, the on-duty DPS supervisor must report any confirmed threats to person or property that present a serious or continuing threat to students and employees.

MUSC is not required to provide a notification for non-Clery Act crimes; however, **Public Safety Bulletins** may be sent for other safety issues at the discretion of the Chief of DPS. MUSC is not required to issue a notification for crimes reported to pastoral or professional counselors.

---

<sup>6</sup> In certain rare or isolated events, during non-business hours, the DPS Duty Supervisor is vested with the authority to make timely warning decisions as the Chief's designee. All police supervisors are trained to make timely warning decisions on a case-by-case basis; and are directed to monitor events that could require a warning or notification.

## Notification Process

The Chief of DPS, his designee, or in his absence the Patrol Commander will determine the need for issuing a Timely Warning on a case-by-case basis. Determining factors to consider include:

- The nature and seriousness of the crime.
- The continuing danger to the campus community; and
- The possible risk of compromising law enforcement efforts

Upon the Chief or Patrol Commander's approval, the on-duty supervisor will instruct Dispatch as to the language to be used in the Timely Warning. The Communications Supervisor has created a Timely Warning format with which every dispatcher is familiar. Pre-scripted messages have been prepared as part of the timely warning notification system to aid in rapid communication deployment processes during incidents that represent a serious or continuing threat to students, employees, or patients.

As practical and without jeopardizing life or safety, DPS and the Office of Public Affairs and Media Relations may coordinate with senior leadership of the MUSC Enterprise to determine the content of the message. The content of Timely Warning messages will include as many available details as possible, including:

- Type of alert
- Category of the crime
- Location
- Suspect(s) description, if available
- Incident summary
- Any information that promotes safety and aids in the prevention of similar crimes.

Subsequent notification messages may be issued to provide additional detail/protective actions. Updates, when deemed necessary, to the campus community about any case resulting in a Timely Warning may be distributed to all students and employees on campus via blast email. If a situation necessitates the release of confirmed details about an incident to the public, MUSC DPS, MUSC Emergency Management, and MUSC Office of Public Affairs and Media Relations may coordinate with senior leadership of the MUSC Enterprise to create a unified message. MUSC emergency related information and updates may be provided via MUSC's Information Line: 843-792-MUSC (6872), Yammer and X (formerly Twitter) accounts and local TV news/ radio alerts.

Timely Warning posters or flyers may, in certain situations, be posted or handed out by DPS in campus buildings when deemed necessary. When Timely Warnings are posted in campus buildings, they should be printed on red paper and posted in lobby/entrance areas of key buildings in plain view for a period determined by the Chief of Public Safety or designee.

If, in the professional judgment of responsible authorities, the notification may compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the situation, the notification may be delayed. As with emergency notifications, timely warnings must withhold as confidential the names and other identifying information of victims. Timely Warnings may be withheld if the



information is protected by statute, or if there is a danger to the victim's safety or may be delayed if there is a need to keep the investigation confidential. MUSC will protect the confidentiality of victims and other necessary parties associated with reports of Sexual Assaults, Domestic Violence, Dating Violence and Stalking. Similarly, all publicly available recordkeeping by the University, including *Clery Act* reporting and disclosures, will be maintained without the inclusion of personally identifiable information of the victim and other necessary parties. In sum, MUSC DPS must withhold any information from Emergency Notifications, Timely Warnings, and Public Safety Bulletins to the campus community or the public that may lead to the victim's identity.

### Exemptions for Releasing Protected Information Family Education Rights and Privacy Act (FERPA)

FERPA recognizes that protected information can, in case of emergency, be released without consent when needed to protect the health and safety of others. If MUSC utilizes information from the records of a campus law enforcement unit to issue a timely warning, FERPA is not implicated as those are not records protected by FERPA.

### Health Insurance Portability and Accountability Act (HIPAA)

HIPAA allows patient information to be shared to assist in disaster relief efforts, and to assist patients in receiving the care they need. Providers and health plans covered by HIPAA can share patient information in the following ways:

- To provide treatment.
- To prevent or lessen a serious and imminent threat to the health and safety of a person or the public.
- To identify, locate and notify those responsible for the individual's location general condition, or death.
- Provide confirmation as to whether an individual is at the facility, their location in the facility, and their general condition.
- Provide organizations that are authorized by law or charter with information that would assist in disaster relief efforts.

## Coronavirus/Covid-19 Updates and Directives for MUSC Faculty, Staff & Students for Staying Safe

Please visit <https://web.musc.edu/coronavirus-updates/leadership-update-july-1> to review Coronavirus/COVID-19 \*updates and University directives for MUSC faculty, staff, and students. The updates and Directives include Centers for Disease Control and Prevention, World Health Organization, Occupational Safety and Health Administration and other state and federal guidelines for staying safe.

We must all do our part to protect our personal health and safety, as well as the health and safety of others, in the working and learning environment. University employees and students are required to always follow these directives unless appropriate exceptions are made.

**\*Information is updated periodically.**

## Security Awareness & Crime Prevention Programs

The Clery Act requires MUSC to disclose certain statements of policy that address the following:

- Our institution's programs are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others.
- Description of programs designed to inform students and employees about the prevention of crimes.
- Description of programs to prevent dating violence, domestic violence, sexual assault and stalking, and the procedures our institution will follow when one of these crimes is reported.

The Department of Education encourages institutions to mandate training in these areas to all students and employees to increase its effectiveness. Here at MUSC, we deliver training through various methods, including in-person and virtual training and online modules.

MUSC promotes security awareness and crime prevention programs sponsored by various campus organizations throughout the year. The Department of Public Safety (DPS), Title IX Coordinator, Education & Student Life, individual colleges, University Human Resources, and various other MUSC departments and offices facilitate programs throughout the academic year for students and employees at new student and employee orientations, student organization meetings, community organizations meetings, and many other functions and events held on-campus.

During new student and employee orientations, and at various other times during the academic year when new students arrive and employees are hired, they are informed of various support services offered by the DPS and other MUSC departments. Video and slide presentations outline ways to maintain personal safety and security. Students and employees may be told about crime on-campus and in surrounding neighborhoods near to the campus. Moreover, MUSC offers targeted awareness campaigns such as Active Shooter awareness including training involving MUSC's Emergency Department. The Great American Shakeout Drill campus-wide is conducted with the focus on earthquake response awareness. The topics and mechanisms for awareness campaigns vary each year depending on the needs of the MUSC community.

It is the policy of MUSC DPS to promote a positive and mutually beneficial relationship with the public. It does this by offering programs to address community perceptions or misperceptions of crime. To identify those areas, the Office of Crime Prevention may contact leaders of campus organizations and student groups to request information regarding the perception of criminal activity.

The Crime Prevention Office actively participates in, and upon request coordinates with the Education & Student Life, colleges, and various other MUSC managers and department heads in organizing crime prevention training to the campus community. This training includes personal safety, property safety, drug and/or alcohol issues, and the students' relationship with law enforcement.

The most prevalent crime our community experiences is theft. Generally, valuable items left unattended in vehicles or in buildings are the prime targets. Care should be taken to lock offices and rooms and remove valuables from vehicles. It is also noteworthy to remember that several areas around our campus are open to the public. It is not uncommon to see non-students in these areas. Care should be taken in these areas to keep personal property under close watch. Textbooks, cell phones, laptop computers, and other electronic devices are very desirable because they are easily sold.

### OurDay Learning Modules

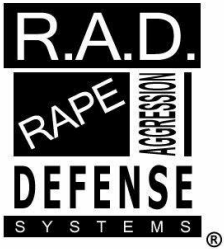
All returning students, new and current employees are required to complete online trainings through OurDay learning modules, which cover topics such as prohibited discrimination, harassment, and sexual misconduct, crime prevention and security awareness programs and the *Clery Act*, as well as active shooter training that provides key steps individuals should take if they encounter an active shooter (i.e., "Run. Hide. Fight."). The training also encourages students and employees to be responsible for their own security and the security of others and provides a description of some of the crime prevention programs and services offered by the Department of Public Safety.

### Department of Public Safety Services and Programs

A community and its police must do more than simply react to crime. It is important to look for opportunities to deter and/or prevent crime. The Department of Public Safety provides services and programs free of charge to improve safety on campus and to make the community aware of campus crime and efforts to reduce criminal activity, as well as to minimize their chances of becoming a victim.

In addition to new student and employee orientations and mandatory OurDay learning modules, the following are examples of security awareness and crime prevention programs made available in 2019-2020 to all new and current students and employees, and which can be expected to be offered in the current and upcoming academic year:

## Rape Aggression Defense (R.A.D.) Physical Defense Course



Throughout the academic year, MUSC DPS offers Rape Aggression Defense System (RAD) training for women. The training is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. Certified RAD instructors will teach the courses provided.

The Rape Aggression Defense Basic Personal Defense System is a 9–12-hour national program of realistic self-defense tactics and techniques taught for women only. All courses are taught by nationally certified R.A.D. Instructors. The goal of R.A.D. is to provide realistic self-defense options to women, regardless of their level of physical conditioning. Participants at all levels of ability, age, experience, and strength will be provided with techniques and information that can be effectively used from the first day of class.

R.A.D. is not a martial arts program, nor does it require students to be athletes in training to succeed. The R.A.D. system provides participants with the knowledge to make an educated decision about personal defense. We provide information on physical and non-physical options, as well as insight into the attacker's mindset.

Every participant receives a manual for reference and practice. Once a participant has completed a R.A.D. program, their signed manual becomes a ticket for free lifetime return and practice with any instructor in the U.S. and Canada. The widespread acceptance of the R.A.D. system is due to the ease, simplicity, and effectiveness of our tactics, solid research, legal defensibility, and unique teaching methodology. R.A.D. is the only self-defense program endorsed by the International Association of Campus Law Enforcement Administrators (IACLEA).

MUSC Department of Public Safety is proud to be part of the living national network of instructors. If you are interested in participating in R.A.D. or need additional information, contact either one of these instructors by calling the Department of Public Safety at (843) 792-2261 or contact the Department of Public Safety Crime Prevention office at (843) 792-6207.

## Whistle Defense Program



Carrying a whistle or noisemaker is a wise safety precaution. Always keep a safety whistle with you. Ultimately, everyone is responsible for his or her own personal safety. Blowing a sharp blast from a quality whistle can startle an attacker. Calling attention to yourself and a potential threat can be a quick route to safety. Placing a whistle on your key ring is one great way to remind yourself to be always vigilant about your surroundings. Pay attention when you enter or leave your home, in public parking garages and open areas. Avoid isolated areas, especially at night. Look out for yourself and those around you.

Whistles can alert anyone in the area that you need help, and a whistle cannot be used against you in an attack. For more information on the University's whistle defense program and to obtain a free

whistle, stop by or call the Public Safety Crime Prevention Office at (843) 792-6207. Here are some tips on when to use a whistle. If you fear trouble:

- Run to a safe, well-lit area.
- Blow your whistle loudly.

If you are confronted while on campus:

- Do not panic – staying calm is your best defense.
- Blow your whistle for help as soon as you can.
- Report the circumstances to campus Public Safety by dialing 2-4196 from a campus phone, (843)-792- 4196 from all other phones or activate the nearest Emergency Call Box or call the Charleston Police Department by dialing 911.

If you observe trouble while on campus:

- Call Public Safety by dialing 2-4196 from a campus phone or use the nearest Emergency Call Box (or call the Charleston Police Department by dialing **9-1-1**).
- Keep a safe distance.
- Blow your whistle if trouble approaches.
- Do not try to capture or physically detain an individual.

If you hear a whistle while on campus:

- Call Public Safety by dialing 2-4196 from a campus phone, or use the nearest Emergency Call Box (or call the Charleston Police Department by dialing 9-1-1); and
- Give pertinent information---**where, when, what, who, and how**.

**REMEMBER:** *If you are on campus and you need immediate help, contact the Department of Public Safety by dialing 2-4196 from a campus phone, (843)-792- 4196 from all other phones. If you are **not** on campus and you need immediate help, call the police within that jurisdiction by dialing **9-1-1**.*

### Bicycle Safety and Registration

- **Know the law before you start** - visit the [City of Charleston's Biking Laws Page](#) to learn the rules of the road.
- **Register your bicycle** - To register bicycles in compliance with Charleston City Ordinance 19- 101, bring the bicycle to the Department of Public Safety Building at 101 Jonathan Lucas Street during normal hours of operation (Mon- Fri between 7:30 a.m. & 4:30 p.m.). The registration fee is \$1.00 to cover the cost of the registration sticker.

- **Lock your bicycle** - Bicycles are in big demand and may fall prey to theft if not effectively secured. Bikes should be secured only to designated bike racks, so they do not impede traffic or cause a safety hazard. U-lock is safest.



**Secure the Frame and front wheel secured to bike rack**

- **Find a bike rack** - MUSC's campus on the [MUSC Campus Map \(PDF\)](#)
- **MUSC Bike Fix It Station** - Located between Basic Science Building and Drug Discovery. This station has an air pump, a bike stand, and some tools for maintenance and basic repairs.
- [City-Wide Bike Share](#) – Lime e-bikes are available at several locations on campus. MUSC Health is the title partner for the bike share program.

### Engraving

Borrow MUSC DPS's engraver to mark your valuables for easier identification in the event they are stolen.

### Security Surveys

This service is provided to enhance the physical security of MUSC facilities and student residences located in proximity of the campus. A survey of the interior and exterior of the facility or residence is conducted by trained crime prevention professionals to determine vulnerability to criminal activity. Assessments are intended to identify potential risk factors- ranging from money handling procedures and personal issues to physical security weaknesses.

MUSC DPS personnel perform security assessments for employees, students, and other organizations or departments upon request. Recommendations for access and surveillance systems, alarm needs, and instruction and troubleshooting of alarm systems are also provided. A written report is sent to the requester with recommendations on improving security. To schedule a survey, call the MUSC DPS Crime Prevention Office at (843)792-1070 or (843) 792-2261.

## Safety Escorts



The Medical University Department of Public Safety is committed to ensuring a safe environment for all students, employees, and visitors at the University. To encourage personal safety, the campus escort program was initiated. It provides personal safety escorts 24 hours a day, seven days a week. In 2019, the Department of Public Safety and Hospital Safety & Security conducted approximately **1906** personal safety escorts for students, employees, and visitors.

Please take advantage of this service. Call (843) 792-2261/4196 (or 2-2261 from a campus phone) and provide the following information to the dispatcher:

- Your Name
- Current Location
- Baggage (if any)
- Destination
- Physical description of yourself

The Safety Escort service provides escorts around the University Campus and the surrounding area, normally within two blocks of the Campus. Special requests will be honored on a case-by-case basis. The campus commander or the shift supervisor must approve any escort beyond the two-block area.

This program, staffed by DPS patrol officers, serves the entire MUSC community. Calls for service are dispatched in the order they are received. Please know that if you experience a delay in response time it may be due to a high volume of calls. Campus escorts may be accomplished by means other than a vehicle. This program utilizes Foot, Bicycle, and Vehicle Patrol Officers.

## Child Safety Seats

If you have small children requiring a child safety seat, you will need to have a seat available. If you do not have a child seat, Public Safety will provide one. *South Carolina State Code of Laws* requires any child under eight years of age to be secured properly in a child restraint system in accordance to Section [§56-5-6410](#).

## National Association of Drug Diversion Investigators (NADDI) Drop Box

An on-going Drug Abuse Prevention Program in effort to reduce prescription drugs in homes and on-campus that are no longer needed or outdated. Individuals wishing to drop off unwanted pharmaceuticals may do so by securely placing them in the NADDI drop box located in the 1<sup>st</sup> floor lobby of the Department of Public Safety building at 101 Jonathan Lucas Street

## Community Events

MUSC DPS participates and sets up crime prevention and education display tables at various special event locations on campus throughout the year. Participation in these events include but are not limited to the biennial Student Government Campus Safety Walk, Earth Day, Hurricane Awareness Day, National Night Out, Student Activities and Information Fair, MUSC Disaster Fair, Intimate Partner Violence Awareness Rally, and many others. This provides an opportunity for MUSC DPS staff to hand out safety and awareness-related information, answer individual questions, accommodate bicycle registration, and encourage the community to be responsible for their own security and the security of others.

MUSC DPS regularly addresses the community in the form of safety presentations designed to educate our constituents about methods of personal safety. The Department of Public Safety conducts crime prevention and general security and safety presentations throughout the year upon request to both employee and student groups and other members of the Medical University Community.

These presentations cover several topics:

- **Home Security Surveys:** The Department of Public Safety will provide the results of crime prevention security surveys of student residences located in proximity of the university.
- **Building Safety and Security:** Methods and procedures for keeping the workplace/classroom(s) safe and know how to report suspicious activity/persons.
- **Parking Garage Safety;** precautions useful in preventing theft and vandalism of your vehicle as well as ensuring your personal safety in and around garages and parking lots.
- **Campus Safety:** General and specific methods of personal protection by providing safety tips to our community and identifying tools available to enhance personal safety to include our cell LiveSafe mobile app and Safety Escort Program.
- **Workplace Violence Prevention:** Learning the warning signs of potential workplace violence and preventive measures.
- **Active Shooter Incident Survival:** Tips and techniques on how to survive an Active Shooter Incident and what to expect from Law Enforcement upon their arrival.
- **Sexual Assault Prevention:** A general lecture with tips on protection from date rape drugs and personality traits of those who perpetrate sexual aggression, and identification of resources available to our community for dealing with such aggression.

**DEA's National Drug Take Back Day (biannual):** Program aims to provide a safe, convenient, and responsible means of disposing of prescription drugs, while also educating the campus community about the potential for abuse of medications.

**Hurricane Preparedness Seminar:** Nationwide effort to inform the public about hurricane hazards and to disseminate knowledge which can be used to prepare and act.



**National Night Out:** An annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie.

### Active Shooter Training and Resources

**Learn How to Survive an Active Shooter Event:** An Active Shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearms(s) and there is no pattern or method to their selection of victims. Active shooter situations are unpredictable and evolve quickly. Typically, the immediate deployment of law enforcement is required to stop the shooting and mitigate harm to victims. Because active shooter situations are often over within 10 to 15 minutes, before law enforcement arrives on the scene, individuals must be prepared both mentally and physically to deal with an active shooter situation.

### Run. Hide. Fight. ([Video](#))

In the aftermath of the mass shooting event in Aurora, Colorado, the City of Houston Mayor's Office of Public Safety and Homeland Security released a video that provides key steps individuals should take if they encounter an active shooter. Although active shooter events are unpredictable, motives are different, and warning signs may vary, there are three things' citizens can do to increase chances of safety and survival:

- **Run** if a safe path is available. Always try to escape or evacuate even if others insist on staying.
- Encourage others to leave with you but do not let the indecision of others slow down your own effort to escape.
- Once you are out of the line of fire, try to prevent others from walking into the danger zone and call Public Safety at (843) 792-4196 or 9-1-1.
- If you cannot get out safely, find a place to **hide**. When hiding, turn out lights, remember to lock doors and silence your ringer and vibration mode on your cell phone.
- As a last resort, working together or alone, act with aggression, use improvised weapons and **fight**.

### Active Shooter: How to Respond Resource Materials

The U.S. Department of Homeland Security (DHS) has developed materials to assist businesses, government offices, and schools in preparing for and responding to an active shooter. These products include a desk reference guide, a reference poster, and a pocket size reference card. Issues covered in the active shooter materials include the following:

- Profile of an active shooter.
- Responding to an active shooter or other workplace violence situation.
- Training for an active shooter situation and creating an emergency action plan; and
- Tips for recognizing signs of potential workplace violence.

Available Materials (Click to follow links):

- [Active Shooter Booklet](#)
- [Active Shooter Pamphlet](#)
- [Active Shooter Poster](#)
- [Active Shooter Pocket Card](#)
- [Active Shooter Preparedness Resources – Translated](#)
- [Active Shooter Recovery Guide and Fact Sheet](#)
- [“Options for Consideration” Active Shooter Training Video](#)

The *Options for Consideration* video demonstrates possible actions to take if confronted with an active shooter scenario. The instructive 3.41-minute video reviews the choices of evacuating, hiding, or, as an option of last resort, challenging the shooter. The video also shows how to assist authorities once law enforcement enters the scene.

## Primary Prevention & Awareness Programs to Prevent Sexual Assault, Domestic Violence, Dating Violence & Stalking for Students & Employees

### Primary Prevention and Awareness Programs

MUSC educates the community about sexual misconduct, domestic violence, dating violence and stalking identification and prevention through programs sponsored regularly, in part, by the University’s Human Resource Department, Office of the Title IX Coordinator, Department of Diversity, Inclusion and Equality, and Department of Public Safety (DPS). Prevention programs are offered on a continual basis to students and employees throughout the year. Training is offered to all incoming students, residents, and fellows in each of the six MUSC colleges and to all new employees during orientation sessions. As a part of each of these programs, a clear statement is made encouraging students and employees to be responsible for their own security and the security of others. These training programs, which are programs one can expect to reoccur each year, include, but are not limited to:

- A statement explaining that our institution strictly prohibits the crimes of violence including dating violence, domestic violence, sexual assault and stalking as defined under the *Clery Act*.
- Clear definitions of dating violence, domestic violence, sexual assault, stalking and consent as defined in the applicable jurisdiction.
- Clear definition of consent as defined by the University.
- Reporting options, procedures, and requirements individuals should follow if a form of Prohibited Conduct (discrimination, harassment, and sexual misconduct, including sexual assault, domestic violence, dating violence and stalking) has occurred.
- Description of Rights and the importance of preserving evidence
- Specific descriptions of safe and positive options for bystander intervention.
- Available information on risk reduction strategies, as well as a listing of resources that are available to students and employees on and off campus.

In-person or virtual primary prevention programs on sexual assault, domestic violence, dating violence and stalking that occurred in 2022-2023, which prospective students, residents, post docs, and fellows can anticipate occurring in the current or upcoming academic year, include, but are not limited to:

- 60-minute-long training sessions at every student program orientation (approximately 20 such orientations occur every year).
- 60-minute-long training sessions at every new resident orientation
- 60-minute-long training session at every returning resident orientation
- 60-minute-long training sessions at certain medical fellow orientations
- 60-minute-long training sessions at the post-doctoral fellow orientations
- 45-minute-long one-on-one training sessions offered to all residents and fellows who begin employment off-cycle (meaning at some time other than the official July start of their residency program)

Similar training and learning content are provided via OurDay learning modules to all returning students and to all new and current employees and is required to be completed by all students and employees annually. These learning modules are among other various programs available in which prospective, new, and current employees and students can anticipate for the current and upcoming academic year. An electronic copy of the OurDay training modules in PowerPoint slide deck format may be obtained upon request from the MUSC Clery Coordinator and Title IX Coordinator.

### [Bystander Intervention](#)

During these presentations, DPS and the Office of the Title IX Coordinator provide both in-person (or virtual) and online information on bystander intervention strategies to prevent harm or intervene safely. A bystander is someone other than the victim who is present during an incident of harassment, discrimination, or sexual assault (including stalking, dating violence or domestic violence).

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is such a risk, which includes:

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

Bystanders, if active, can prevent harm or intervene before a situation gets worse. Examples of active bystander intervention include: not leaving an overly intoxicated person in a bar/party alone, walking a classmate to his/her car after class, calling police when a potentially violent situation is unfolding, not leaving an unconscious person alone (alerting a campus security

authority, EMS, MUSC DPS, local police, etc.), or intervening when someone is being belittled, degraded or emotionally abused (walking victim away from abuser, contacting others for help, such as BSIT, CAPS, EAP, Dean, Supervisor, CSA, etc.).

### Risk Reduction

DPS and the Office of the Title IX Coordinator also provides information in-person (or virtually) and on-line on risk reduction, which includes strategies for both personal safety protection as well as emphasizing the need for reducing perpetration by offenders by addressing options designed to:

1. Decrease perpetration and bystander inaction.
2. Increase empowerment for victims to promote safety.
3. Help individuals and communities address conditions that facilitate violence.

### Crime Prevention and Risk Reduction Tips

#### Personal Safety

- Walk or jog with a friend, not alone.
- Stay on the well-traveled thoroughways and refrain from using dark or obscure shortcuts.
- Avoid isolated areas.
- Use campus safety escort services.
- Know your limits on dates and communicate them to your partner.
- Know your limits with alcohol and do not accept drinks from others.

#### Protection from Date Rape

- Be aware of rape drugs.
- Only drink from un-opened containers or from drinks you have watched being made and poured.
- Avoid group drinks like punch bowls.
- Never leave your drink unattended. Because they are colorless and odorless, date rape drugs can be slipped into any type of beverage.
- Do not accept drinks from anyone but a bartender or server.
- Try to attend bars or parties with a group of friends, arranging beforehand to watch each other's drinks.
- If you think your drink has been tampered with, seek medical attention immediately and request the hospital conduct toxicology testing.
- Keep track of how many drinks you have had.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours

## Campus Safety

### If you are walking around campus:

- Make sure your cell phone is easily accessible and fully charged (**download the [LiveSafe app](#)**)
- Be familiar with where emergency call boxes are installed on the campus.
- Be aware of open buildings where you can use a phone.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area (report light outages to Public Safety)
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Walking back from the library very late at night is sometimes unavoidable, so try to walk with a friend.
- Carry a small flashlight and noisemaker (like a whistle) on your keychain.
- Don't walk alone - If walking feels unsafe contact Public Safety at (843) 792-4196 for a Safety Escort
- Tell a friend where you are going and when you will return.
- Carry a whistle or noise maker. Do not be afraid to scream if you need help.
- Use your cell phone or an emergency call box to notify Public Safety if your car breaks down. Raise the hood and stay in your car until someone arrives. If people stop to help, ask them to call the police.
- Always be aware of your surroundings.
- If you must remain in the campus buildings after closing time and after most people are gone for the day, try to have at least one other person keep you company.
- Do not prop locked or card reader doors open. Make sure doors are properly shut and secured.
- Call MUSC DPS if you see someone in the building who does not belong. Do not allow strangers to follow you into the building after hours.

## Workplace Safety

- Keep personal items (purses, book bags) locked up.
- Secure the work area when no one is in it.
- Immediately report suspicious people and activity to the police. Call the dispatcher at (843)-792-4196.

## Self-Awareness Strategies

- Don't take advantage of other people.
- Don't follow people around or bother people when they've told you they don't want you to.

- Respect other people’s rights
- Understand that flirting isn’t consent.
- Just because you believe you were “led on” doesn’t give you permission to act
- Don’t make assumptions about other people’s behaviors.
- Don’t tolerate those who commit violence.
- Don’t assume someone else will call for help. ***If you see something - say something®.***

### Protecting Your Property

- Record the serial numbers of your valuables.
- Engrave valuables with your license number.
- Register your bike with Public Safety.
- Please secure your bicycles and mopeds at bike racks with U-Bolt locks.
- Keep your vehicle locked when it is parked and when you drive.
- Consider installing anti-theft or alarm devices on your vehicle.
- Avoid carrying large amounts of cash and never display large amounts of money.
- Personal property: purses, briefcases, backpacks, cell phones, laptop computers or any other electronic device etc. should never be left unattended (even in the library).

### Help Reduce Your Risk and Avoid Potential Attacks.

- If you are being abused or suspect that someone you know is being abused, speak up or intervene.
- Get help by contacting the Counseling Center or Health Center for support services.
- Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
- Consider making a report with the Department of Public Safety and ask for a “no contact” directive to prevent future contact.
- Consider getting a protective order or restraining order.
- Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
- Trust your instincts—if something does not feel right in a relationship, speak up or end it.

In addition to OurDay, DPS and Title IX Coordinator, in cooperation with other university organizations and departments, present prevention and awareness sessions upon request to employees and students periodically during the academic year. Moreover, information is disseminated to students and employees through crime prevention awareness brochures, handouts, handbooks, security alert broadcasts/ timely warnings, displays, videos, emails, and articles and advertisements in the [MUSC Catalyst News](#) and local newspapers.

These components are meant to increase awareness among students, employees, faculty and staff about sexual misconduct and intimate partner violence, teach them how to identify dangerous situations, lay out best practices for responding and increase their competence in fulfilling any applicable reporting responsibilities.

When institutions inform their academic communities about the support and resources provided to witnesses and survivors of violent crimes, sexual misconduct, and gender discrimination, individuals will be more empowered to report incidents and authorities will be able to bring perpetrators to justice. By encouraging students, employees, faculty, and staff to act and speak up, incidents that may have gone unrecognized previously can be brought to light and addressed immediately.

### Ongoing Educational Programs & Awareness Campaigns

The University provided a series of ongoing educational programs and awareness campaigns during the past year for our students, faculty, and employees. These events provided an opportunity to help individuals and the MUSC community increase audience knowledge, share information and resources to prevent violence, and to promote safety and reduce perpetration that address conditions that facilitate violence. Since MUSC is an academic medical center, our six colleges comprising the University offer a variety of Grand Rounds and other training throughout the year designed to increase ongoing awareness.

Some campaigns that occurred in the previous year that students and employees can anticipate taking place in the current academic or calendar year include: MUSC-facilitated or sponsored fairs, exhibits, poster campaigns, and informational sessions on campus. MUSC on occasion invites community organizations (e.g., rape crisis centers, domestic violence organizations, etc.) and other agencies to participate. The following list represents examples of ongoing prevention and awareness campaigns provided by MUSC and community organizations in 2021 & 2022, and are some prospective students, employees, residents, post docs, and fellows can anticipate occurring in the upcoming academic year:

- **Community Poster Campaigns:** (1) Providing ongoing awareness for sexual assault and domestic violence (i.e., “October is Domestic Violence Awareness Month” & “Break the Silence” posters); (2) posters with information related to sexual assault, alcohol consumption, intoxication, consent, and support; and (3) reducing and responding to workplace violence posters.
- **Hospital Safe Zones Campaign:** In 2019 MUSC Health launched a host of new workplace violence initiatives and a hospital-wide poster campaign to raise awareness among healthcare workers that violence is not an inevitable “part of the job” to increase reporting of incidents, ensure adequate policy and administrative responses and foster a culture of safety and accountability across the hospital workplace.
- **Welcome Diversity training:** designed to introduce participants to various aspects of diversity which include but are not limited to identifying the information and misinformation

we learned about other groups, to learn how groups, other than our own, experience mistreatment, learn the personal impact of specific incidents of discrimination and how to interrupt prejudicial jokes, remarks, and slurs.

- **Handling Controversial Issues training:** designed to assist individuals within a group setting on handling tough interpersonal intergroup conflicts.
- **Safe Zone Ally training:** designed to create and maintain a safe and inclusive campus environment regardless of gender identity, expression, or sexual orientation.”
- **New Solutions for Patient Safety (SPS) trainings:** focus on reducing harm by addressing specific hospital-acquired conditions and building a culture of safety at the hospital.
- **Mandatory annual crime prevention and Clery Act training** for all current and new employees and incoming students. provides information regarding: Crime Prevention & Reporting; Overview of the Clery Act; Interpersonal Violence; Sexual Offenses; Consent; Bystander Intervention, Risk Reduction, Prevention Programs; and available resources on campus.
- **Mandatory onboarding and annual Campus Security Authorities (CSAs) training** for all identified CSAs
- **Mandatory onboarding and annual training on discrimination, harassment, and sexual misconduct.**
- **MUSC Advocacy Program (MAP) Intimate Partner Violence training:** MAP is the 24/7 social work response team for abuse, neglect, and intimate partner violence. Their training addresses the resources available to patients and the care team, how to recognize when a patient or co-worker is a victim of intimate partner violence, and what to do if you know or suspect someone is being abuse by an intimate partner.
- The **Intimate Partner Violence and Sexual Assault Steering Committee** comprised of internal and external collaborators including the Title IX office, Department of Public Safety, MUSC Advocacy Program, Forensic Nursing Program, and Tri-county S.P.E.A.K.S. The committee meets on a quarterly basis to promote, educate, and inform our community about responding to and preventing domestic violence and sexual assault.

MUSC’s OurDay offers a host of other learning modules and courses focused on Sexual Misconduct and Intimate Partner Violence prevention and awareness. The following examples of OurDay learning modules are available online for self-enrollment throughout the academic year to all employees and students, campus wide:

### **Domestic Violence Assessment and Safety**

Learning Type: Online

In catalog(s): Clinical Education

Domestic Violence Assessment and Safety

Lesson Objectives include:

- Discuss the prevalence of domestic violence in South Carolina.
- Describe screening methods for domestic violence.
- Use safety planning with sexual assault patients who are experiencing domestic violence.
- Identify area resources available to victims of domestic violence.



### **Prevention of Workplace Violence**

Learning Type: Online

In catalog(s): Human Resources (University), Quality & Safety Pillar

This course will list risk factors that may cause assaults in the workplace, recognize actions in people that may precede violence, describe methods to prevent violence in the workplace, list actions to take if someone does become violent, and discuss follow-up measures to take after a potential or actual violent incident.

### **Mosby's Essential Nursing CE - MENCE: Domestic Violence**

Learning Type: Online

Learning Outcome:

- Describe the various forms and scope of domestic violence.
- Identify theoretical frameworks for domestic violence.
- Discuss the dynamics of domestic violence, including its impact on the victim and others.
- List several nonfatal outcomes of domestic violence.
- Recognize stalking behaviors.
- Discuss domestic violence risks for women during pregnancy.
- Recognize legal and ethical issues of domestic violence.
- Describe the nurse's role in domestic violence screening, assessment, and documentation.
- Detect and initiate appropriate nursing interventions in situations in which domestic abuse is assessed or suspected.
- Recognize that sexual assault and rape exist in domestic violence relationships.

### **Mosby's Essential Nursing CE - MENCE: Sexual Assault**

Learning Type: Online

Learning Objectives:

- Discuss the concept of victim-centered care for those who have been sexually assaulted.
- Describe how to preserve medical forensic evidence.
- State at least three considerations for providing care to victims of sexual assault including medical and emotional care and community resources.

### **ANPD: Frontline Nurse Leader- Dealing with Lateral Violence**

Learning Type: Online

This module prepares the frontline nurse leader to continually assess the practice environment to raise awareness with staff by brainstorming solutions and promoting dialog. The frontline nurse leader can liberate oppressed individuals by helping them to see that stopping lateral violence is within their capabilities.

### **Workplace Violence Training Using Simulation Journal Article**

Learning Type: Online

In catalog(s): Clinical Education

This article describes how an interdisciplinary team at an Ohio health system developed and

piloted a training program to address workplace violence, which included classroom learning, simulation training, and hands-on self-defense techniques.

### **HEC Implementing Routine Intimate Partner Violence Screening in a Primary Care Setting**

Learning Type: Online

In catalog(s): Diversity and Inclusion, D&I for ADM Leaders

This webinar will identify unique features of intimate partner violence among LGBT-identified people and describe barriers to accessing support services.

### **2022-2023 Campus Security Authority (CSA) Training Video**

This lesson provides an in-depth understanding of the role and responsibilities of campus security authorities, including special considerations related to the intersection of Title IX and the Clery Act, their influence on ongoing reporting requirements, and strategies for training CSAs. If you're involved in identifying and training campus security authorities, this course is a helpful tool for developing a strategy for communicating with CSAs and provides case studies and materials that may be adapted.

### **Required Title IX Training**

Title IX and the Clery Act both require training for individuals handling sexual misconduct and related policy violations.

The required Title IX training, which was completed by the Title IX Coordinator, Deputy Title IX Coordinator and decisionmakers included the following core components as required by the 2020 Regulations: understanding sexual harassment as defined in 34 C.F.R. 106.30(a); scope of the institution's education program or activity; how to investigate, grievance procedures including hearings, appeals, and informal resolution processes. How to serve impartially, definitions of prohibited conduct, requirements of role and responsibility, conflicts of interest, relevancy, credibility, consent, coercion, force, incapacitation, and bias. Additionally, the decisionmakers and investigators have been trained on issues of relevance, and how to apply the "rape shield" protections provided to complainants.

Clery Act requires additional training for individuals responsible to conduct grievance proceedings involving allegations of sexual assault, dating violence, domestic violence, and stalking. The Title IX Coordinator, Deputy Title IX Coordinator and the Decision Makers completed the Clery training which included the following: how to investigation, understanding the hearing process protecting the safety of victims, promoting accountability and ensuring due process standards for all parties.

The Title IX training information is posted on the Title IX website.

<https://web.musc.edu/about/leadership/institutional-offices/equity/federal-and-state-compliance/title-ix/prevention-and-education>.

### **Safe Zone at MUSC: Mission and Vision (UCDO)**

Learning Type: Online

In catalog(s): Diversity and Inclusion, D&I for ADM Leaders

Topics include discrimination, intimidation, hate crimes, bullying, lateral violence, hostility, and bigotry. Intended to increase the campus community's understanding and awareness of issues

faced by lesbian, gay, bisexual, transgender, queer, questioning, allied, asexual and intersex (LGBTQQAII) persons through intentional education and advocacy.

Learning Objectives:

- Provide the history and purpose of the MUSC Safe Zone Ally Training
- Provide a general overview of the mission and vision of the Safe Zone Ally Program
- To provide general definitions utilized for marginalized individuals (LGBTQQAII)
- Introduce steps to becoming an effective ally
- Raise awareness regarding the Kinsey Scale

Please go on-line and visit MUSC's OurDay website to explore many more related training opportunities at <https://www.myworkday.com/wday/authgwy/musc/login.html> (Net ID and password required)

### [MUSC's Office of Equity](#)

MUSC's Office of Equity "Upcoming Diversity Events & Training Calendar" lists available workshops and additional in-person/ classroom training and videos provided throughout 2022. Examples of lessons and workshops may include:

#### **Safe Zone Ally Training**

The Safe Zone Training Workshop is a 4-hour workshop offered by the Office of Training and Intercultural Education intended to increase the respect and understanding of the differences that exist among diverse individuals. MUSC is committed to creating and maintaining a safe and inclusive campus environment regardless of gender identity, expression, or sexual orientation. The workshop purpose is to increase the campus community's understanding and awareness of issues faced by people who are marginalized based on their real or perceived sexual orientation or gender orientation.

#### **Welcoming Diversity**

Training session is designed to introduce participants to various aspects of diversity which include but are not limited to identifying the information and misinformation we learned about other groups, to learn how groups, other than our own, experience mistreatment, learn the personal impact of specific incidents of discrimination and how to interrupt prejudicial jokes, remarks, and slurs.

#### **Handling Controversial Issues - Campus wide**

Training sessions are designed to assist individuals within a group setting on handling tough interpersonal intergroup conflicts.

**Unconscious Bias Education** : provided through MUSC's Office of Equity includes resources, learning tools and strategies.

**For more information about virtual trainings and workshops contact:**

Dr. B. DaNine J. Fleming  
Associate Chief Officer for Inclusive Excellence  
Office of Equity  
[fleamid@musc.edu](mailto:fleamid@musc.edu)

**[S.C. Area Health Education Consortium \(SC AHEC\) courses](#)**

The following courses related to domestic violence and dating violence are offered free to all students, residents, and the entire MUSC health care professional workforce throughout the year.

- Cultural Humility as a Practice
- Human Trafficking 101-Just the Basics
- Introduction to Domestic/Intimate Partner Violence -AHECU
- Lethality Assessment: A Strategy to Prevent Domestic Violence -AHECU
- Recognizing the Signs of Dating Abuse -AHECU
- Screening and Referrals for Domestic Violence Survivors in a Healthcare Setting - AHECU
- Understanding Disparities and Vulnerabilities of Intimate Partner Violence Survivors in a Healthcare Setting -AHECU
- Intersectionality and a Trauma-Informed Response to Domestic Violence and Intimate Partner Violence -AHECU
- Understanding and Serving Trauma Survivors: A Domestic Violence Trauma-Informed Approach -AHECU
- Understanding and Intersections of HIV/AIDS and Intimate Partner Violence -AHECU
- Human Trafficking and Other Forms of Interpersonal Violence –AHECU

**[The National Crime Victims Research and Treatment Center \(NCVC\)](#)**

- MUSC's Crime Victims Center offers free ongoing group sessions (in-person and virtually) to help participants enrolled in the program manage overwhelming emotions that are common after violence.
- NCVC offers training in Screening, Brief Intervention, and Referrals to Treatment for Alcohol Use among Survivors of Interpersonal Violence to our community:

South Carolina is consistently in the top ten states in which women are killed by an intimate partner (femicide) and sexual assault rates are higher than the national average (CDC, 2012). Substance misuse is common among people who have experienced interpersonal violence, with 53% of people who were recently raped reporting heavy alcohol use within a South Carolina clinic (Hahn et al., 2018). Screening, brief intervention, and referral to treatment (SBIRT) is a comprehensive, integrated, public health approach to the delivery of early intervention and treatment services for people at risk for substance use disorders. This workshop will provide clinicians with instructions on how to implement each component of SBIRT. In addition, this workshop will focus on tailoring SBIRT for people who have experienced interpersonal

violence. Participants will have the opportunity to observe role-play examples and practice skills.

Objectives:

- Understand rates of substance misuse and common reasons for substance use among people with histories of interpersonal violence.
  - Describe SBIRT and uses of SBIRT.
  - Acquire ability to conduct screening for substance misuse including administration and scoring of the AUDIT and DAST.
  - Increase awareness of the core motivational interviewing skills and strategies to elicit change talk.
  - Gain knowledge of the four steps in brief intervention.
  - Understand considerations for choosing a treatment provider.
  - Ability to deliver SBIRT to people who have experienced interpersonal violence.
- If you have any questions, please feel free to contact the workshop organizer Dr. Christine Hahn at [hahnc@musc.edu](mailto:hahnc@musc.edu) or 843-792-3386.

APRIL IS SEXUAL ASSAULT AWARENESS MONTH



Every April across the U.S., individuals, and organizations with a passion for sexual violence prevention take part in Sexual Assault Awareness Month, or SAAM. The goal of SAAM is to raise awareness about sexual violence and educate communities on how to prevent it. Please visit the National Sexual Violence Resource Center (NSVRC) at <https://www.nsvrc.org/saam/resources> for more information and guidance about building programs, event planning, campaigns, and free prevention and awareness materials to help end sexual violence and serve those who have been impacted.

The following list represents examples of on-going awareness campaigns sponsored by MUSC or community organizations in 2022.

**Security on Campus, Inc. “Speak Out and Stand Up: Raising Awareness about Sexual Assault” Video**

MUSC DPS offers an awareness video production on DVD entitled, “Speak Out and Stand Up: Raising Awareness About Sexual Assault”, which is a Security on Campus, Inc. (2012) production hosted by *Twilight* actress Kristen Stewart. This docudrama raises dialogue about sexual assault as a community issue. SOSU includes diverse student voices and experts in the field of sexual assault. Dramatized scenes highlight the impact of sexual assault on a victim as well as the important role of friends and bystanders. This video can be used to challenge students and employees to be active bystanders and work together to prevent sexual violence. For more information about how to

obtain this informative video production, please contact the MUSC Clery Coordinator at (843)-792-3767 or click the following link to view this video on-line at <https://youtu.be/4uLp9uObUjc>

### **PACT5**

PACT5 is a national movement to prevent sexual assaults and rapes in colleges. What is different about PACT5 is that it believes the documentary form, when produced by students, can create powerful stories that can change potentially tragic behavior patterns. Students are the ones who can make a difference in the minds of other students. PACT5 is a humanitarian collaboration started by students and faculty in five universities: Rowan University (NJ), California State University at Northridge, Western State Colorado University, Northern Illinois University, and Framingham State University (MA).



### **Did you know:**

- Intimate partner violence (IPV) impacts 1 in 3 women in their lifetime
- \$4.1 Billion is spent annually on medical and health care services related to IPV
- South Carolina now ranks 11th in the country for domestic violence homicide, an improvement from ranking in the top 10 for the last 23 years.
- 70% - 81% of women surveyed would like their healthcare provider to ask them privately about IPV

MUSC Advocacy Program or MAP is a community outreach program that provides direct support and interventions to patients and their families when there is a suspicion or report of abuse and/or neglect of a child or vulnerable adult, intimate partner violence (IPV), or child/adult human trafficking.

MUHA hospital provides temporary (<24 hours) safe shelter for victims of domestic violence who cannot go home and are working to identify a safe plan for discharge from the hospital. Victims are permitted to stay on campus in a safe environment while working with MAP, their support system, and community agencies to determine a safety plan related to legal/criminal actions, such as filing police reports and securing orders of protection, emergency housing, such as with a friend/family member or through local IPV agencies, and transportation to a safe location. A trained victim

advocate helps to coordinate these services with the victims and community organizations.

MUHA collaborates with local law enforcement agencies including the Department of Public Safety and the University Title IX Coordinator in conjunction with their DV program(s). There are campaign posters, brochures, and referral information (local, state, or national phone numbers) related to sexual assault and domestic violence on public display in various locations of the University and hospital.

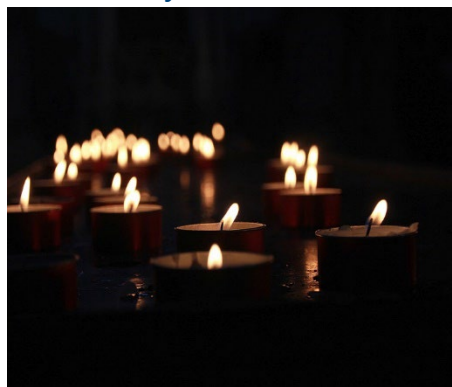
### **Intimate Partner Violence Awareness Proclamation and Displays**

Each year, MUSC Health organizes annual Domestic Violence Awareness Month (DVAM) events during the month of October. Continuing the annual tradition into 2022, purple pinwheels numbered to represent SC victims of intimate partner violence (IPV), along with informational plaques, were displayed in the Greenway for the month of October. Senior leaders from MUSC, My Sister's House, and other Charleston-area IPV service providers made a DVAM Proclamation to honor the lives lost to DV in SC and nationally. During MUSC Health CARES about Domestic Violence Week (October 10-14), informational tables were set up and staffed to provide resources, support, education, and awareness materials to patients, families, and hospital staff at five locations on the hospital campus.

### **Panel Discussion: Addressing the Intersection of Domestic Violence and Gun Violence**

MUSC employees and students, along with community members and advocates were invited to participate in this event, which was held virtually on October 27, 2022, from 12-1:30pm. The event offered a discussion by experts from MUSC and our community to learn more about the intersection of intimate partner violence and gun violence. Panelists included a survivor of gun violence, and speakers from the National Crime Victims Research & Treatment Center, Turning the Tide Against Violence Intervention Program, Charleston County Sheriff's Office and My Sister's House.

### **National Day of Remembrance & Survivors of Homicide Support Group**



The Survivors of Homicide Support Group meets virtually every week and rotates locations. Victim advocates from the National Crime Victims Research and Treatment Center (NCVC), Charleston County Sheriff's Office, Coastal Crisis Chaplaincy and 9th Circuit Solicitor's Office of Charleston & Berkeley County attend every session.

The group also has three annual events: a survivor fellowship picnic in the spring; the National Day of Remembrance for Murder Victims to honor those killed in prior years; and a candlelight vigil and service of remembrance during the holiday season.

For more information on the support group, visit [muschealth.org](https://muschealth.org), call Alyssa Rheingold at 843-792-8209, Sara Delmas at 843-792-9524, or Easther LaRoche at 843-745-2250. The support group and other specialized services for survivors of homicide are funded in part through a Victims of Crime

Act grant by the SC Attorney General's Office.

## Sex Offender Registration Information

Incarceration may remove a sex offender from the streets, but it does nothing to prevent the offender from committing another crime when released. *The Adam Walsh Child Protection and Safety Act of 2006* provides for the registration and tracking of sex offenders. Institutions of higher education are required to issue a statement advising the campus community of where to obtain law enforcement agency information provided by a state concerning registered sex offenders. It also requires sex offenders already required to register in the State to provide notice, as required under State law, to each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers their services, or is a student. In South Carolina, convicted sex offenders must register with the County Sheriff's Office where they reside.

In addition, all persons convicted of violations under the laws of the United States or any other state substantially similar to an offense that would require registration shall provide to the local agency all necessary information for inclusion in the State Sex Offender Registry within ten days of establishing a residence within South Carolina. Any person required to register shall also be required to re-register within ten days following any change of residence.

Nonresident offenders entering the State for employment, to carry on a vocation, or as a student attending school who are required to register in their state of residence or who would be required to register under this section if a resident of South Carolina shall, within ten days of accepting employment or enrolling in school in the State, be required to register and re-register pursuant to this section. For purposes of this section "student" means a person who is enrolled on a full-time or part-time basis, in any public or private educational institution, including any secondary school, trade or professional institution, or institution of higher education.

Pursuant to South Carolina Code Ann. Paragraph §23-3-400 et seq.: Information on all registered adult sex offenders age 18 and over is provided on the [South Carolina Law Enforcement Division \(SLED\) Sex Offender site](#). Information also is provided on the site for registered sex offenders age 12-17 for committing certain offenses. Requests for information on any other registered offenders under age 18 must be evaluated to determine whether the requestor qualifies for information on additional offenses for offenders under age 18 as victims of or witnesses to the offense, public or private schools, child day care centers, family day care centers, businesses or organizations that primarily serve children, women, or vulnerable adults, or whether the offender, if age 11 or under, has a prior conviction or adjudication of delinquent. Completing this evaluation requires the requestor to complete and furnish a written request on a specified form to SLED or respective Sheriff's office.

A copy of this form may be obtained on-line and mailed or faxed to: Sex Offender Registry, c/o SLED, P.O. Box 21398, Columbia, S.C. 29210. You may contact SLED by Phone (803) 896-2601, Fax (803) 896-2311, or by e-mail at [sor@sled.sc.gov](mailto:sor@sled.sc.gov). SLED maintains a system for making certain



Registry information available by means of the Internet. The information made available includes the offender's name; if the offender is considered a predator; the offenders sex, race, age, date or birth, height, weight, eye, hair & skin color; last reported address, any scars, marks or tattoos, all aliases that he has used or under which he may have been known; the date of conviction, the statute violated; and photograph if available; The system is secure and is not capable of being altered except by or through SLED. The SLED website below allows you to search for offenders by Name, City, County, or Zip Code.

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.

The release of such information does not violate the Family Educational Rights to Privacy Act (FERPA). For further information on Sex Offender Registration Information, please visit the [SLED's Convicted Sex Offender site](#) or the [Charleston County Sheriff's Office Sex Offender Registry site](#).

## Access & Security of Campus Facilities

Physical access control of campus facilities is intended to unify and enhance the personal safety of the campus community and to provide adequate and reasonable security of university property. A successful program is dependent on every member of the community being diligent in the stewardship of physical access devices and situationally aware of their surroundings. The implementation of physical access controls must be balanced with the university's value of being an open and welcoming place to study, teach, research, and collaborate.

Controlled access applies to all facilities under control of the University where access is considered usual or normal points of ingress and egress for our campus community. Reasonable efforts should be made with entities controlling non-campus locations to work with the University to ensure adequate and reasonable security will be provided for our faculty, staff, students, and general public while occupying those facilities.

As a practice, access to MUSC campus buildings is a privilege extended to students, employees, faculty, staff, and their guests. MUSC encourages an open environment with limitations to assure adequate protection of all members of the MUSC community. MUSC campus buildings are open Monday through Friday, opening and closing at various times. At night and during times when the campus is officially closed, MUSC buildings are secured and accessible with electronic key fobs, which double as MUSC's official name identification badges issued by the Department of Public Safety (DPS). Preapproved employees, faculty, staff and students with proper identification and authorization are permitted into the buildings. Only those people having legitimate business with the University or its members, members of the University community and their invited guests are permitted in an academic, non-public building.

All employees, students, faculty, and staff, including contract employees, interns, residents, post-docs, and volunteers of MUSC are required to wear in plain sight their official MUSC issued identification badge while on campus. The official MUSC identification badge, which is also used as a keycard for preauthorized access to campus buildings and rooms, is to be always worn and presented upon request to university officials. The badge, official property of MUSC, is nontransferable, cannot be altered in any way, and if damaged, lost, or stolen must be reported to the DPS for deactivation and replaced by the individual immediately. Only the individual to whom the badge is issued is authorized to wear, utilize, or possess the ID badge. Found ID badges should be returned to DPS as soon as possible.

The MUSC Engineering & Facilities Department (or E & F) is responsible for each facility to determine access to each campus building and Medical University Hospital facilities. The MUSC DPS works closely with E & F and the appointed building managers to maximize security coverage and to ensure appropriate access controls. With prior authorization from building administrators and/or event organizers, and MUSC DPS, guests and/or the public, in some instances, may attend extracurricular activities or special events on campus with access limited to the facilities where the events are held.

MUSC DPS has the primary responsibility for coordinating the locking and unlocking of most institutional buildings on campus. MUSC DPS also works closely with the E & F Management to maintain building security, key control, and established facility hours. Restricted access to facilities after normal hours is coordinated with the MUSC DPS. Access with electronic keycard to Medical University Hospital Authority (MUHA) buildings is maintained and controlled separately by the Medical University Hospital Safety & Security. Additional information covering access and security of MUHA buildings is provided further below.

Do not prop doors open. Propped doors invite entry by unauthorized persons, some of whom may commit crimes. Most all University owned facilities on-campus provided with electronic keycard access systems are connected to a central computer monitored 24 hours a day by MUSC DPS. The MUSC DPS Communication Center is notified whenever a respective door is forced or propped open for any significant period. If you see a propped door or an unauthorized entry occur, report it immediately to the MUSC DPS.

E & F is responsible for routine maintenance of locks, lock cores and other latching devices. The MUSC DPS currently maintains and monitors nearly **761** cameras (CCTV) and **948** card access doors at present. MUSC DPS also maintains, monitors, and will respond to the nearly **372** alarm accounts (that include security, panic, and research freezer accounts).

### [Student Housing Facilities/Dormitories](#)

There are no student housing/dormitory facilities on the MUSC campus owned or controlled by MUSC or any student organizations recognized by the institution.

## Classrooms

Classroom buildings and individual rooms are under the protection of the MUSC DPS. These buildings are within designated patrol areas and patrolled 24 hours per day, 7 days a week. Additionally, Public Safety Officers provide an added measure of security by patrolling the campus and acting as eyes and ears for the community benefit. Several classroom buildings, especially those that house computer clusters, also have electronic key card access systems that operate during other than normal working hours. Some interior spaces are also secured in this manner.

## James W. Colbert Education Center & Library and other Public Buildings



The MUSC Library located in the James W. Colbert Education Center building provides a multitude of services and resources for library patrons. The MUSC Library has 34 group study rooms outfitted with whiteboards, many areas of mixed-use open space for meeting and individual study, over 100 computers for faculty, staff, and student use, and wireless access throughout the building. The library book and journal collections consist of subscriptions to 889,362 eBooks, 60,730 ejournals, and 34,703 visual materials.

### **Library Staffed Hours**

Monday - Friday

7:30 AM - 5:00 PM

Saturday - Sunday

Closed

For questions, please dial (843) 792-2381. Additional information and links may be found on the

[Library Homepage](#)

## The Waring Historical Library



The Waring Historical Library, located at 175 Ashley Avenue, is the special collections and rare book library for the Medical University of South Carolina. The library is currently closed to visitors. Assistance is available through [Ask an Archivist](#) or by calling (843) 792-2288.

## The MUSC Wellness Center



MUSC Wellness Center membership is open to the public to promote healthy lifestyles for all seasons of life. Drawing from MUSC's many healthcare experts, the MUSC Wellness Center, located on campus at 45 Courtenay Drive, provides evidence-based, safe and effective fitness programs to support a culture of wellness for MUSC students, faculty, staff, and the Charleston community. Wellness Center personnel monitor the entry

point of the facility.

### **Hours of Operation**

Monday - Thursday	5:30am to 10:00pm
Friday	5:30am to 7:00pm
Saturday & Sunday	9:00am to 5:00pm

**Pool** closes 15 minutes prior to the facility.

\*Additional information and links may be found on the [Wellness Center Homepage](#).

### **Garages and Parking Lots**

The MUSC Office of Parking Management (OPM) is committed to providing a choice of parking services designed to meet the variety of needs of MUSC's employees, students, patients, and visitors. OPM offers several parking options and has implemented a myriad of parking programs to meet the needs of our community members and customers.

Most garages and parking lots have CCTV camera coverage and Emergency Call Boxes placed in conspicuous locations. OPM personnel monitor most entry and exit points of parking facilities open to visitors. Those using the parking garages and surface lots are encouraged to report any suspicious activity to the Public Safety Department.

\*Additional information and links about parking may be found on the [Office of Parking Management](#) page.

## General Campus Security of Institutional Campus Facilities and Buildings

University campus facilities and buildings, other than the Wellness Center and Library, are generally open to campus community members and guests Monday through Friday 7:00 a.m. – 6:00 p.m. and to visitors as certain special events dictate. Staff are encouraged to lock any doors not in use or on card access. Custodial and MUSC DPS staff regularly check the security of the buildings. The MUSC DPS dispatcher is notified whenever a respective card access door is forced or propped open for any significant period. After-hour access is via issued electronic card keys or contacts with the MUSC DPS. In addition to the routine patrol plan of the MUSC DPS, special events on campus are also subject to patrols. Off- duty MUSC DPS personnel, at the request of MUSC organizations sponsoring events, may provide security at activities on and off campus. MUSC has no athletic stadiums, coliseums, and/or arenas on or off campus.

## Medical University Hospital Authority Buildings

Medical University Hospital Authority (MUHA) buildings are staffed with Hospital Safety & Security personnel. These employees do not have power of arrest; however, they are charged with the responsibility of patrolling the interior premises and checking the identification of those entering the Main Medical University Hospital facilities after hours. They are required by policy to report criminal activity and have direct contact with the Department of Public Safety by two-way radio and/or telephone.

MUHA buildings are equipped with keycard access to assist in controlling building access. MUHA Safety and Security personnel monitor these entry points. The MUSC DPS dispatcher or MUHA Safety and Security (depending on location) are notified whenever a respective card access door is forced or propped open for any significant period. In addition, security camera systems are installed at key points throughout the medical center complex.

## Reporting Lost or Stolen Access Cards

As previously mentioned, lost or stolen MUSC Identification cards should be reported immediately to the MUSC DPS Card Office at (843) 792-4023 or (843) 792-2261. Lost or stolen cards with any Medical Center access should also be reported to Medical University Hospital Safety & Security Operations at (843) 792-4868. Many IDs are turned in to Public Safety's Lost and Found; however, if your lost ID is not found, a new ID can be made at MUSC DPS for \$15.00.

## Maintenance of Campus Facilities

MUSC Engineering and Facilities Department takes safety and security service maintenance needs as its highest priority. Engineering and Facilities maintains all interior and exterior lighting systems on a regular basis. MUSC DPS personnel and other university employees routinely perform checks of lights on campus that need repair and reports unsafe physical conditions to MUSC Engineering and Facilities Department for maintenance and repair. MUSC facilities and landscaping are

maintained by the MUSC Grounds Department in a manner that minimizes hazardous or unsafe conditions.

Moreover, Engineering and Facilities is responsible for routine maintenance of locks, lock cores and other latching devices. MUSC DPS personnel periodically take notice of shrubbery, doors, and locks that require maintenance and submit the information to the appropriate department.

Engineering and Facilities will respond to reports of inoperable doors, burned out lights, broken windows and screens, and other related requests from the MUSC DPS to do such things for safety and security reasons. Any unusual occurrence, utility malfunction or equipment failure that presents an imminent danger to life or health or has the potential for major damage to property is an emergency and should be reported immediately to the Service Call Desk 24/7 at **(843) 792-4119**.

The MUSC DPS regularly patrols the main campus and will respond to any security- safety related maintenance problems after hours until they are resolved by the MUSC Facilities & Engineering Department. Other members of the MUSC community also report equipment problems or potentially hazardous conditions to the MUSC DPS and/ or MUSC Engineering and Facilities Department.

Visit [Engineering and Facilities](#) webpage for more information on the services they provide.

Our Systems Support Technicians at MUSC DPS respond to trouble calls for Card Access/CCTV systems and ensure that both card access and CCTV systems are kept in a high state of readiness. MUSC DPS provide preventative and on call maintenance for all CCTV and card access equipment monitored by MUSC DPS.

## Alcohol & Drug Policy

### Drug-Free Schools and Communities Act

The *Drug-Free Schools and Communities Act* (DFSCA) is a federal law that requires colleges and universities receiving federal funds to adopt and implement a drug and alcohol abuse prevention program (DAAPP). The institution's DAAPP must be designed to prevent the unlawful possession, use and distribution of illicit drugs and alcohol abuse on campus and at institutionally recognized events and activities. The purpose of DFSCA is to ensure that current students, employees, and other interested members of the public are provided with important information regarding the educational, disciplinary, health and legal consequences of illegal drug use and alcohol abuse.

### Annual Notice

Under the *Drug-Free Schools and Communities Act Amendment of 1989*, MUSC is required to annually distribute its drug abuse and alcohol prevention program to faculty, staff, and students. These requirements exist as a condition of receiving funds or any other form of financial assistance

under any Federal program. The annual notification includes:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.
- A list of applicable legal sanctions under federal, state and local laws for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the abuse of alcohol or use of illicit drugs.
- A list of drug and alcohol programs that are available to employees and students.
- A clear statement that the institution of higher education will impose disciplinary sanctions, up to and including expulsion or termination of employment and referral for prosecution.

### Policy Statement Addressing Alcoholic Beverages

MUSC prohibits the illegal possession, use, distribution, consumption, sale, and service of alcoholic beverages, and other substances of abuse that violate local, state, or federal law. The University Policy is based on federal and South Carolina law, as well as the South Carolina Alcoholic Beverage Control Law.

The consumption, manufacturing, distribution, possession, or sale of alcohol on the MUSC campus is governed by MUSC's [Student Policy for Alcohol and Other Drugs](#), and the South Carolina State Code of Laws. Certain laws and regulations regarding the possession, sale, consumption or furnishing of alcohol in establishments is controlled by the South Carolina Law Enforcement Division.

Enforcement of alcohol and drug laws on-campus is the primary responsibility of the MUSC Department of Public Safety. The MUSC campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, or distribution of any controlled substance is illegal under City ordinances and both State and Federal laws. Such laws are strictly monitored and enforced by the U.S. Drug Enforcement Administration (DEA), S.C. Department of Health and Environmental Control (DHEC), Charleston City Police Department, MUSC Department of Public Safety, as well as the MUSC Controlled Substance Investigator working closely with the DEA and DHEC, providing assistance when necessary for MUSC related issues. Violators are subject to university disciplinary action, criminal prosecution, fine and imprisonment.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. A beer and/or alcohol license is required for the sale of alcohol. The sale of alcohol is defined to include events where the admission price includes alcohol or contributions are requested for alcoholic beverages. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the MUSC Alcohol Policy for anyone to sell, consume or possess alcohol in any public or private area of campus without prior University and/or City approval. Alcohol cannot be consumed or carried in open containers on any street, sidewalk, alley, automobile, or public area.



A beer and/or alcohol license is required for the sale of alcohol. The sale of alcohol is defined to include events where the admission price includes alcohol or contributions are requested for alcoholic beverages. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University and criminal prosecution.

### [Alcohol Availability](#)

Generally, alcoholic beverages may not be on campus, and its use on campus with prior approval is restricted to specific, limited areas and events. Alcohol is prohibited in all patient-care areas.

### [MUSC Responsible Hosting Guidelines](#)

MUSC's [Responsible Hosting Guideline Policy](#) gives clear guidelines on alcohol use and the service of alcohol at MUSC sponsored events. The purpose of this policy, in keeping with MUSC's concern for the educational and social well-being of its students and the welfare of the MUSC community, is to provide guidelines and strategies for the safe use and serving of alcoholic beverages at MUSC sponsored events. MUSC expects those who are of legal drinking age (21 years of age) who choose to consume alcohol to do so in a mature and responsible manner. In furtherance of this expectation, MUSC offers guidelines that are not meant to be exhaustive but are meant to complement and supplement common sense and follow state and federal laws.

Off-duty MUSC DPS law enforcement personnel, at the request of MUSC organizations, such as the Student Government Association (SGA), sponsoring the events, provides security at activities involving students on and off campus.

Students will also be provided information during new student orientation about MUSC's Student Policy for Substance Abuse Prevention and Intervention and regulations that govern the serving of alcoholic beverages at events, which utilize the University's name.

### [Illegal Drugs](#)

The MUSC campus has been designated as "drug-free." It is illegal under state and federal law and prohibited by MUSC policy to possess, sell, manufacture, or distribute any controlled substance. Such laws are strictly enforced by various local, state, and federal law enforcement agencies including MUSC Department of Public Safety, MUSC Internal Audit, South Carolina Department of Health and Environment Control (DHEC), Charleston Police Department, U.S. Drug Enforcement Administration (DEA), and S.C. Law Enforcement Division (SLED).

MUSC students and employees are expected to use only those prescription medications that are prescribed to them within the confines of a provider/patient relationship. Students are prohibited from using prescription medications not prescribed to them. Violators are subject to university disciplinary action and criminal prosecution. This policy applies equally to administrators, faculty, staff, and students.

## Human Resources Drug-Free Workplace (Policy 47)

Federal Law and MUSC policy mandate a drug-free workplace. The unlawful manufacture, distribution, dispensation, sale, possession or misuse of a controlled substance or illegal drugs on MUSC premises is prohibited. Any employee, including temporary, research grant, and student employees, violating this policy will be subject to disciplinary action up to and including termination.

Any employee who is convicted, pleads guilty or nolo contendere for a drug related violation will be disciplined up to and including termination. A criminal drug violation by an employee whose salary is funded through a federal grant or contract must be reported by the employee, within five days of the conviction, to his or her Department Head, Dean, or Vice President.

Any employee whose behavior or job performance indicates that he or she is working under the influence of drugs or alcohol may be requested to submit to a test. Employees who have a substance abuse problem may voluntarily submit themselves for professional help through the University's Employee Assistance Program (EAP).

Employees and volunteers can visit the University Human Resources Employee Relations office at 135 Cannon St, Suite 110, or call (843) 792-2237 for more complete information on [University Human Resources Management Drug-Free Workplace Policy #47](#).

### Violation of the Alcohol and Drug Policy

These policies were prepared to satisfy the requirements of the *Drug-Free Workplace Act of 1988* and the *Drug-Free Schools and Communities Act Amendments of 1989*. MUSC prohibits the illegal use or the abusive use of alcohol or other legal drugs on university owned or controlled property or at events that utilize the University's name. In accordance with local, state and federal laws, MUSC also strictly prohibits the use, possession, manufacture, sale, or distribution of illegal drugs or paraphernalia by any MUSC student, employee, or visitor.

The University recognizes, supports, and enforces all laws related to alcohol and other drugs. The University does not offer a haven from applicable laws of personal behavior. A detailed explanation of the policies governing possession, use, and distribution of alcohol and other drugs at MUSC can be found in its Policies and Procedures for a Drug-Free Workplace available in the Office of Human Resources Management and MUSC's Student Policy for Alcohol and Other Drug Abuse Prevention and Intervention available at the Office of Student Programs. All community members are required to abide by the terms of the published policies as a condition of employment or student status.

*South Carolina Code of Laws* prohibit certain activities regarding alcoholic beverages or drugs. Convictions for law violations could result in fines, loss of driver's license and/or imprisonment. Any criminal drug violation by an employee whose salary is funded through a federal grant program or contract must be reported to the contractor or grantee in accordance with the *1988 Drug-Free Workplace Act*. The employee must make a report of conviction within five days of the

conviction to the respective Department Head, Dean, or Vice President within ten days after receiving notice from the employee. Likewise, students convicted for any drug offense while receiving Title IV aid will result in a loss of eligibility for any Title IV, HEA grant, loan or work-study assistance. University sanctions could include penalties ranging from treatment and/or probation, to suspension or dismissal from the University. A policy has been adopted that permits the serving of beer or wine at certain University events, provided that prior approval has been obtained.

MUSC is committed to work against the illicit use of drugs and alcohol among students and employees. MUSC DPS enforces all South Carolina laws and supports university policies concerning the purchase, possession, consumption, sale and storage of alcoholic beverages and drugs. All violations of this policy shall be reported to the MUSC DPS and the appropriate institutional office.

#### Related Information (references, citations)

1. [Safe and Drug-Free Schools and Communities Act](#):
2. [Drug-Free Workplace Act of 1988](#):
3. Additional information on the MUSC Student Policy for Alcohol and Other Drugs can be found in the Student Policies on the Student Life website or by visiting the following MUSC Student Bulletin links:
  - [Student Policy for Alcohol and Other Drugs](#)
  - [Student Arrest Policy](#)
  - [Student Policy on Professionalism and Standards of Behavior](#)
  - [Counseling and Psychological Services](#)
  - [Behavioral Support and Intervention Team \(BSIT\)](#)

#### Human Resources Policy 49: Tobacco-Free Campus

MUSC is committed to promoting a healthy, tobacco-free environment for its employees, faculty, students, visitors and patients. The purpose of this policy is to provide a healthy environment, minimize the negative effects of passive smoke and tobacco use, maximize fire safety, and promote wellness and good health habits within all MUSC facilities, including MUSC affiliates, and the surrounding campus. The provisions of this policy shall apply to all employees (including faculty and staff), patients, visitors, students, volunteers, contractors, and vendors unless otherwise noted.

#### South Carolina State and Local Alcohol Laws

Information regarding the unlawful possession or use of drugs and other controlled substances while on University premises and its penalties in accordance to the *South Carolina Code of Laws* can be found in Title 61 - Alcohol and Alcoholic Beverages at <https://www.scstatehouse.gov/code/title61.php>

Relevant State and Local statutory provisions setting forth Alcohol related offenses and potential penalties are included in [Appendix D](#) and [Appendix E](#) respectively.

## Summary of State and Local Laws and Sanctions Concerning Drugs

### A. [South Carolina Code of Laws, Title 44: Health, Chapter 53: Poisons, Drugs, and Other Controlled Substances](#)

#### 1. Section 44-53-370 (selections)

(a) It shall be unlawful for any person:

- I. to manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance or a controlled substance analogue.
- II. to create, distribute, dispense, deliver, or purchase, or aid, abet, attempt, or conspire to create, distribute, dispense, deliver, or purchase, or possess with intent to distribute, dispense, deliver, or purchase a counterfeit substance.

#### 2. Section 44-53-391 (selections)

(a) It shall be unlawful for any person to advertise for sale, manufacture, possess, sell or deliver, or to possess with the intent to deliver, or sell paraphernalia.

### B. [Charleston, South Carolina – Code of Ordinances, Chapter 21: Offenses, Article VI: Offenses Against Public Health](#)

#### 1. Section 21-126 (selections)

(a) No person shall sell, offer for sale, give away, bargain, trade, distribute in any manner, transport, use, prescribe, possess, knowingly keep, conceal, or allow on premises under his control one ounce or less of marijuana or ten (10) grams or less of hashish.

#### 2. Section 21-127 (selections)

(a) It shall be unlawful for any person to advertise for sale, manufacture, possess, sell or deliver, or to possess with the intent to sell or deliver paraphernalia.

Additional information regarding the unlawful possession or use of drugs and other controlled substances while on university premises and its penalties in accordance to the *South Carolina Code of Laws* can be found in [Title 44, Chapter 53- Poisons, Drugs and Other Controlled Substances](#) and [Code of the City of Charleston, South Carolina, Code of Ordinances, Chapter 21: Offenses, Article](#)

## [VI: Offenses Against Public Health.](#)

Relevant State and Local statutory provisions setting forth the criminal Drug offenses and potential penalties are included in [Appendix D and Appendix F respectively.](#)

### Federal Drug Laws

Federal law prohibits the possession and distribution of illegal drugs. The severity of sanction imposed depends on the type and quantity of drugs, prior convictions, and whether death or serious injury occurred. Penalties can be increased for offenses that involve distribution to minors. Federal laws require or permit forfeiture of personal or real property used to illegally possess, facilitate possession, transport or conceal a controlled substance. A person's ability to purchase a firearm or receive federal benefits such as student loans, grants, contracts or professional or commercial licenses may be revoked or denied as a result of drug conviction.

Relevant federal statutory provisions setting forth the criminal offense and potential penalties are included in [Appendix G.](#)

### Other References

[State and Federal Laws and Sanctions Concerning Drugs and Alcohol Title 21 United States Code \(USC\) Controlled Substances Act](#)

[Government agencies and organizations relating to the control of and adherence to the Controlled Substances Act](#)

[South Carolina Judicial Department: Summary Court Judges Bench Book \(Crimes and Offenses: Section A. Alcoholic Beverages and Section J. Poisons, Drugs, and Other Controlled Substances\)](#)

Federal trafficking penalties are listed on pages 30 – 31 in the [DRUGS OF ABUSE I, 2020 EDITION: A DEA Resource Guide](#); (most recent version)  
[Student Eligibility – Federal Student Aid Handbook 2022 - 2023](#)

### Biennial Review Team

The Biennial Review Team meets to assess the strengths and weaknesses of Alcohol and other Drugs (AOD) programs in place at MUSC and to ensure University compliance with the *Drug-Free Schools and Campuses Regulations* (EDGAR Part 86) for Academic Years 2018-2020. MUSC continually reviews and implements policies and a program to prevent the unlawful possession, use, sale, or distribution of illicit drugs and alcohol by students and employees. The program includes annual notification of the following: standards of conduct; a description of sanctions for

violating federal, state, and local law and campus policy, a description of health risks associated with AOD use; a description of treatment options; and a biennial review of the program's effectiveness and the consistency of the enforcement of sanctions.

### Procedures

A copy of these policies will be made available to each employee and student at the time of its publication. Thereafter, a copy will be made available to each employee at the time of hire, to each student at the beginning of each academic year, to each new student at the time the student begins University, and annually to every employee and student.

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 where 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, that 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 Affairs for students. Referrals and records of referrals will be handled with the same confidentiality as other records maintained by the University.

### Health Risks of Drugs and Alcohol Abuse

Improper use of drugs or alcohol can seriously injure the health of employees and students, impair the performance of their responsibilities, and endanger the safety and well-being of fellow employees, students and members of the general public.

### Health Risks of Alcohol Abuse

Information is from the Centers for Disease Control Fact Sheet, [Alcohol Use and Your Health](#).

### Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV.
- Miscarriage and stillbirth or [fetal alcohol spectrum disorders \(FASDs\)](#) among pregnant women.

## Long-Term Health Risks

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including lost productivity, family problems, and unemployment.
- Alcohol dependence, or alcoholism.

## Health Risks of Illicit Drug Use

Information from the National Institute on Drug Abuse webpage, [Health Consequences of Drug Misuse](#).

**Short-term effects** can range from changes in appetite, wakefulness, heart rate, blood pressure, and/or mood to heart attack, stroke, psychosis, overdose, and even death. These health effects may occur after just one use.

**Longer-term effects** can include heart and lung disease, cancer, mental illness, HIV/AIDS, hepatitis, and others. Long-term drug use can also lead to addiction. Drug addiction is a brain disorder. Not everyone who uses drugs will become addicted, but for some, drug use can change how certain brain circuits work. These brain changes interfere with how people experience normal pleasures in life such as food and sex, their ability to control their stress level, their decision-making, their ability to learn and remember, etc. These changes make it much more difficult for someone to stop taking the drug even when it's having negative effects on their life, and they want to quit.

## Alcohol & Other Drug Abuse Prevention and Awareness Programs

MUSC has an established Alcohol & Other Drug (AOD) Programs that functions in social, work, and academic environments with alcohol-free options, event guidelines, and training. MUSC's AOD Programs support our students and employees with knowledge of prevention through education, established early interventions, and continued support while enrolled and employed at MUSC. The AOD Programs identifies resources and assistance available to students, providing prevention, intervention, and support. The AOD Programs also identifies procedural responsibilities of the University and its colleges.

## AOD Program Elements:

1. **Alcohol-Free Options:** The Office of Student Programs and Student Diversity provides alcohol-free options at all its events and promotes responsible drinking practices. Some of these programs include: 1) cultural arts programming; 2) intramural sports; 3) social events and mixers; and 4) educational programs such as the Clarion Competition and Activities/Volunteer Fair. These programs are well publicized using a variety of approaches, including online student newsletters and calendars, broadcast email, and campus bulletin boards. Individual colleges also host alcohol-free events and programming. Service learning and volunteer opportunities are offered to students through the student service, MUSC Gives Back.
2. **Normative Environment:** The curricula of the MUSC colleges are rigorous, and admission is highly competitive. Classes and clinical rotations are held Monday through Friday. The following programs, products, and activities are provided on campus to promote abstinence or responsible drinking practices, discourage the use of cigarettes and illicit drugs, and encourage healthy lifestyles:
  - **AOD Curricula:** All colleges recognize the importance of teaching about alcohol and other drug abuse. As deemed appropriate by the curriculum committee of each college or its designee, information about alcohol and/or drug abuse is conveyed in courses required for graduation from degree-granting programs. Every year, many of the colleges hold programming to raise awareness of alcohol and other drugs and to educate students on the risks associated with their use. For example, the College of Health Professions Student Government Association holds an annual alcohol awareness event where they serve mocktails and pass out cards on Blood Alcohol Concentrations. They also hold programming during National Drug and Alcohol Facts Week in January of each year. Additionally, CAPS staff members routinely do presentations and panel discussions regarding drug and alcohol abuse.
  - **Student Orientations:** Each year at each college-based orientation, the Dean of the college or his/her designee (e.g., the Associate Dean for Student Affairs or another designated faculty member who will be referred to in this policy as the Dean's designee) will inform new students about the availability of MUSC resources (such as Counseling and Psychological Services Center, the Center for Drug and Alcohol Programs in the Department of Psychiatry and Behavioral Sciences) for students concerned about alcohol and other drug use and abuse.
  - **Alcohol Availability:** Alcohol is not sold on campus, and its use on campus is restricted to specific, limited areas. Alcohol is prohibited in all patient-care areas. *The Student Policy for Substance Abuse Prevention and Intervention and the Alcohol Serving Policy* give clear guidelines on alcohol use and the service of alcohol at MUSC student organization-sponsored events, which are managed by the Office of Student Programs and Student Diversity. The Office of Student Programs and Student Diversity maintains the Student Alcohol Policy and provides specific guidelines for student events. The essence of the policy is an Event Approval Form that must be completed by student event organizers and approved by their colleges' deans, assuring that student hosts are aware of laws related to



the service of alcohol and strategies for serving it most safely. Students are required to plan for their events accordingly. Strategies include offering an adequate amount of food at events and a full complement of non-alcoholic beverages; hiring MUSC Public Safety officers to check all guests' ID's and screen guests for signs of intoxication as they leave the event; hiring professional bartenders to serve alcohol; and having a plan to help impaired students get home safely. Student hosts are informed of the *MUSC Student Alcohol Serving Policy* and guidelines via the Student Activities/Student Organization Management Website, by training conducted by the Student Programs staff, and through an on-line educational module.

- **Marketing & Promotion:** Alcohol advertising is not allowed on campus, nor are alcohol industry-sponsored events for students. The University does not promote activities that have special appeal to underage drinkers or involvement in high-risk situations. Best practices in alcohol education and abuse prevention are used when advertising and promoting student events where alcohol is served. These practices include those noted above.
- **Education & Outreach:** For more than two decades, the NIAAA-supported Charleston Alcohol Research Center (ARC) has maintained a successful outreach program for matters involving alcohol abuse. The ARC provides education activities on campus and in the community to raise awareness about the specific risks of alcohol and drug use and the strong relationship between alcohol problems and other health issues.
- **OurDay Learning Modules:** MUSC continues to utilize OurDay, the MUSC's on-line training platform, to educate students on standards of conduct, sanctions and penalties associated with illicit drug and alcohol use, health risks, and information regarding the treatment, counseling, and/or rehabilitation and re-entry programs. These materials are reviewed and updated annually.
- **Support Services:** The University provides considerable support to students who may be exhibiting stress related to the rigors of health professional programs, including an active intramural and wellness program, the Center for Academic Excellence, to support academic success, and a variety of student support services and programs both at the University and college level. The Student Health Service is well-staffed and provides excellent medical services. Student Health and CAPS are co-located and collaborate on individual student issues, prevention, and intervention strategies.
- **Student Wellness Program:** The College of Medicine (COM) has developed a Student Wellness Program to create a culture of wellness and increase students' productivity by empowering individuals to be self-managers of their health. While the program does not deal explicitly with alcohol and other drug use, the longitudinal design of the program is to help support medical students as they embrace different academic experiences. Included in the Student Wellness Program is the Wellness Council, a branch of the COM Student Council that is designed to promote student mental, physical, and social health through peer support programs, educational programs, and unique creative activities. The Wellness Council consists of selected students who collaborate to develop and implement initiatives to promote academic, physical, financial, cultural, and emotional wellness on campus.

- **Imagine U: Building Well-being Together Program:** This employee version incentivizes employees to take control of their health and well-being by initiating a Health Risk Assessment and by participating in challenges in four categories of well-being: nutrition and weight management, physical activity, preventative care, and psychosocial health. Included in the challenges for Imagine U are modules on alcohol risk reduction, tobacco cessation, resilience, and managing stress.
- **Exercise is Medicine on Campus** is an MUSC program that promotes physical activity as a vital sign of health among students. The program includes a fitness assessment and consultation process and a series of complementing student wellness programming. For the second year in a row, the American College of Sports Medicine conferred Gold Level Status for this MUSC program.
- **Tobacco-Free Campus:** As South Carolina’s academic health center and home to the only National Cancer Institute-designated cancer institute in the state, it is a part of MUSC’s mission to prevent cancer and to lead by example in providing the healthiest environment possible for everyone on its campus. In March of 2012, acting upon the recommendations of the Student Government Association, faculty senate, and board of trustees, MUSC became a tobacco-free campus. The following year, in March of 2013, MUSC partnered with Roper Hospital and Charleston City Council to create the Smoke-Free Medical District, which prohibits smoking on certain streets and sidewalks within and abutting MUSC and Roper Hospital grounds. Amendments to the tobacco-free MUSC campus policy also prohibit the use of tobacco products by staff on private properties adjacent to the Medical District without explicit approval from the property owner. To assist MUSC employees in maintaining the tobacco-free campus, the Office of Health Promotion facilitates tobacco-cessation programming and other wellness initiatives.
- **MUSC Wellness Center:** The MUSC Wellness Center is an important resource for students and employees. With state-of-the-art machines, free weights, tennis, squash, racquetball and basketball courts, a junior Olympic swimming pool, indoor and outdoor tracks, nutrition counseling, Pilates, therapeutic massage, and group fitness classes and programs, the Wellness Center offers something for everyone. MUSC Wellness Center, managed under the Division of Education Innovation and Student Life, promotes the health and well-being of all MUSC students, offering multiple programs to support our students physically, mentally, and emotionally. Specifically, MUSC Wellness Center, Student Health Services, and CAPS form a collaborative team of health professionals with a holistic approach to care. Membership is available to MUSC students and staff and to members of the community. The Wellness Center offers a personalized recovery program, “Hooked on Health,” that addresses the neurobiology of addiction and recovery as it relates to exercise, nutrition, and healthy lifestyle habits. “Hooked on Health” offers nutrition guidance, yoga, and fitness testing and training with a lifestyle behavior consultant. The exercise specialists (yoga instructor and fitness trainer) are certified and experienced in recovery programs and exercise/well-being for recovery.

- DEA's National Prescription Drug Take Back Day:** Biannually, MUSC hosts the DEA's National Prescription Drug Take Back Day, which aims to provide a safe, convenient, and responsible means of disposing of prescription drugs, while also educating the campus community about the potential for abuse of medications. MUSC DPS along with the College of Pharmacy participated in DEA National Drug Take Back Day events in April and October 2022, in front of Bio-Engineering Building from 10:00 a.m. - 2:00 p.m. The next Drug Take Back Day event is tentatively scheduled for October 28, 2023.

For more information about the DEA's National Prescription Drug Take Back Day and to search other collection sites in your area, visit the [DEA National Take Back](#) website.
- NADDI (National Association of Drug Diversion Investigators) Drop Box**

Need to dispose of unwanted prescription drugs before the next National Prescription Drug Take Back Day? The NADDI (National Association of Drug Diversion Investigators) drop box sponsored by the MUSC DPS is an on-going effort to reduce prescription drugs in homes and on-campus that are no longer needed or outdated. Individuals wishing to drop off unwanted pharmaceuticals may do so by placing them in the NADDI drop box located in the first-floor lobby of the MUSC Department of Public Safety building, 101 Jonathan Lucas Street, during normal business hours. In 2021, MUSC DPS collected and destroyed over **524 lbs.** of unwanted or expired medications.

### [Alcohol and Drug Abuse Assistance / Treatment Programs](#)

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.

MUSC recognizes that alcohol and other drug abuse is a preventable and treatable condition and acknowledges that as an institution dedicated to the healing arts, we have the responsibility to facilitate prevention activities and offer treatment to students and employees who suffer from alcohol and other drug abuse.

MUSC encourages all impaired students and employees to seek help voluntarily and favors the earliest possible intervention. MUSC favors a treatment program that is separate from the disciplinary process and will make treatment and referral services available to students and employees. Support services for employees and students include:

### [MUSC Student Counseling and Psychological Services \(CAPS\)](#)

Alcohol and/or drug use can have a serious negative impact on academic and clinical performance. Abuse of alcohol or prescription medications or the use of illegal substances can derail a promising career and endanger others. [CAPS](#) provide evidence-based confidential individual therapy for individuals with drug and alcohol abuse. CAPS endeavors to assist students to choose to abstain from all illegal substances, to carefully evaluate the role alcohol plays in their lives, and make

behavioral changes to remain healthy, safe, and to practice their future professions ethically and responsibly.

Therapy will be based on cognitive-behavioral approaches to help the student to identify both internal and situational contributors to alcohol and drug use, and to develop specific skills to make behavioral changes. Therapy will also focus on helping the individual recognize situations that may put them at risk for relapse and to learn and apply strategies to avoid and/or manage temptations. CAPS also assists students and colleges by arranging screening for drug and alcohol use and on-going random testing for alcohol and substances when needed.

### [Employee Assistance Program \(EAP\)](#)

Employees, faculty, volunteers, residents, and fellows who have a substance abuse problem may voluntarily submit themselves for professional help through the University's Employee Assistance Program (EAP) by calling (843) 792-2848 or they may be referred to EAP by their supervisor. It is important to note that some MUSC students are also MUSC employees. Participation in EAP is strictly confidential, free of charge, and will not jeopardize an employee's job. However, participation in the program will not relieve an employee of the responsibility to perform assigned duties safely and effectively.

The primary objective of the Employee Assistance Program (EAP) is to retain valued individuals who develop substance abuse or other personal problems, which affect their job performance. Valued individuals are ones who have otherwise demonstrated satisfactory performance. Problems addressed by this Program include, but are not limited to, drug and alcohol abuse, marital, family, personal, legal and financial difficulties.

The MUSC EAP main office is located at 51 Bee Street. Office hours are Monday - Friday 8:00am – 5:00pm with after hour on-call services. In case of an emergency on weekdays before 8:00am or after 5:00pm or on all weekends and holidays, call the MUSC operator at (843) 792-2123 and ask to be connected with the Senior Psychiatry Resident on call.

Complete information on the services provided by the EAP can also be found by visiting the external [EAP](#) website.

### [Other counseling and treatment program options](#)

#### *[Center for Drug and Alcohol Programs \(CDAP\)](#)*

The [Center for Drug and Alcohol Programs \(CDAP\)](#) at MUSC's Institute of Psychiatry (IOP) is one of the nation's premier facilities for the treatment of alcohol and substance abuse problems. CDAP's clinical services offer the most up-to-date methods for the treatment of addictions. For specific information on CDAP and its programs, call (843) 792-2727. To schedule an appointment, call (843) 792-1414 or [request an appointment online](#).

### *Charleston Center of Charleston County*

Outpatient services can be obtained from Charleston County's Department of Alcohol and Other Drug Abuse Services (DAODAS), more commonly known as [Charleston Center](#), is a substance abuse prevention, intervention, education, and treatment center. It is located at the below listed address:

3685 Rivers Avenue  
North Charleston SC 29405  
Phone: (843) 958-3300 Hotline: (843) 722-0100  
<https://cc.charlestoncounty.org/>

### *South Carolina Recovering Professional Program*

Office hours: Monday – Friday 8:00 am to 4:30 pm  
440 Knox Abbott Drive  
Suite 220  
Cayce, SC 29033  
803-896-5700  
877-849-2094 after hours phone line  
<https://scrpp.org>

### *Other 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](#) at (843) 723-9633 and [Al Anon/Alateen](#) at (843) 762-6999. [South Carolina Free Rehab Centers](#) 1-(800)-780-2294, [Palmetto Low Country Behavioral Health](#) (843) 747-5830 and many others. Beneficial hotlines include Alcohol and Drug Abuse Hotline 1-800-ALCOHOL (252-6465); [Narcotics Anonymous](#) Helpline 1-800-777-1515; [Substance Abuse and Mental Health Services Administration \(SAMHSA\) Hotline](#) 1-800-662-HELP (4357); CDC [National STD Hotline](#): 1-800-232-4636; and [National Suicide Prevention Lifeline](#) 988 or 1-800-273-8255.

## **MUSC Workplace Violence / Weapon Policy**

The Medical University of South Carolina (MUSC) is committed to creating and maintaining a working, learning, and patient care environment, which is free from violence. Understanding and mutual respect toward all individuals are essential elements to excellence in teaching and learning, to the existence of a safe and healthy workplace. MUSC, therefore, prohibits violent acts or threats of violence. These include harming/endangering the safety of others, acts of aggression, and destroying/damaging property.

To provide a safe environment for employees, students, patients and visitors, the Medical University of South Carolina further prohibits the carrying of weapons on property owned, operated, or controlled by the University, MUHA, or at MUSC sponsored events. South Carolina law prohibits any person from possessing a firearm on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or

other post-secondary institution, or in any publicly- owned building, without the express permission of the authorities in charge of the premises or property ([S.C. Code 16-23-420\(A\)](#)).

Furthermore, in accordance with the *Law-Abiding Citizens Self-Defense Act*, the University prohibits the carrying of a concealed or visible firearm, even those that the owner has obtained a Concealed Weapons Permit, on its premises or at university sponsored events. Only MUSC DPS officers or other authorized law enforcement officers in the course of their duties are exempt from this policy.

For the purpose of this section, a weapon is defined as a firearm (rifle, shotgun, pistol, or similar device that propels a projectile through the energy of an explosive), a blackjack, a metal pipe or pole, or any other type of device, or object which may be used to inflict bodily injury or death.

To ensure the safety of employees, students, patients and visitors, students and employees are encouraged to call the Department of Public Safety if they suspect that someone is carrying a weapon. Employees should not attempt to disarm another individual.

Violation of this Policy by employees may result in termination from employment and possible prosecution by the University, fine and imprisonment. Students are subject to university disciplinary action, up to and including dismissal, criminal prosecution, fine and imprisonment. Such laws are strictly enforced here by the MUSC DPS. All violations of this policy shall be reported to the MUSC DPS and the appropriate institutional office.

Click here to view (NetID required):

[MUSC Zero Tolerance Workplace Violence Policy #40](#)

[MUSC Weapons Policy #25](#)

Information detailing the MUSC Human Resources Weapons Policy, as well as State of South Carolina laws and Charleston City ordinances can be found in [Appendix H](#) and [Appendix I](#) respectively.

#### **Notification to Victims of Crimes of Violence and Non-Forcible Sex Offenses:**

The University will, upon written request, disclose to the alleged victim of a crime of violence (as defined in [Title 18 U.S. Code § 16](#)) or a non-forcible sex offense the results of any disciplinary proceeding conducted by the University against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Compliance with this section does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this section, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged offense and any sanction that is imposed against the accused.

# Nondiscrimination, Anti-Harassment and Equal Opportunity Policy

## PROHIBITED CONDUCT & RETALIATION

### Policy Statement

The Medical University of South Carolina (“MUSC” or the “University”) is committed to fostering an open and supportive community that promotes learning, discovery, and healing. This commitment includes maintaining an educational and working environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, sexual misconduct, and retaliation (collectively, “Prohibited Conduct”).

MUSC does not discriminate against any employee, applicant for employment, student, or applicant for admission based on age, color, disability, citizenship status, ethnicity, gender identity, gender expression, national origin (including ancestry), parenting status, pregnancy, race, religion, sex, sexual orientation, veteran or military status, or any other protected category under applicable local, state, and federal law. Prohibited Conduct can be forms of sex- based discrimination and are strictly prohibited, including but not limited to the offenses of domestic violence, dating violence, and stalking.

MUSC strictly prohibits retaliation against those who oppose discrimination or participate in any resolution process on campus or with an external human rights agency. To this end, MUSC actively engages in prevention and education efforts, and has developed procedures for addressing allegations of prohibited discrimination, harassment, and sexual misconduct.

To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to fairness and equity, MUSC has developed internal policies and procedures that will provide a prompt, fair, and impartial process for those involved in an allegation of prohibited conduct. MUSC values and upholds the equal dignity of all members of its community and strives to balance the rights of all parties in what is often a difficult time for those involved.

### Scope

MUSC’s [Nondiscrimination, Anti-Harassment, and Equal Opportunity Policy](#) is applicable whenever the Respondent is a member of the MUSC community regardless of the status of the Complainant. The MUSC community includes, but is not limited to, students (defined as any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with MUSC), residents, postdoctoral fellows, faculty, administrators, staff, guests, independent contractors, vendors, visitors, invitees, and campers. When an alleged violation of Prohibited Conduct is reported, the allegations are subject to grievance procedures using “[Process A](#)” as determined by the Title IX Coordinator, and as detailed below.

## **Jurisdiction**

This Policy applies to the education program and activities of the Medical University of South Carolina, to conduct that occurs on campus or on non-campus property owned or controlled by MUSC, at MUSC-sponsored events, or in buildings owned or controlled by recognized student organizations.

This Policy can also be applicable to the effects of off-campus misconduct that deprive someone of access to MUSC's education program. MUSC may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial University interest.

Regardless of where the prohibited conduct occurred, on or off-campus, MUSC will address reports to determine whether the prohibited conduct occurred in the context of its employment or education program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. The Title IX Coordinator or other campus officials will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. A substantial MUSC interest includes:

Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law; any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual; any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or any situation that is detrimental to the educational interests or mission of the University.

Similarly, if the Respondent is unknown or is not a member of the MUSC community, the Title IX Coordinator or any other campus official will assist the Complainant in identifying appropriate resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. Further, even when the Respondent is not a member of MUSC's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator. In addition, MUSC may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from MUSC property and/or events.

All contractors or vendors serving MUSC through third-party contracts are subject to the policies and procedures of their employers.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies. Similarly, the Title IX Coordinator may be able to advocate for a Complainant who experiences discrimination in an externship, study abroad program, or other environment where the harassment or nondiscrimination policies of the external organization may give recourse to the Complainant.



## Time Frame for Reporting

Reports under this Policy may be made at any time regardless of how much time has elapsed since the incident(s) in question. However, individuals are encouraged to immediately report violations of this Policy as soon as possible to maximize MUSC's ability to respond promptly and effectively.

If the Respondent is no longer subject to MUSC's jurisdiction and/or significant time has passed, the University's ability to investigate, respond, and provide remedies may be limited. In such circumstances, MUSC may still provide support to the Complainant and take appropriate steps to end the discrimination or harassment, prevent its recurrence, and address its effects. Acting on allegations significantly impacted by the passage of time is at the discretion of the Title IX Coordinator. When notice of Prohibited Conduct is affected by a significant time delay, MUSC will apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of the notice.

## Purpose of This Policy

The purpose of this Policy is to strictly prohibit all forms of discrimination, harassment, sexual misconduct, and retaliation pursuant to MUSC's mission and in accordance with all applicable federal and state laws and regulations. Sometimes, discrimination involves exclusion from activities, such as admission to programs or employment advancement. Other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, encompasses gender-based harassment, sexual violence, stalking, sexual exploitation, or intimate partner violence. This Policy serves to further MUSC's commitment to a safe, inclusive, and non-discriminatory learning and working environment.

In implementing this Policy, records of all allegations, investigations, formal and informal resolutions, and hearings will be maintained by the Title IX Coordinator. MUSC will also retain all materials used to train Title IX Coordinators, investigators, and decision-makers.

## Important Policy Terms and Concepts:

- **Advisor:** person chosen by a party or appointed by the University to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- **Complainant:** the person who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- **Confidential Resource:** employees who are available to provide individuals with assistance, support, and additional information and are prohibited from disclosing confidential information with limited exceptions as explained further in Section 5.C.

- **Directly Related Evidence:** evidence that is connected to the complaint but is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and will not be relied upon by the investigation report.
- **Education program or activity:** locations, events, or circumstances where MUSC exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by MUSC.
- **Final Determination:** a conclusion by preponderance of the evidence that the alleged conduct did or did not violate the Policy.
- **Formal Complaint:** a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- **Formal Grievance Process:** “Process A,” a method of formal resolution designated by MUSC to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations ([34 CFR §106.45](#)).
- **Grievance Process Pool:** any investigators, hearing panelists, and appeal officers, who may perform any or all of these roles (though not at the same time or for the same case).
- **Hearing Panel:** those who have decision-making and sanctioning authority within MUSC’s Formal Grievance process.
- **Investigator:** the person or persons charged by MUSC with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
- **Notice:** when someone informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- **Official with Authority (OWA):** an employee explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of MUSC.
- **Parties:** Complainant(s) and Respondent(s), collectively.
- **Preponderance of the Evidence:** the evidentiary standard used to determine whether the Policy was violated. It means that it is more likely than not that the conduct occurred.
- **Process A:** Formal Grievance Process detailed in this Policy and defined above.
- **Relevant Evidence:** evidence that tends to prove or disprove an issue in the complaint.
- **Remedies:** post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to MUSC’s educational program.
- **Respondent:** person who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- **Responsible Employee:** employee who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.
- **Sanction:** a consequence imposed by MUSC on a Respondent who is found to have violated this policy.

- **Sexual Harassment:** the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence.
- **Supportive Measures:** non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve access to MUSC's education or employment program or activity without unreasonably burdening the other party, including measures to protect the safety of all parties or MUSC's educational and employment environment, or deter harassment and discrimination based on a protected class.
- **Title IX Coordinator:** at least one official designated by MUSC to ensure compliance with Title IX and MUSC's Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the coordinator.

### Responsibilities of the Title IX Coordinator

The Title IX Coordinator has the primary responsibility for coordinating MUSC's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this Policy.

The Title IX Coordinator has multiple responsibilities including but not limited to:

- Oversight of the University's response to reports of Prohibited Conduct, which includes coordinating a prompt, thorough, and equitable investigation; implementing and overseeing supportive measures; and facilitating informal resolutions.
- Leading MUSC's education efforts relating to harassment and discrimination.
- Maintaining records of all reports, investigations, and resolutions to track and monitor patterns, trends and issues of concern.

Complaints or notices of alleged Policy violations, or inquiries or concerns regarding this Policy should be made to the University Title IX Coordinator or Deputy Title IX Coordinator:

University Title IX Coordinator & Director of Civil Rights Compliance  
 Daniela Sorokko Harris, JD  
 Basic Science Building  
 BSB 102  
 173 Ashley Avenue  
 Charleston, SC 29425  
 (843) 792-1282  
[titleix@musc.edu](mailto:titleix@musc.edu) or [harridan@musc.edu](mailto:harridan@musc.edu)

## Institutional and Federal Definitions of Prohibited Conduct

This Policy prohibits the following forms of conduct, including attempts to commit the conduct: Discriminatory Harassment, Sexual Harassment, and Retaliation. For specific examples of the types of conduct that may rise to the level of Prohibited Conduct, please refer to the Title IX [website](#).

Conduct that violates this Policy may also violate the laws of the local jurisdiction in which the incident occurred and subject a Respondent to criminal prosecution and civil litigation. If the alleged Prohibited Conduct is a crime, a report should be made to MUSC's Department of Public Safety or other appropriate law enforcement agency if the incident occurred off campus. For definitions of crimes, and for detailed information about MUSC's obligations pursuant to the *Clery Act*, please see the [Crime Reporting Policy](#).

### Discriminatory Harassment

Discriminatory harassment is defined as unwelcome conduct by any member or group of the MUSC community based on actual or perceived membership in a class protected by policy or law.

MUSC does not tolerate discriminatory harassment of any employee, student, visitor, or guest. MUSC will act to remedy all forms of discriminatory harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment."

A hostile environment is one that unreasonably interferes with, limits, or denies an individual's educational or employment access, benefits, or opportunities.<sup>7</sup> This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive **and** objectively offensive. MUSC reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature not based on a protected class. Addressing such conduct will not result in the imposition of discipline under this Policy, but may be addressed through respectful conversation, remedial actions, education, effective conflict resolution, and other informal resolution mechanisms. For assistance with conflict resolution and other informal resolutions, employees may contact the Director of Human Resources (faculty may also contact the Faculty Ombudsman) and students may contact the Associate Dean for Student Affairs at their respective college.

### Online Harassment and Misconduct

Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of MUSC's control (e.g., not on MUSC networks, websites, or between university email accounts) will only be subject to this Policy when such online conduct can be shown to cause a substantial on-campus disruption.

---

<sup>7</sup> This definition of hostile environment is based on Federal Register / Vol. 59, No. 47 / Thursday, March 10, 1994: [Department of Education Office for Civil Rights. Racial Incidents and Harassment Against Students at Educational Institutions: Investigative Guidance](#).

## Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of South Carolina regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice. MUSC has adopted the following definition of Sexual Harassment to address the unique environment of an academic community. Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as: Conduct on the basis of sex/gender or that is sexual that satisfies one or more of the following:

**Quid Pro Quo:** an employee of MUSC, conditions (either implicitly or explicitly) the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.

**Sexual Harassment:** unwelcome verbal, written, graphic, online, or physical conduct determined by a reasonable person, to be so severe, and pervasive, and, objectively offensive, that it effectively denies a person equal access to MUSC's education program or activity.<sup>8</sup>

Anyone experiencing sexual harassment in any MUSC program is encouraged to report it immediately to the Title IX Coordinator. Remedies, education, and/or training may be provided in response.

## Sexual Assault<sup>9</sup>

Sexual Assault is defined as any sexual act directed against another person, without the consent of the Complainant, including attempted sexual assaults and instances in which the Complainant is incapable of giving consent.

A "sexual act" is specifically defined by federal regulations under the uniform crime reporting (UCR) system of the Federal Bureau of Investigation and is used when counting and classifying reported *Clery Act* crimes to include one or more of the following offenses:

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

---

<sup>8</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances.

<sup>9</sup>Used when counting and classifying reported Clery Act crimes

**Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. This would include having another person touch you sexually, forcibly, or without their consent.

**Incest** is sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by [South Carolina law].

**Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent. (In South Carolina, the statutory age of consent is 16. However, individuals as young as 14 are able to consent to sex with a partner who is 18 years old or younger.)

**Dating Violence** (Used when counting and classifying reported Clery Act crimes)

The Violence Against Women Reauthorization Act of 2013 (or VAWA) defines the term “dating violence” to mean crime of violence committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** (Used when counting and classifying reported Clery Act crimes)

VAWA defines the term “domestic violence” to mean a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the State of South Carolina, 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 State of South Carolina. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

**Stalking** (Used when counting and classifying reported Clery Act crimes)

VAWA defines the term “stalking” to mean engaging in a course of conduct directed at a specific person, that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition:

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by an action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- **A reasonable person** means a person under similar circumstances and with similar identities to the Complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

### **Force, Coercion, Consent, and Incapacitation**

As used in the offenses above, the following UCR definitions and understandings apply:

**Force** is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced.

**Coercion:** Coercion is unreasonable pressure for sexual activity. When someone makes it clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Consent** is knowing, voluntary, and clear permission by words or actions to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent. Consent can also be withdrawn once given. If an individual clearly communicates a withdrawal of consent, that sexual activity should cease within a reasonable time. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on MUSC to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.

**Incapacitation:** Incapacitation occurs when someone cannot make a rational, reasonable decision

because they lack the capacity to give informed consent. A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including by alcohol or other drugs.

A person violates this Policy if they engage in sexual activity with someone they know to be, or should know to be, physically or mentally incapacitated. Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

**Intoxication of the Responding Party:** It is not an excuse that the Respondent was intoxicated and, therefore, did not realize the incapacity of the reporting party. The question of whether the Respondent should have known of the incapacity is an objective question about what a reasonable person exercising sober judgment would have known in the same or similar set of circumstances.

### Other Civil Rights offenses

**Threatening** or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person.

**Discrimination**, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities.

**Intimidation**, defined as implied threats or acts that cause an unreasonable fear of harm in another.

**Hazing**, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the MUSC community, when related to the admission, initiation, joining, or any other group-affiliation activity.

**Bullying**, defined as repeated or severe, aggressive behavior, likely to intimidate or intentionally hurt, control, or diminish another person physically or mentally, that is not speech or conduct otherwise protected by the First Amendment.

Violation of any other MUSC policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities. Sanctions for the above-listed Civil Rights Offenses range from reprimand to expulsion/termination.

### Retaliation

Protected activity under this policy includes reporting an incident that may implicate this Policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct



that constitutes a violation of this Policy.

MUSC and any member of MUSC's community are strictly prohibited from taking materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. MUSC will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

### South Carolina Criminal Definitions<sup>10</sup>

In addition to conduct that is prohibited by MUSC policy and federally defined crimes reported in the Annual Security Report (ASR), Section 668.46(j)(1)(i)(B) and (C) of the *Clery Act* requires an institution to include, in its ASR policy statement on prevention programs, the applicable jurisdiction's definitions of "dating violence," "domestic violence," "sexual assault," "stalking," and "consent." They are included to provide education and awareness of local jurisdiction crimes to the MUSC community.

To address this requirement, below are the state definitions of dating violence, domestic violence, sexual assault, and stalking, as required by the *Clery Act*. Terminology and state law vary from MUSC policy and federally defined crimes at times. For example, South Carolina law does not specifically define "sexual assault," "rape," "or "statutory rape." Instead, key definitions and conduct is broken down by varying degrees of criminal sexual conduct. In addition, South Carolina law does not specifically define "dating violence" or "fondling". Instead, unlawful conduct involving dating violence may be broken down by varying crimes of violence and/or degrees of "Assault and Battery" pursuant to section §16-3-600 of the *South Carolina Code of Laws*, which may involve the threat, offer or attempt to injure another person with the present ability to do so, as well as the unlawful nonconsensual touching of the private parts of a person, either under or above clothing, with lewd and lascivious intent.

The following local jurisdiction definitions are a part of the content of primary prevention programs and awareness campaigns made available by the University to all current and new students and employees. Moreover, these definitions are used for the enforcement and the prosecution of criminal laws in the State of South Carolina of sexual assault offenses, dating violence, domestic violence, and stalking:

**Consent:** The State of South Carolina does not have a legal definition of consent. However, consent is interpreted using case law (below). For the purposes of determining whether a sex offense is

---

<sup>10</sup>used when enforcing the laws of the State of South Carolina

reportable under this section, consent may be defined as the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Consent cannot be given by an individual who is mentally or physically incapacitated (i.e. unconscious, asleep, through the effect of drugs or alcohol or for any other reason); obtained through physical force, violence, duress, intimidation, coercion or the threat (expressed or implied) of bodily injury, or is younger than the age of 16 (exception is if the actor is 18 or less and engages in a consensual lewd or lascivious act with another person who is at least 14).

Sexual battery (§ 16-3-651(h)): Sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body.

*Exception: When such intrusion is accomplished for medically recognized treatment or diagnostic purposes.*

Aggravated force (§ 16-3-651(c)): The actor uses physical force or physical violence of a high and aggravated nature to overcome the victim or includes the threat of the use of a deadly weapon.

Aggravated coercion (§ 16-3-651(b)): The actor threatens to use force or violence of a high and aggravated nature to overcome the victim or another person, if the victim reasonably believes that the actor has the present ability to carry out the threat or threatens to retaliate in the future by the infliction of physical harm, kidnapping or extortion, under circumstances of aggravation, against the victim or any other person.

Mentally defective (§ 16-3-651(e)): A person suffers from a mental disease or defect which renders the person temporarily or permanently incapable of appraising the nature of his or her conduct.

Mentally incapacitated (§ 16-3-651(f)): A person is rendered temporarily incapable of appraising or controlling his or her conduct whether this condition is produced by illness, defect, the influence of a substance or from some other cause.

Physically helpless (§16-3-651(g)): A person is unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.

### **Degrees of Criminal Sexual Conduct**

According to the South Carolina Code of Laws, all the following are criminalized as criminal sexual conduct ("CSC"):

#### Criminal Sexual Conduct 1st Degree (§ 16-3-652)

Sexual Battery with the Victim AND

- a. Aggravated force is used to accomplish the sexual battery, OR
- b. The victim is also the victim of forcible confinement, kidnapping, trafficking in persons, robbery, extortion, burglary, housebreaking, or any other similar offense or act, OR

- c. The actor causes the victim, without the victim's consent, to become mentally incapacitated or physically helpless by administering, distributing, dispensing, delivering, or causing to be administered, distributed, dispensed, or delivered a controlled substance, a controlled substance analogue, or any intoxicating substance.

Criminal Sexual Conduct 1st Degree is a felony and carries a penalty of 0 to 30 years of imprisonment.

Criminal Sexual Conduct 2nd Degree (§ 16-3-653)

Sexual Battery with the victim and aggravated coercion is used to accomplish the sexual battery. Criminal Sexual Conduct 2nd Degree is a felony and carries a penalty of 0 to 20 years' imprisonment.

Criminal Sexual Conduct 3rd Degree (§ 16-3-654)

Sexual Battery with the Victim AND

- a. Force or coercion is used to accomplish the sexual battery w/o aggravating circumstances  
OR
- b. The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless and aggravated force or aggravated coercion was not used to accomplish sexual battery.

Penalty: Criminal Sexual Conduct 3rd Degree is a felony and carries a penalty of 0 to 10 years' imprisonment.

Assault with Intent to Commit Criminal Sexual Assault (§16-3-656)

Assaults with intent to commit criminal sexual conduct are punishable as if the criminal sexual conduct was committed.

**Sexual Assault and Marriage in South Carolina**

Criminal Sexual Conduct Where the Victim is a Spouse (§16-3-658)

The couple must be living apart and the offender's conduct must either be CSC 1st degree (See above) or CSC 2nd degree (See above).

Reporting Requirement: The offending spouse's conduct must be reported to appropriate law enforcement authorities within 30 days for a person to be prosecuted for these offenses.

Exception: This statute does not apply to a marriage entered into by a male under 16 and a female under 14.

Criminal Sexual Assault 1st Degree where the victim is a spouse is a felony and carries a penalty of 0 to 30 years' imprisonment.

Criminal Sexual Assault 2nd Degree where the victim is a spouse is a felony and carries a penalty of 0-20 years' imprisonment.

Spousal Sexual Battery (§16-3-615)

If the couple is living together, the crime of spousal sexual battery is committed when a sexual battery is accomplished through use of aggravated force (see above) by one spouse against the other spouse.

Reporting Requirement: The offending spouse's conduct must be reported to appropriate law enforcement authorities within 30 days for that spouse to be prosecuted for this offense.

Exception: This statute does not apply to a marriage entered into by a male under 16 and a female under 14.

Spousal Sexual Battery is a felony and carries a penalty of 0-10 years' imprisonment.

**Incest in South Carolina**

According to the South Carolina Code of Laws, Incest, §16-15-20, is defined as:

Any persons who shall have carnal intercourse with each other within the following degrees of relationship, to wit:

- a) A man with his mother, grandmother, daughter, granddaughter, stepmother, sister, grandfather's wife, son's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, brother's daughter, sister's daughter, father's sister or mother's sister; or
- b) A woman with her father, grandfather, son, grandson, stepfather, brother, grandmother's husband, daughter's husband, granddaughter's husband, husband's father, husband's grandfather, husband's son, husband's grandson, brother's son, sister's son, father's brother, or mother's brother.

Penalty: Punishable by a fine of not less than five hundred dollars or imprisonment not less than one year in the Penitentiary, or both such fine and imprisonment.

**Sexual Assault and Children in South Carolina**

If a minor is involved the conduct may be classified in two ways:

Criminal Sexual Conduct with a Minor 1st Degree (§ 16-3-655 (A)):

- a) Sexual battery with a victim who is younger than 11 OR
- b) Sexual battery with a victim who is younger than 16 AND the actor has previously been convicted of, pled guilty or nolo contendere to, or adjudicated delinquent for an offense listed in South Carolina Code §23-3-430(C) or has been ordered to be included in the sex offender registry pursuant to §23-3-430(D).

Penalty: §16-3-655(A)(1) is a felony and carries a mandatory minimum of 25 years' imprisonment (no part of which may be suspended, or probation granted) to life.

If the defendant is convicted or adjudicated guilty of subsection (A)(1) and the conduct making up the sexual battery was sexual or anal intercourse by a person or intrusion by an object AND the defendant has a prior offense for first-degree CSC with a minor who is less than 11 years of age or has an out-of-state equivalent conviction, the State may seek the death penalty, or the defendant may be imprisoned for life, depending upon the prior type of sexual battery (please refer to §16-3-655(c)(1)).

§16-3-655(A)(2) is a felony and carries 10-30 years' imprisonment (no part of which may be suspended, or probation granted).

Criminal Sexual Conduct with a Minor 2nd Degree (§ 16-3-655 (B)):

- a) Sexual battery with a victim who is 14 or younger, but is at least 11 OR
- b) Sexual battery with a victim who is at least 14 but is less than 16 AND the actor is in a position of familial, custodial, or official authority to coerce the victim to submit or is older than the victim.

Exception: A person may not be convicted of §16-3-655(b) (2) if he is 18 or younger when he engages in consensual sexual conduct with another person who is at least 14.

Penalty: A person convicted of this section is guilty of a felony and, upon conviction, must be imprisoned for not more than twenty years according to the discretion of the court.

Criminal Sexual Conduct with a Minor 3rd Degree (§ 16-3-655 (C)):

Actor is over 14 and he/she willfully and lewdly commits or attempts to commit a lewd or lascivious act upon or with the body, or its parts, of a child under 16 with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of the actor or the child.

Exception: If the person is 18 or less and engages in a consensual lewd or lascivious act with another person who is at least 14.

Penalty: A person convicted of this section is guilty of a felony and, upon conviction must be fined at the discretion of the court or imprisoned not more than fifteen years, or both.

**Domestic Violence in South Carolina**

Domestic violence: where a family or household member commits or attempts to commit the following types of offenses against another: SC Code of Laws: §16-25-20

- cause physical harm or injury to a person's own household member, or
- offer or attempt to cause physical harm or injury to a person's own household member with apparent present ability under circumstances reasonably creating fear of imminent

peril.

According to SC Code of Laws: §16-25-10, family/household member are persons who fit into one of the following categories:

- Spouses.
- Former Spouses.
- Male and female who are cohabiting, or have formerly cohabited; or
- People who have a child in common.

## **Stalking in South Carolina**

South Carolina law defines the term harassment as a pattern of intentional, substantial, and unreasonable intrusion into the private life of a targeted person that serves no legitimate purpose and causes the person or any reasonable person in his/her position to suffer mental or emotional distress (SC Code of Laws 16-3-1700 (a)).

According to S.C Code of Laws, “Stalking” is a pattern of words, whether verbal, written or electronic, or a pattern of conduct that serves no legitimate purpose and is intended to cause and does cause a targeted or reasonable person in the targeted person’s position to fear: death of the person or a member of his/her family, assault upon the person or a member of his/her family, bodily injury to the person or a member of his/her family, criminal sexual contact on the person or a member of his/her family, kidnapping of the person or a member of his/her family or damage to the property of the person or a member of his/her family (SC Code of Laws 16-3-1700 (c)).

## **Reporting Options and Obligations**

Individuals have the right to report potential violations to MUSC and to law enforcement if the violation(s) are also violations of law. MUSC’s policies and procedures operate independently of law enforcement investigations, although MUSC may coordinate information with the Department of Public Safety or other law enforcement agencies when required by law. Students and employees who make a good faith report of Prohibited Conduct to MUSC will be provided with written information about different reporting options, available support and resources and will be protected from retaliation regardless of where the offense(s) occurred.

## **Reporting to the Police**

Following an incident, victims are encouraged to make a report to the MUSC Department of Public Safety (DPS) by phone at (843) 792-4196 or in person at 101 Jonathan Lucas St., Charleston, SC. Law Enforcement officers will aid the victim in completing the report and/or contacting other agencies that can help. Off-campus incidents should be reported to a local police agency having jurisdiction. If the crime occurs off campus, victims may contact the local police/sheriff’s office by dialing **9-1-1**.

If a student or employee requests assistance with reporting a crime, MUSC officials will without delay comply with the request to notify the proper authorities. Although the university strongly encourages all members of its community to report criminal offenses to law enforcement, it is the victim's choice whether to make such a report and victims have the right to decline involvement with the police.

DPS believes a victim deserves the right to a professional criminal investigation. Reporting the assault to the police and obtaining medical attention are not synonymous with criminal prosecution. The victim retains the right not to pursue prosecution even if these steps are taken. Even if the victim decides not to pursue charges, reporting the assault can be step in regaining a sense of personal control. And providing information about the assault may help someone else avoid becoming a victim.

In accordance with the *Jessica Horton Act*: Section §59-154-10 of the *South Carolina Code of Laws*, the Chief, or his designee of DPS will immediately notify the South Carolina Law Enforcement Division (SLED) when an officer or another official of the institution is in receipt of a report alleging that an act of criminal sexual conduct (CSC) has occurred on the property of the institution. Upon notification, SLED shall participate in a joint investigation of the alleged act of CSC.

DPS will assist victims in arranging for medical care, in steps necessary to petition the courts with jurisdiction for a restraining order or order of protection, in contacting counseling services and other available resources on and off campus. DPS officers can meet with victims privately at a place chosen by the victim to take a report. DPS also attempts to meet the victim's request to speak to a male or female officer. DPS will be available to answer questions, explain to the victim their rights and options, and provide status reports on the progress of the investigation or prosecution. Every individual is treated with sensitivity and professionalism.

### Alternatives to Immediately Filing a Police Report

- Preserve evidence that may assist in proving that an alleged criminal offense occurred or is occurring. In South Carolina, evidence may be collected even if you choose to remain anonymous, to not make a report to law enforcement, or decide to report the crime at a later time.
- Make a complaint to the Medical University of South Carolina such as the Title IX Coordinator, Responsible Employee or Campus Security Authority (CSA) other than the Campus Police. Such a complaint may be used for actions that include, but are not limited to, on-campus administrative proceedings and supportive measures.
- Make an anonymous report to the police (a report that notifies the police that a domestic violence, dating violence, sexual assault, or stalking incident has occurred, but gives no names or identification) through [Silent Witness](#).
- Contact a university referral agency for help: [Counseling and Psychological Services \(CAPs\)](#), [Employee Assistance Program \(EAP\)](#), [Student Health Services](#), [University Faculty Ombudsperson](#), [University Human Resources](#), [Dean of Students](#), etc.

## Reporting to the Medical University of South Carolina

University officials will assist individuals in notifying law enforcement authorities if the individual chooses. An individual does not need to decide whether they wish to request any particular course of action when they report an incident to MUSC. Individuals can report violations of this Policy to MUSC in the following ways:

### Title IX Coordinator

File a complaint with, or give verbal notice to, the [Title IX Coordinator](#). Such a report may be made at any time (including during non-business hours) as follows:

- In person: Basic Science Building, BSB 102
- By phone: 843-792-1282
- By email: [titleix@musc.edu](mailto:titleix@musc.edu) or [harridan@musc.edu](mailto:harridan@musc.edu)
- Report online, using the reporting form posted at:  
[https://cm.maxient.com/reportingform.php?MedicalUnivofSC&layout\\_id=6](https://cm.maxient.com/reportingform.php?MedicalUnivofSC&layout_id=6)

Anonymous reports are accepted but can give rise to a need to investigate. MUSC tries to provide Supportive Measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as MUSC respects Complainant's requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows MUSC to discuss and/or provide supportive measures.

A Formal Complaint means a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that the University investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that the University investigate the allegations. If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

### Reporting to Responsible Employees

Certain MUSC employees are expected to immediately report actual or suspected Prohibited Conduct to appropriate University officials. Responsible Employees play an integral role in fostering a culture of accountability and helping MUSC to prevent and respond to Prohibited Conduct in a manner consistent with MUSC's mission.

The following list includes all the employees who are designated as Responsible Employees by this Policy:



- All faculty members.
- All employees who evaluate another through the SuccessFactors performance evaluation system and/or approve timecards.
- All employees with “timekeeper” responsibilities in the Kronos system.
- All employees with responsibilities for providing departmental, divisional, or College-specific HR support.
- Student workers who have supervisory responsibility whenever they learn of Prohibited Conduct in the scope of their employment.
- All Campus Security Authorities (or CSAs),<sup>11</sup> as defined by the *Clery Act*. See more about the role and reporting responsibilities of a CSA provided in the [Crime Reporting Policy](#) (beginning on p. 6) and [Appendix B](#) of the policy.

Responsible Employees are expected to report<sup>12</sup> all known information, including the identities of the parties, the date, time and location, and any details about the reported incident to the Title IX Coordinator. Responsible Employees must maintain the privacy<sup>13</sup> of all individuals involved to the greatest extent possible and may provide support and assistance, but they cannot promise confidentiality or withhold information about Prohibited Conduct from the Title IX Coordinator. Failure by a Responsible Employee to report suspected Prohibited Conduct in a timely manner may subject them to appropriate discipline, including removal from a position or termination of employment.

### Anonymous Reporting

Individuals can make anonymous reports using the following online form: [MUSC Harassment and Discrimination Reporting Form](#); through [Public Safety’s Silent Watch](#) or through the Report Tips function on the LiveSafe App. Providing information will help MUSC maintain accurate records regarding the number of incidents; determine if there is a pattern of conduct with regard to a particular location or responding party; and alert the campus community to potential dangers. Although individuals are permitted to make anonymous reports, MUSC’s ability to respond

---

<sup>11</sup> Campus Security Authorities (CSAs) are required to report Clery Act crimes to the Department of Public Safety for federal statistical reporting purposes. The [Crime Reporting Policy](#) provides further information about the responsibilities of CSAs.

<sup>12</sup> In addition to the above reporting responsibilities, all MUSC employees have an obligation to report suspected child abuse and neglect under the Abuse Identification Pediatrics Policy, and all health professionals have an obligation to report suspected abuse of adult patients by a caretaker under MUSC’s Abuse Identification Adults Policy and Vulnerable Patient Policy.

<sup>13</sup> *Privacy* means that information will be shared with a limited number of MUSC employees who “need to know” in order to assist in the assessment, investigation, and resolution of the complaint. MUSC reserves the right to determine which officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to Family Educational Rights and Privacy Act (FERPA). All employees who are involved in MUSC’s response to violations of this Policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with FERPA. The privacy of employee records will be protected in accordance with Human Resource policies. *Confidentiality* exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy.

meaningfully may be limited depending on the amount of information provided.

## Confidential Reporting<sup>14</sup>

If a Complainant would like the details of an incident to be kept confidential, they may speak with an on-campus professional counselors and conflict resolution staff include:

- [Employee Assistance Program \(EAP\)](#) • 51 Bee Street, Charleston, SC 29425 • (843) 792-2848 for employees
- [Counseling and Psychological Services \(CAPS\)](#) • (843) 792-4930 • [caps@musc.edu](mailto:caps@musc.edu) for students
- [Hospital Chaplains](#) • (843) 792-9464
- [National Crime Victims Research and Treatment Center](#) • Department of Psychiatry and Behavioral Sciences • 67 President Street, 2nd Floor, IOP South Building, Charleston, SC 29425 • (843) 792-8209

Off-campus resources (non-MUSC employees) include licensed professional counselors and other medical providers, local rape crisis counselors, domestic violence resources, local or state assistance agencies, clergy/chaplains, etc.

Additional information about confidential and non-confidential supportive services as it relates to this policy is available on the [Title IX Resource page](#).

Confidential Resources will maintain confidentiality when acting under the scope of their licensure, professional ethics, or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor or when required to disclose by law or court order.

If an individual who is a Confidential Resource receives information about Prohibited Conduct outside of their provision of professional services, the Confidential Resource is required to share that information with the Title IX Coordinator.

## Seeking Medical Care & Preserving Evidence

After an incident of sexual assault, dating violence, or domestic violence, the victim should consider seeking medical attention as soon as possible at the Medical University Hospital (MUH), Emergency Department (ED), located at 96 Jonathan Lucas Street, Charleston, SC. The professionally trained medical staff at the Medical University Hospital offers forensic evidence recovery and collection by certified Forensic Nurse Examiners/Sexual Assault Nurse Examiners (SANE) for victims of sexual assaults, dating violence or domestic violence. For more information, contact Forensic Nurse Examiners in-person at 96 Jonathan Lucas Street (Adult Emergency Dept.), Charleston, SC 29425, or call (843) 792-3826.

**Importance of preserving evidence.** Preserving evidence is important in that it may assist in proving that an alleged criminal offense occurred or is occurring. It may also be helpful in obtaining a protection order. In South Carolina, evidence may be collected even if you choose to remain

---

<sup>14</sup> The availability and cost of certain services may depend on the individual's role in the organization (student, staff, or faculty). Please contact the identified resource directly for more information.

anonymous and not to make a report to law enforcement. It is important that victims of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours (5 days) so that evidence of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, dating violence, and stalking are also encouraged to preserve evidence by saving text messages, instant messages, emails, social networking pages, other communications, and keeping pictures, logs or other copies of documents that would be useful to university disciplinary proceedings or police investigations and criminal prosecution.

As time passes, evidence may dissipate or become lost or unavailable, thereby making the investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Department of Public Safety or other law enforcement with jurisdiction to preserve evidence if the victim changes her/his mind at a later date.

## Restraining Orders and Orders of Protection

MUSC complies with South Carolina law in recognizing orders of protection and restraining orders issued by a Circuit Court Judge and/or County Magistrate, or an out-of- state judicial authority equivalent. Any person who obtains an order of protection from this state or any reciprocal state should provide a copy to MUSC Department of Public Safety and the Title IX Coordinator.

A complainant may then meet with the Department of Public Safety and/or the Title IX Coordinator to develop a Safety Action Plan, which is a plan to reduce risk of harm while on campus or coming and going from campus. This safety plan may include, but is not limited to, on campus Public Safety escorts, other transportation considerations, temporary or permanent changes in non-campus housing in control of MUSC, academic and working conditions, if reasonably available. To request these changes, students and employees should contact MUSC's Title IX Coordinator by phone: (843) 792-1282, or by email: [TitleIX@musc.edu](mailto:TitleIX@musc.edu)

## Orders of Protection

An Order of Protection is a civil order issued by a Family Court Judge that provides protection from abuse by your current or former spouse, someone you have a child in common with, or your live-in partner of the opposite sex.

## Emergency Protection

If you are in immediate danger and need protection immediately, you may request an emergency hearing when you are filling out your petition. In this case, you will go before a Family Court judge within 24 hours of filing your petition. Once you prove that you are in immediate and present danger of bodily injury, a judge can grant you a temporary Order of Protection until your full hearing that will take place within 15 days.

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

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

A map of Family Court Circuits for the State of South Carolina may be found by visiting the following website: <https://www.sccourts.org/familyCourt/familyMap.cfm>

## Restraining Orders

A Restraining Order against stalking or harassment is a civil order that is issued by the magistrate's court for people who are being harassed or stalked by someone. You do not need to have a specific relationship with the person harassing or stalking you.

The restraining order against stalking or harassment can order the defendant to not:

- abuse, threaten, or molest (bother) you or your family members.
- enter or attempt to enter your home, workplace, school, or other location; and/or
- communicate or attempt to communicate with you (S.C. Code Ann. § 16-3-1770(B)).

You can file in the Magistrate Court of any of the following counties:

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

A map of Magistrate Courts and list of judges in respective counties for the State of South Carolina may be found by visiting the following website:

<https://www.sccourts.org/magistrateCourt/magistrateMap.cfm>

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Title IX Coordinator by Responsible Employees, unless the Complainant clearly indicates that they desire a report to be made or to seek a specific response from MUSC. Supportive Measures may be offered because of such disclosures without formal University action.

Finally, it is important to clarify that a Responsible Employee who is themselves a target of harassment or other misconduct under this Policy is not required to report their own experience, though they are, of course, encouraged to do so.

### Getting Assistance

When a known victim of violence comes to you, encourage them to seek medical attention, pursue counseling and report the incident. No victim should be allowed to suffer alone. Victims may be unsure of how to deal with the assault and can wonder what courses of action are available and appropriate. An unfortunate result of this insecurity is that many victims elect not to tell anyone about their ordeal and decline to seek the help they need on a physical and emotional level - to deal with the terrible hurt they have suffered. All students, faculty and staff should be aware of both the consequences of violence and the options available to the victim. Seeking assistance in connection with harassment, discrimination, and sexual misconduct from the hospital, the police, the university, or anyone else does not oblige you to take further action.

### Campus Resources

An integral part of building a safe and secure campus environment is building relationships with both on-campus and off-campus resources to 1) assist victims when needed, and 2) enhance our primary prevention training and awareness programs. These entities and other community organizations are invited periodically to attend a variety of fairs, exhibitions, rallies, and other campus-sponsored events to increase awareness and educate our university community on primary prevention strategies. MUSC will continually evaluate and target programs to address the community culture and trends as well as perceptions or misperceptions of crime. To identify those areas, leaders of campus organizations and student groups may be contacted regarding the perception of criminal activity and the campus culture.

For victims of harassment, discrimination, and sexual misconduct, including dating and domestic violence, sexual assault, and stalking, MUSC provides written information to all students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services within the institution and in the community. These services are also made available to MUSC community members who are accused of harassment, discrimination, and sexual misconduct.

Remember, harassment, discrimination, and sexual misconduct, including sexual assault, domestic violence, dating violence and stalking is an offense committed against you, not by you. Do not blame yourself. Emotional trauma is severe especially after a sexual assault. The violation, loss of trust, and loss of control can have serious long-term impact on the victim. It is not unusual for a person to feel guilty, distrustful or withdraw from others particularly in an acquaintance rape.

There are, however, people specifically trained in crisis intervention, on and off campus, who can provide at no expense to the victim counseling and support services during recovery. Areas that may be of assistance to you include:

### On-Campus Resources

<b>Resource</b>	<b>Address</b>	<b>Phone/Email</b>
<a href="#">MUSC Student Counseling and Psychological Services (CAPS)</a>	30 Bee St Rm 101 Charleston, SC	(843) 792-4930
<a href="#">Office of Student Engagement</a>	45 Courtenay Dr. Charleston, SC	(843) 792-2693
<a href="#">MUSC Faculty Ombuds Office</a>	19 Bee Street Charleston, SC	(843) 792-2618 <a href="mailto:univ-ombudsman@musc.edu">univ-ombudsman@musc.edu</a>
<a href="#">Department of Public Safety (DPS)</a>	101 Jonathan Lucas Street Charleston, SC	(843) 792-4196
<a href="#">MUSC Employee Assistance Program (EAP)</a>	51 Bee St Charleston, SC	(843) 792-2848
<a href="#">Office of the Title IX Coordinator</a>	173 Ashley Ave Rm 104 Charleston, SC	(843) 792-1072 <a href="mailto:TitleIX@musc.edu">TitleIX@musc.edu</a>
MUSC DPS Victim Advocate	101 Jonathan Lucas St Charleston, SC	(843) 792-2261
<a href="#">MUSC Emergency Department</a>	96 Jonathan Lucas Street 25 Courtenay Drive	(843) 792-3826 (843) 876-7168
<a href="#">Forensic Nurse Examiners/Sexual Assault Nurse Practitioners (SANE)</a>	96 Jonathan Lucas Street (Located in the Adult Emergency Department)	(843) 792-3826
MUSC Advocacy Program (MAP)		On-call pager: (843)792-0759 or call the Hospital Operator (843) 792-2300 and ask for the social worker.

MUSC Clery Coordinator	101 Jonathan Lucas Street Charleston, SC	(843) 792-3767 <a href="mailto:cleryact@musc.edu">cleryact@musc.edu</a>
<a href="#">The Immigration and Visa Services Office, MUSC Center for Global Health</a>	45 Courtenay Drive, SW 454, Charleston, SC	<a href="mailto:immigration@musc.edu">immigration@musc.edu</a>
<a href="#">MUSC Financial Aid Services Enrollment Management</a>	45 Courtenay Drive, 3rd Floor, Charleston, SC	(843) 792-2536 <a href="mailto:finaid@musc.edu">finaid@musc.edu</a>

### [Medical Attention/ Forensic Nurse Examiners/Sexual Assault Nurse Practitioners \(SANE\)](#)

Located in the Adult Emergency Department at 96 Jonathan Lucas Street. Ph: (843) 792-3826. A victim of sexual and/or violent offenses is encouraged to seek medical assistance. This is the first step in regaining control over your life. Even if the victim decides not to report the assault to the police, it is very important to seek medical attention immediately for possible internal injuries or sexually transmitted diseases. To keep all options available, the collection of medical evidence by Forensic Nurse Examiners/Sexual Assault Nurse Practitioners (SANE) becomes critical in the event you choose, even later, to prosecute. At the Medical University Hospital emergency room, medical personnel will collect samples, hair, semen, and other trace evidence. The hospital will collect the clothing worn during your assault, so it is helpful to bring a change of clothes with you. Going to the hospital and having evidence collected does NOT obligate the victim to complete other actions. This simply aids in keeping options open until the victim decides how to proceed. Options include later choosing to pursue charges against the perpetrator criminally.

### [Behavioral Support Intervention Team \(BSIT\)](#)

The purpose of the MUSC Behavioral Support and Intervention Team (BSIT) is to provide supportive and proactive intervention for students who are experiencing problems that may affect their safety and/or the safety of others. Members of the BSIT work in collaboration with the six colleges and appropriate MUSC offices including public safety, risk management, student services, legal services, and the Associate Provost. BSIT seeks to eliminate the “information silos” that exist on college campuses. Sharing information (rather than keeping information “siloes” within specific departments) allows us to reach students who are in distress much sooner. With one central location available to express concerns, the scope of assistance and the follow-up care that may be necessary can be greatly expanded for our students.

The goals of MUSC’s BSIT include the following: (1) preventing crises before they occur through the provision of outreach and educational programming, consultation, appropriate assessment, and referrals; (2) ensuring that students whose behavior is of concern are contacted through follow-up processes and have access to the appropriate services so that they have the opportunity to improve their welfare; and (3) creating a unified reporting and tracking system that will allow members of the BSIT to observe patterns of behavior that may elicit assessment and to provide a documented response to distressed students. For more details concerning the Mission and Purpose of MUSC’s BSIT please visit <https://education.musc.edu/students/bsit>

### [Department of Public Safety](#)

Public Safety is responsible for creating and assuring a safe, orderly, and secure environment. If you have immediate concerns or in an emergency on-campus contact Public Safety at (843) 792- 4196, or when off-campus dial **9-1-1** to reach the local law enforcement agency having jurisdiction.

### [Counseling and Psychological Services](#)

Counseling and Psychological Services (CAPs) is responsible for providing assessment, counseling, workshops, group and couples therapy, consultation, and referrals for students. [\(843\)-792-4930](tel:8437924930)

### [University Employee Assistance Program \(EAP\)](#)

University employees, faculty, staff, volunteers, residents, post-docs, and fellows may voluntarily submit themselves for professional help through the University's Employee Assistance Program (EAP) by calling 843-792-2848

### [MUSC Student Health](#)

Student Health Services is committed to providing the highest quality health care to MUSC students, to enhance their health and well-being, so that they may achieve their personal and academic goals.

### [Disability Support Services](#)

Disability Support Services is responsible for providing reasonable accommodation for students with disabilities, including pregnancy. [\(843\)-792-5733](tel:8437925733)

### [The National Crime Victims Research and Treatment Center \(NCVC\)](#)

The NCVC offers a variety of specialized, evidence-based assessment, intervention, and treatment services to adult and child victims of violent crime and their families, as well as to victims of other forms of traumatic events. To make an appointment, please call our intake coordinator, who will conduct a brief phone interview with you: (843)-792-8209, 8:30 a.m. to 5 p.m., Monday through Friday.



**Community Resources:**

<b>Resource</b>	<b>Address</b>	<b>Phone/Email</b>
<a href="#">Charleston Police Department</a>	180 Lockwood Blvd. Charleston, SC 29403	(843)-792-7200
<a href="#">Charleston County Sheriff's Office</a>	3691 Leeds Ave, North Charleston, SC 29405	(843)-202-1700
<a href="#">Tri-county S.P.E.A.K.S. (formerly People Against Rape)</a>	198 Rutledge Ave #5, Charleston, SC 29403	Hotline (843)-745-0144
<a href="#">S.C. Coalition Against Domestic Violence and Sexual Assault</a>	P.O. Box 7776 Columbia, SC 29202	(803)-256-2900 (800)-799-SAFE (7233) (800)-656-HOPE (4673)
<a href="#">My Sister's House</a> (Domestic Violence Shelter)		(843) 747-4069 24-hour hotline 800-273-4673 <a href="mailto:hope@mysistershouse.com">hope@mysistershouse.com</a>
<a href="#">Charleston County Family Court</a>	100 Broad Street, Suite 143	843-958-4400
<a href="#">S.C. Legal Services</a> Charleston Office Serving: Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, and Jasper Counties	2803 Carner Avenue Charleston, SC 29405	Toll Free: 888-720-2320 Phone: 843-720-7044
U.S. Citizenship and Immigration Services (USCIS) Charleston Field Office	1821 Sam Rittenberg Blvd Charleston, SC 29407	(800)-375-5283
<a href="#">Federal Student Aid Information Center</a> (FSAIC) U.S. Department of Education		(800)-433-3243 <a href="mailto:studentaid@ed.gov">studentaid@ed.gov</a>
<a href="#">The National Crime Victims Research and Treatment Center</a> (NCVC)	67 President Street, 2nd Floor IOP South Building Charleston, SC 29425	Clinic: (843)-792-8209 Administrative: 843-792-2945
<a href="#">National Sexual Assault Hotline</a> (Get Help 24/7)	Call or chat online	(800)-656-4673

## [South Carolina State Office of Victim Assistance](#)

For those to whom it applies, South Carolina has a Crime Victims Compensation program that will pay for mental health counseling for eligible crime victims. To be eligible:

- The crime must have occurred within 170 days from the present date.
- The crime must have been reported to law enforcement.
- The victims must cooperate with the criminal justice system (that is, they must be willing to prosecute the case).

If you feel you are eligible to receive this funding, the intake coordinator can help you apply, or you can [apply on-line](#) or contact the Department of Crime Victims Compensation Fund

Monday – Friday; 8:30am - 5:00pm at:

**Phone:** (803)-734-1900

**Toll Free:** (800)-220-5370

(Crime Victims Only, Please)

**E-mail:** [dcvc@scag.gov](mailto:dcvc@scag.gov)

**Other on-line community, state, and national resources** are available to persons who report being victims of sexual assault, domestic violence, dating violence, or stalking, including (click on each to follow links):

- [Tri-County S.P.E.A.K.S.](#)
- [National Sexual Violence Resource Center \(NSVRC\)](#)
- [Rape, Abuse and Incest National Network \(RAINN\)](#)
- [Department of Justice, Office on Violence Against Women](#)
- [Department of Education, Office of Civil Rights](#)
- [Alliance for Full Acceptance \(Charleston\)](#)
- [South Carolina Legal Services](#)
- [Immigration Advocates Network](#)
- [Citizenship and Immigration Services \(USCIS\)](#)
- [Supreme Court of South Carolina \(Statewide Family Court Contacts\)](#)

## MUSC Institutional Disciplinary Procedures

### Initial Assessment, Anonymity, & Supportive Measures

#### Written Notification About Available Options and Assistance

Because you are reporting a possible form of prohibit conduct, MUSC wants to inform you of our policy and procedures that address these offenses, including sexual assault, domestic violence, dating violence, and stalking, as well as your rights and MUSC's responsibilities regardless as to whether the incident occurs on campus or at off campus locations, or whether or not the Complainant chooses to report the alleged offense to campus police or local law enforcement officials. Upon receipt of notice or a complaint, the Title IX Coordinator, as part of the Initial Assessment, will provide the Complainant<sup>15</sup> with a written explanation of available resources, options, and other important Policy information, including:

- The option to file criminal charges, if criminal or potentially criminal in nature, as well as information on the importance of preserving potentially key forensic evidence and/or other potential evidence that may assist in proving that the alleged violation occurred, including evidence related to sexual assaults, dating violence, domestic violence, and stalking that may be helpful in obtaining a protection order or other protective measure.
- Information to students and employees about existing counseling, medical treatment, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community, including the option to seek Supportive Measures regardless of whether they choose to participate in a university or law enforcement investigation.
- Remedies to prevent contact between a complainant and respondent, such as temporary or permanent changes in housing, academic, transportation and working conditions, if reasonably available. To request these changes, students and employees should contact MUSC's Title IX Coordinator.
- The University's complaint resolution options and procedures.
- The right to an advisor of their choosing who may be, but is not required to be, an attorney.
- The University's prohibition of retaliation against the Complainant, the Respondent, the witnesses, and the reporting parties; how to report acts of retaliation; and that MUSC will take prompt action when retaliation is reported.
- The opportunity to discuss with the Title IX Coordinator or designee the individual's resources, rights, and options.
- A copy of or a [link](#) to the University's Policy on Nondiscrimination, Anti-Harassment, and Equal Opportunity and Complaint Procedures; and
- That parties and witnesses are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process.

---

<sup>15</sup> If a Formal Complaint is filed, the Title IX Coordinator will also provide a written explanation of rights and options to the Respondent which, in addition to the rights of the Complainant, will include a written notice of the allegations.

## Written Statement of Rights of the Parties

Whenever the University receives notice of an alleged violation of the Nondiscrimination, Anti-Harassment, and Equal Opportunity Policy, whether the offense occurred on or off campus, the Title IX Coordinator will provide the Complainant (student or employee) with written statement of rights.<sup>16</sup> The Title IX Coordinator will issue the same written statement of rights to the Respondent, if known, whenever a Formal Complaint is filed. Click to view [Statement of Rights of the Parties](#)

## Complainant's Request Not to Proceed or Wishes to Remain Anonymous

If the Complainant does not wish for their name to be shared with the Respondent, does not wish for an investigation to take place, or does not want a Formal Complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request considering the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether to initiate a grievance process when the Complainant does not wish to do so, and the Title IX Coordinator may sign a Formal Complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator's decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires MUSC to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. MUSC may be compelled to act on alleged employee or student misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the University's ability to pursue a grievance process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the University proceeds with a grievance process, the Complainant (or their advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the

---

<sup>16</sup> Whenever MUSC becomes aware that a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, whether on or off campus, it will provide the student or employee with a written copy of the Victim's Bill of Rights, as identified in the [Policy on Crime Reporting](#), along with the written [Statement of Rights of the Parties](#).

Complainant chooses not to participate, the advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant.

Note that the University's ability to remedy and respond to notice may be limited if the Complainant does not want the University to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the University's obligation to protect the MUSC community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the Title IX Coordinator to honor that request, the Title IX Coordinator will offer informal resolution options (see below), Supportive Measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint later. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the University, and to have the incidents investigated and properly resolved through these procedures.

### Counterclaims

Counterclaims by the Respondent may be made in good faith but are also sometimes made for purposes of retaliation. The University is obligated to ensure that any process is not abused for retaliatory purposes.

MUSC permits the filing of counterclaims, but uses the initial assessment, described above in the Policy section, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

### Violence Risk Assessment

In some cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted in collaboration with the Department of Public Safety as part of the Initial Assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent based on immediate threat to physical health/safety.
- Whether the Title IX Coordinator should pursue/sign a Formal Complaint absent a willing/able Complainant.
- Whether to put the investigation on the footing of incident and/or pattern and/or climate.
- To help identify potential predatory conduct.

- To help assess/identify grooming behaviors.
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful.
- Whether to permit a voluntary withdrawal by the Respondent.
- Whether to impose transcript notation or communicate with a transfer institution about a Respondent.
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Evaluate whether a *Clery Act* Timely Warning/Trespass Order/Persona Non-Grata is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

### Supportive Measures

Regardless of whether the Complainant chooses to report the crime to campus police or local law enforcement officials, MUSC will offer and implement appropriate and reasonable supportive measures to both parties upon notice of an alleged violation of the Policy on Nondiscrimination, Anti-Harassment, and Equal Opportunity. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the MUSC'S education program or activity, including measures designed to protect the safety of all parties or the University's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available in writing to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the Title IX Coordinator will inform the Complainant, in writing, that they may file a Formal Complaint with the University either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are considered with respect to the Supportive Measures that are planned and implemented.

MUSC will maintain Supportive Measures provided to the Complainant or Respondent as confidential to the extent that maintaining such confidentiality would not impair MUSC's ability to provide the Supportive Measures. If it is necessary to disclose information about the Supportive Measures to a third party, the Title IX Coordinator will determine what information should be disclosed and to whom the information will be disclosed and will inform the party prior to sharing any personally identifying information with a third party. MUSC will act to ensure as minimal an academic/employment impact on the parties as possible. It will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to community-based service providers
- Referral to legal aid assistance
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no-contact orders) between the parties
- Academic support, extensions of deadlines, or other program-related adjustments
- Timely Warnings considerations
- Class schedule modifications, withdrawals, or leaves of absence.
- Changes to non-campus student lodging accommodations controlled by MUSC.
- Increased security and monitoring of certain areas of the campus.
- Providing information about obtaining a protective or restraining order from the courts
- Any other actions deemed appropriate by the Title IX Coordinator

### Emergency Removal

MUSC can act to remove a student or employee Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the Department of Public Safety using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the Respondent will be given notice of the action and the option to request a meeting with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified. This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. There is no appeal process for emergency removal decisions. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this Policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline.

MUSC will implement the least restrictive emergency actions possible considering the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, temporarily re-assigning an employee, and suspending a student's participation in extracurricular activities, student employment, and student organizational leadership.

### [The Right to An Advisor](#)<sup>17</sup>

Each party may choose an advisor who is eligible and available to accompany them throughout the resolution process. The advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change advisors during the process and is not obligated to use the same advisor throughout.

The parties are expected to inform the Investigators of the identity of their advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change advisors at any time.

Upon written request of a party, the Title IX Coordinator will copy the advisor on all communications between the University and the party. The advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

### [Sharing Information with the Advisor](#)

MUSC expects that the parties may wish to have the Title IX Coordinator share documentation and evidence related to the allegations with their advisors. Parties may share this information directly with their advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The Title IX Coordinator also provides a consent form that authorizes the University to share such information directly with their advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the advisor before the Title IX Coordinator is able to share records with an advisor.

Advisors are expected to maintain the privacy of the records shared with them.

---

<sup>17</sup> This section contains general information about advisors. [Process A](#) contains additional information specific to the respective resolution processes.



## Expectations of an Advisor

MUSC generally expects an advisor to adjust their schedule to allow them to attend meetings when planned but may change scheduled meetings to accommodate an advisor's inability to attend, if doing so does not cause an unreasonable delay.

The Title IX Coordinator may also make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

## Assistance in Securing an Advisor

MUSC has partnered with the Charleston School of Law to provide law students, supervised by law faculty, as advisors in the resolution process.

For representation, Respondents may wish to contact organizations such as:

- [FACE](#)
- [SAVE](#)

Complainants may wish to contact organizations such as:

- [The Victim Rights Law Center](#)
- [The National Center for Victims of Crime](#) which maintains the Crime Victim's Bar Association.
- [The Time's Up Legal Defense Fund](#)

## Grievance Process Pool

The resolution of complaints under both Process A and Process B relies on a pool of administrators ("the Pool") to carry out the process. Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees. They are also listed in the Annual Title IX Report published by the Title IX Office.

The list of Pool members and a description of the Pool can be found [here](#).

## Pool Member Roles

Members of the Pool are trained annually, and can serve in in the following roles, at the discretion of the Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To serve in a facilitation role in Alternate Resolution if appropriately trained in appropriate

resolution modalities (e.g., mediation, restorative practices)

- To perform or assist with initial assessment.
- To investigate complaints
- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a decision-maker regarding the complaint
- To serve as an Appeal decision-maker

### Pool Member Appointment

The Title IX Coordinator appoints the Pool, which acts with independence and impartiality. While members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, the University can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

### Pool Member Training

The Pool members receive annual training. This training includes, but is not limited to:

- The scope of the MUSC Policy on Equal Opportunity, Harassment, and Non-Discrimination
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by MUSC with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias

- Any technology to be used at a live hearing.
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence.
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

Specific training is also provided for appeal decision-makers, intake personnel, and Chairs. All Pool members are required to attend these training courses annually.

## Sanctions

Factors considered when determining a sanction may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- Previous allegations or allegations involving similar conduct.
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the hearing panel.

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested. The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by law enforcement or other external non-MUSC authorities.

## Student Sanctions

The following are the sanctions that may be imposed upon students:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any MUSC policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling:* A mandate to meet with and engage in either MUSC-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions if the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be

articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

- *Suspension*: Termination of student status for a definite period not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at MUSC.
- *Expulsion*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend MUSC-sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript.
- *Withholding Diploma*: MUSC may withhold a student's diploma for a specified period and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- *Revocation of Degree*: MUSC reserves the right to revoke a degree previously awarded for fraud, misrepresentation, and/or other violation of MUSC policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

## Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – Verbal or Written*
- *Performance Improvement/Management Process*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Loss of Annual Pay Increase*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Suspension with pay*
- *Suspension without pay*
- *Termination*

## Withdrawal or Resignation While Charges Pending

Students: If a student has an allegation pending for violation of the Policy Nondiscrimination, Anti-Harassment, and Equal Opportunity, MUSC may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the University, the resolution process ends, as MUSC no longer has disciplinary jurisdiction over the withdrawn student.

However, MUSC will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to MUSC. A hold will be placed on their ability to be readmitted. They may also be barred from university property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period (e.g., one semester or term), the resolution process may continue remotely, and that student is not permitted to return to MUSC unless and until all sanctions have been satisfied.

During the resolution process, a hold may be placed on the student Respondent's transcript that a disciplinary matter is pending.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as MUSC no longer has disciplinary jurisdiction over the resigned employee.

However, MUSC will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

### Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to Counseling and Psychological Services (CAPS)
- Referral to the Employee Assistance Program (EAP)
- Education to the individual and/or the community
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by the University to the Respondent to ensure no effective denial of educational access.

MUSC will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair MUSC's ability to provide these services.

### [Failure to Comply with Sanctions and/or Remedies and/or Responsive Actions](#)

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final decision-maker(s). Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

### [Promptness](#)

All allegations are acted upon promptly by the University once it has received notice of Prohibited Conduct or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but MUSC will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in the procedures will be delayed, the Title IX Coordinator will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed because of the delay.

### [Clery Act Timely Warning Obligations](#)

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that in accordance with the *Clery Act*, MUSC must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community. MUSC will access each incident on case-by-case basis and will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions considering the potential danger. Please refer to MUSC's [Emergency Response and Evacuation Procedures](#) for additional information about federal timely warnings (Net ID & password required).

### [Obligation to Cooperate and Provide Truthful Information](#)

All members of the MUSC community are expected to cooperate and participate in inquiries, investigations, and resolutions of reports of Prohibited Conduct under this Policy. When involved in

a proceeding under this Policy, all members of the MUSC community are expected to provide truthful information. Deliberately false and/or malicious accusations under this Policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

Additionally, witnesses and parties knowingly providing false evidence, tampering with, or destroying evidence after being directed to preserve such evidence, or deliberately misleading an official conducting an investigation can be subject to appropriate discipline.

### Recordkeeping

MUSC will maintain records for a period of seven years of:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation.
- Any disciplinary sanctions imposed on the Respondent.
- Any remedies provided to the Complainant designed to restore or preserve equal access to the MUSC's education program or activity.
- Any appeal and the result therefrom.
- Any Informal Resolution and the result therefrom.
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an Informal Resolution process. MUSC will make these training materials publicly available on its website; and
- Any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of sexual harassment, including:
  - The basis for all conclusions is that the response was not deliberately indifferent.
  - Any measures designed to restore or preserve equal access to MUSC's education program or activity; and
  - If no Supportive Measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable considering the known circumstances.

MUSC will also maintain all records in accordance with state and federal laws.

### Disabilities Accommodations in the Resolution Process

MUSC is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the resolution process. Anyone needing such accommodations or support should contact the [Director of University Accessibility Services](#) (students) or University HR (employees), who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine appropriate and necessary accommodations for full participation in the process.

## Education and Prevention Programs

MUSC is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of the University's policies and procedures; relevant definitions, including Prohibited Conduct; discussion of the impact of alcohol and illegal drug use; affirmative consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming first year students and new employees receive primary prevention and awareness programming as part of their orientation. Returning students and employees also have ongoing opportunities for training and education.

## Complaint Procedures for Alleged Violations of Title IX

### (Process A)

#### Initial Assessment, Investigation, Hearings, Appeals & Resolution Process

##### 1. **Overview**

The procedures below apply **only** to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, employees, staff, administrators, or faculty members of the University.

MUSC's disciplinary process will include a prompt, fair, and impartial investigation, and resolution process. MUSC will act on any report of a violation of the Policy on Prohibited Discrimination, Harassment, and Sexual Misconduct that is received by the Title IX Coordinator. If at any point during the resolution process, the evidence indicates that an incident does not rise to the level of discrimination or harassment but could be in violation of other MUSC policies, the Title IX Coordinator may refer the matter to the appropriate office (e.g., Dean's Office or Human Resources).

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another).

##### 2. **Notice/Complaint**

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps the University needs to take.

The University will initiate at least one of three responses:

- 1) Offering supportive measures to the Complainant does not want to proceed formally; and/or
- 2) An informal resolution; and/or



3) A Formal Grievance Process including an investigation and a hearing.

The investigation and grievance process will determine whether the Policy has been violated. If so, MUSC will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, its potential recurrence, or its effects.

**3. Initial Assessment**

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator<sup>18</sup> engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

- If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a Formal Complaint, and will assist them to do so, if desired.
  - \* If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
- If a Formal Complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
  - \* If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
  - \* If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in informal resolution.
  - \* If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX. If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
    - an incident, and/or
    - a pattern of alleged misconduct, and/or
    - a culture/climate issue, based on the nature of the complaint.

If it does not, the Title IX Coordinator determines that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, and refers the matter for appropriate resolution under an alternative process and remedies. Please note that dismissing a complaint under Title IX is just procedural and does not limit the University’s authority to address a complaint with an appropriate process and remedies.

---

<sup>18</sup> If circumstances require, the President of the University or Title IX Coordinator will designate another person to oversee the process below should an allegation be made about the Coordinator or the Coordinator be otherwise unavailable or unable to fulfill their duties.

#### **4. Dismissal (Mandatory and Discretionary)**

The Title IX Coordinator must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- The conduct alleged in the Formal Complaint would not constitute sexual harassment as defined in this Policy, even if proved; and/or
- The conduct did not occur in an educational program or activity controlled by the Medical University of South Carolina (including buildings or property controlled by recognized student organizations), and/or the University does not have control of the Respondent; and/or
- The conduct did not occur against a person in the United States; and/or
- At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of MUSC.

The Title IX Coordinator may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein: or
- The Respondent is no longer enrolled in or employed by MUSC; or
- Specific circumstances prevent the Title IX Coordinator from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon any dismissal, the Title IX Coordinator will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures for appeal below.

#### **5. Right to an Advisor**

The parties may each have an advisor of their choice present with them for all meetings and interviews within the resolution process if they so choose. The parties may select whoever they wish to serve as their advisor if the advisor is eligible and available.<sup>19</sup>

Choosing an advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing decision-makers.

##### **A. Who Can Serve as an Advisor**

The advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose advisors from inside or outside of the MUSC community.

---

<sup>19</sup> “Available” means the party cannot insist on an advisor who simply doesn’t have inclination, time, or availability. Also, the advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

The Title IX Coordinator will also offer to assign a trained advisor for any party if the party so chooses. If the parties choose an advisor from the pool available from MUSC, the advisor will be trained by the Title IX Coordinator and be familiar with MUSC's resolution process. If the parties choose an advisor from outside the pool of those identified by MUSC, the advisor may not have been trained by the Title IX Coordinator and may not be familiar with MUSC policies and procedures. Parties also have the right to choose not to have an advisor in the initial stages of the resolution process, prior to a hearing.

### **B. Advisors in Hearings/MUSC-Appointed Advisor**

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an advisor for a hearing, the Title IX Coordinator will appoint a trained advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own advisor, but they may not proceed without an advisor. If the party's advisor will not conduct cross-examination, the Title IX Coordinator will appoint an advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the decision-makers during the hearing.

### **C. Advisor's Role**

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

MUSC cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not or cannot afford an attorney, MUSC is not obligated to provide an attorney.

### **D. Advisor Violations of MUSC's Policy**

All advisors are subject to the same policies and procedures, whether they are attorneys or not. Advisors are expected to advise the parties without disrupting proceedings.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the advisor generally may not speak on behalf of their advisee, the advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their advisors should ask for breaks to allow for private consultation.

Any advisor who oversteps their role as defined by this policy will be warned only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the advisor's non-compliance and future role.

## **6. Resolution Processes**

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with this Policy. While there is an expectation of privacy around what investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose. MUSC encourages parties to discuss this with their advisors before doing so.

### **A. Informal Resolution**

Informal Resolution can include two different approaches:

- When the parties agree to resolve the matter through an alternate resolution mechanism.
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or

To initiate Informal Resolution, a Complainant needs to submit a Formal Complaint, as defined above. If a Respondent wishes to initiate an Informal Resolution, they should contact the Title IX Coordinator to so indicate.

It is not necessary to pursue Informal Resolution first to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, the Title IX Coordinator will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by MUSC.

The Title IX Coordinator will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

### **B. Alternate Resolution**

Alternate Resolution is an informal process, such as a mediation or a negotiated resolution, by which a mutually agreed upon resolution of an allegation is reached. All parties must consent to the use of Alternate Resolution.

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Administrative Resolution are not appealable.

### **C. Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged Policy violation(s) at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator

will determine whether Informal Resolution can be used.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the University are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of the Policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

## **7. Formal Grievance Process**

### **A. Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that the Medical University of South Carolina presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about MUSC’s policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an advisor of their choice, and suggestions for ways to identify an advisor,
- A statement informing the parties that the Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official University records, or emailed to the parties' MUSC-issued email accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

### **B. Resolution Timeline**

MUSC will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

### **C. Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

### **D. Ensuring Impartiality**

Any individual materially involved in the administration of the resolution process, including the Title IX Coordinator, investigator(s), and decision-maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the President of MUSC.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence which supports that the Respondent engaged in a Policy violation and evidence which supports that the Respondent did not engage in a Policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

MUSC operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

### **E. Investigation Timeline**

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and

complexity of the allegations, availability of witnesses, police involvement, etc.

MUSC will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

#### **F. Delays in the Investigation Process and Interactions with Law Enforcement**

MUSC may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include, but are not limited to, a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The University will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the Title IX Coordinator will implement supportive measures as deemed appropriate.

MUSC's action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

#### **8. Steps in the Investigation Process**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- In coordination with campus partners, initiate or assist with any necessary supportive measures.
- Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan.
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations.
- Provide each interviewed party and witness an opportunity to review and verify the investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible.

- When participation of a party is expected, provide that party with written notice of the date, time, location, and purpose of the meeting.
- Interview all available, relevant witnesses and conduct follow-up interviews.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective advisors with a list of witnesses whose information will be used to render a finding.
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical, or documentary evidence will be included.
- Prior to the conclusion of the investigation, provide the parties and their respective advisors a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence that will not be relied upon in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it.
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses.
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period.
- The final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.

## **9. Role and Participation of Witnesses in the Investigation**

Witnesses (as distinguished from the parties) who are employees of MUSC are expected to cooperate with and participate in the University's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

While in-person interviews for parties and all potential witnesses are ideal, circumstances may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the investigator(s) determines that timeliness or efficiency dictate a need for remote interviewing. MUSC will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.



## **10. Recording of Interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

## **11. Evidentiary Considerations in the Investigation**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

## **12. Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing. The hearing cannot be less than ten (10) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the decision-makers–unless all parties and the decision-maker agree to an expedited timeline.

## **13. Hearing Panel Composition**

The Title IX Coordinator will designate a three-member panel from the Pool. One of the three members will be appointed as Chair. The panelists will not have had any previous involvement with the investigation. Those who have served as investigators will be witnesses in the hearing and therefore may not serve as panelists. Those who are serving as advisors may not serve as panelists in that matter. The Title IX Coordinator may not serve as a panelist or Chair in the matter. The hearing will convene at a time determined by the Chair.

## **14. Evidentiary Considerations in the Hearing**

Any evidence that the panelists determine is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The parties may submit a written impact statement prior to the hearing for the consideration of the panelists at the sanction stage when a determination of responsibility is reached.

After deliberation, the panelists render a determination based on the preponderance of the evidence: whether it is more likely than not that the Respondent violated the Policy as alleged.

## **15. Notice of Hearing**

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker based on demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the panelists. For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an advisor of their choice at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an advisor, and MUSC will appoint one. Each party must have an advisor present. There are no exceptions.
- A copy of all the materials provided to the panelists about the matter unless they have been provided already.<sup>20</sup>
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the panelists will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

---

<sup>20</sup> The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

## **16. Alternative Hearing Participation Options**

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator at least five (5) business days prior to the hearing.

The Title IX Coordinator can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

## **17. Pre-Hearing Preparation**

The Chair, after any necessary consultation with the parties, investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the investigator(s) or have proffered a written statement or answered written questions unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair will delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the panelists at least five (5) business days in advance of the hearing. All objections to any panelist must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than one day prior to the hearing. Panelists will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the panelists a list of the names of all parties, witnesses, and advisors at least five (5) business days in advance of the hearing. Any panelist who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and advisors in advance of the hearing. If a panelist is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

## **18. Pre-Hearing Meetings**

The Chair may convene a pre-hearing meeting(s) with the parties and their advisors to invite them to submit the questions or topics they wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing

or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the advisors from asking for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Chair, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the investigator(s) may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings.

### **19. Hearing Procedures**

At the hearing, the panel has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the Policy on Nondiscrimination, Anti-Harassment, and Equal Opportunity.

Participants at the hearing will include the Chair, any additional panelists, the investigator(s) who conducted the investigation, the parties, advisors to the parties, any called witnesses, the Title IX Coordinator, the hearing facilitator, and anyone providing authorized accommodations or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing to respond to specific questions from the panelists and the parties and will then be excused.

### **20. Joint Hearings**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly. However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

### **21. The Order of the Hearing – Introductions and Explanation of Procedure**

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the panelists on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the

challenge, in which case the Title IX Coordinator will review and decide the challenge.

At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The hearing facilitator may attend to logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

#### **A. Investigator Presents the Final Investigation Report**

The investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the panel and the parties (through their Advisors). The investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the panelists should ask the investigator(s) their opinions on credibility, recommended findings, or determinations, and the investigators, advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

#### **B. Testimony and Questioning**

Once the investigator(s) present the report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The parties/witnesses will submit to questioning by the panel and then by the parties through their advisors (“cross-examination”).

All questions are subject to a relevance determination by the Chair. The advisor will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request), the proceeding will pause to allow the Chair to consider it, and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may explore arguments regarding relevance with the advisors if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions that are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance, subject to any appeal. The Chair may consult with legal counsel on questions of admissibility. The Chair may ask advisors to frame why a question is or is not relevant but will not entertain argument from the advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an investigator or panelist at the hearing, the Chair may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

### **C. Refusal to Submit to Cross-Examination and Inferences**

If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the panel may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The panel must disregard that statement. Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some cross-examination questions, only statements related to the cross-examination questions they refuse to answer cannot be relied upon. However, if the statements of the party who is refusing to submit to cross-examination or refuses to attend the hearing are the subject of the allegation itself (e.g., the case is about verbal harassment or a quid pro quo offer), then those statements are not precluded from admission. Similarly, statements can be relied upon when questions are posed by the panelists as distinguished from questions posed by advisors through cross-examination.

The panel may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If charges of policy violations other than sexual harassment are considered at the same hearing, the panel may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's advisor of choice refuses to comply with MUSC's established rules of decorum for the hearing, MUSC may require the party to use a different advisor. If a MUSC-provided advisor refuses to comply with the rules of decorum, MUSC may provide that party with a different advisor to conduct cross-examination on behalf of that party.

### **D. Recording Hearings**

Hearings (but not deliberations) are recorded by the University for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The panel, the parties, their advisors, and appropriate University administrators will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without the permission of the Title IX Coordinator.

### **E. Deliberation, Decision-making, and Standard of Proof**

The panel will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. A simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the panel may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The panel may – at their discretion – consider the statements, but they are not binding. The panel will review the statements and any pertinent conduct history provided by the Title IX Coordinator and will determine the appropriate sanction(s).

The Chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, credibility assessments, and any sanctions. This report typically should not exceed three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

#### **F. Notice of Outcome**

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome. The Notice of Outcome will then be reviewed by legal counsel. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their advisors within five (5) business days of receiving the decision-maker(s)' deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University records, or emailed to the parties' MUSC-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will include (1) the specific policy or policies reported to have been violated, including the relevant policy section(s); (2) a description of the procedural steps taken from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held; (3) the findings of fact supporting each determination; (4) conclusions regarding the application of the relevant policy or policies to the facts at issue; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions MUSC imposes on the Respondent, and whether remedies designed to restore or preserve equal access to MUSC's education program or activity will be provided to the Complainant; and (6) the relevant procedures and permissible bases for the parties to appeal.

#### **22. Appeals**

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within three (3) business days of the delivery of the Notice of Outcome. The appeal will be considered by a single Appeal decision-maker who was not previously involved in the process, including any dismissal appeal that may have been heard earlier in the process.

## **A. Grounds for Appeal**

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter.
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied, and the parties and their advisors will be notified in writing of the denial and the rationale.

The other party or parties and their advisors, the Title IX Coordinator, and, when appropriate, the investigators and/or the original decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given three (3) business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded to all parties for review and comment.

The non-appealing party (if any) may also choose to raise new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal decision maker and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the investigator(s) and/or original decision-maker(s), as necessary, who will submit their responses in three (3) business days, which will be circulated for review and comment by all parties. Neither party may submit any new requests for appeal after this period.

The Appeal decision maker will render a decision in no more than five (5) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously in writing including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result, and the rationale supporting the essential findings.

Simultaneous notification to the parties explaining any change to the result and when such results become final will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' MUSC-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

## **B. Sanctions Status During the Appeal**

Any sanctions imposed because of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.



### **C. Appeal Considerations**

Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.

Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.

An appeal is not an opportunity for appeal decision-maker to substitute their judgment for that of the original decision-maker(s) merely because they disagree with the finding or sanction(s).

The Appeal decision-maker may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification. Documentation of all such consultations will be maintained.

Appeals granted based on new evidence should be remanded to the original investigator(s) and/or decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.

Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). In rare cases where a procedural or substantive error cannot be cured by the original decision-maker(s) (as in cases of bias), the appeal may order a new hearing with new decision-maker(s). The results of a remand to a decision-maker(s) cannot be appealed.

In cases in which the appeal results in reinstatement or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

*[The rest of this page is intentionally left blank]*

## Statement of Rights of the Parties

Whenever the University receives notice of an alleged violation of the Policy on [Nondiscrimination, Anti-Harassment, and Equal Opportunity](#), regardless of where the alleged violation occurred or whether the victim elects to pursue a criminal complaint, the Title IX Coordinator will assist and provide the Complainant with the following written statement of rights.<sup>21</sup> The Title IX Coordinator will issue the same written statement of rights to the Respondent whenever a Formal Complaint is filed:

- The right to a prompt, fair, and impartial investigation, and resolution of all alleged violations of the Nondiscrimination, Anti-Harassment, and Equal Opportunity Policy.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by MUSC officials.
- The right to have MUSC policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by MUSC officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities.
- The right to be informed by MUSC officials of different reporting options including the option to notify proper law enforcement authorities (on-campus and local police) and the option(s) to be assisted by MUSC authorities in notifying such authorities, if the party so chooses or if the victim is unable to make such a report. This also includes the right to decline to notify authorities and not to be pressured to report.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by MUSC law enforcement and/or other University officials.
- The right to protective measures, such as no-contact order (or a no-trespass order against a non-affiliated third party) when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others, and the right to be informed of available assistance with orders of protection, restraining orders, or similar lawful orders issued by a criminal or civil court, or by the institution.
- The right to be informed of available supportive measures, such as professional counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.

---

<sup>21</sup> Additionally, whenever MUSC becomes aware that a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, it will provide the Complainant (if known) with information about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order, and a written copy of the Victim's Bill of Rights, as identified in the [Policy on Crime Reporting](#) and Statement of Rights of the Parties.

- The right to be informed of available assistance in changing academic and/or working and/or housing situations, and other accommodations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Requests for these changes should be made to the Title IX Coordinator either in person, by phone: (843) 792-1072, or by email: [TitleIX@musc.edu](mailto:TitleIX@musc.edu). Such actions may include, but are not limited to:
  - \* Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - \* Transportation accommodations
  - \* Exam, paper, and/or assignment rescheduling or adjustment
  - \* Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
  - \* Transferring class sections
  - \* Temporary withdrawal/leave of absence (may be retroactive)
  - \* Campus safety escorts
  - \* Alternative course completion options
  - \* Changes to non-campus student lodging accommodations controlled by MUSC.
- The right to have the University maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair the University's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to ask the investigator(s) and decision-maker(s) to identify and question relevant witnesses, including expert witnesses.
- The right to provide the investigator(s)/decision-maker(s) with a list of questions that, if deemed relevant by the investigator(s)/Chair, may be asked of any party or witness.
- The right to have inadmissible prior sexual history or irrelevant character evidence excluded by the decision-maker.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to fair opportunity to provide the investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by investigators, Title IX Coordinators, and decision-maker(s) who have received relevant annual training.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any MUSC representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.

- The right to have an advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the preponderance of the evidence standard to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale therefor (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties. In the event either party is deceased, their next of kin will receive the notification upon request.
- The right to be informed simultaneously in writing of when a decision by MUSC is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- The right to be informed simultaneously of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by MUSC.
- The right to be informed simultaneously of any change to the result of an appeal and when such results become final.

### Missing Student Notification

Medical University of South Carolina does not maintain any on campus student housing facilities; therefore, they are exempt from reporting on this.

### Annual Fire Safety Report

Medical University of South Carolina does not maintain any on campus student housing facilities; therefore, they are exempt from reporting on this.

### Fire Log

The Medical University of South Carolina does not have on campus student housing facilities; therefore, they are exempt from reporting on this.

## CRIME STATISTICS

This Annual Security Report is provided on behalf of MUSC by the Department of Public Safety (DPS) in compliance with *The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, the *Violence Against Women Reauthorization Act of 2013 (VAWA)*, the *Drug-Free Schools and Communities Act Amendments of 1989* and the *Drug-Free Workplace Act of 1988*.

The MUSC DPS believes strongly that providing crime statistics is a part of crime awareness and increased crime awareness is a part of crime prevention. We believe that dissemination of this information is key to educating the MUSC Community about the occurrence of crime and will, therefore, help reduce the likelihood of students and others becoming victims.

### Statistical Disclosure of Reported Clery Primary Crimes, Hate Crimes, VAWA Offenses, Arrests and Referrals for Violation of Weapons, Drug and Liquor Laws

Incidents reported to the MUSC DPS that fall into one of the following required reporting classifications will be disclosed as a statistic in the ASR, which includes:

#### Primary Crimes

The criminal offenses that we are required to disclose statistics are murder/non-negligent manslaughter, manslaughter by negligence, sexual assaults (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson.

#### Hate Crimes

MUSC is required to report statistics for bias-related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny (theft), destruction/damage/vandalism of property, intimidation, and simple assault (see definitions below).

A hate crime is a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias. Bias is a preformed attitude based on actual or perceived prejudice, negative opinion, or attitude toward a person or group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, and/ or national origin.

#### Domestic Violence, Dating Violence and Stalking (VAWA) Offenses

The *Violence Against Women Reauthorization Act of 2013* (VAWA), added domestic violence, dating violence and stalking crimes to the *Clery Act* that MUSC is now required to report separately.

#### Arrests and Disciplinary Referrals for Violation of Weapons, Drug and Liquor Laws

MUSC is required to report separately arrests and disciplinary referrals for weapons law violations, drug law violations and liquor law violations. This category of crime statistics is the number of all persons arrested or the number of students and employees of the Institution/University referred for disciplinary action for violations of these laws occurring on MUSC Clery geography, as defined below.

## Definition of Clery Geography, Terms for Statistical Charts

Clery Geography is defined as including the areas that meet the definitions of on-campus, non-campus building or property, or public property. MUSC is required to disclose statistics for the aforesaid offenses that occur on campus, in or on non-campus buildings or property owned or controlled by our institution, and public property within or immediately adjacent to our campus.

### Definition of On-campus:

The term "on-campus" means: Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

*Medical University of South Carolina does not maintain any on campus student housing facilities.*

A Campus Map can be found at: <https://web.musc.edu/about/visitors> and is attached in [Appendix B](#).

### Definition of Public Property

The term "public property" means: All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

*Reported crime statistics do not include crimes that occur in privately owned homes or businesses on or adjacent to the Medical University campus.*

### Definition of Non-Campus

The term "non-campus building or property" means: Any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Campus, Non-campus and Public Property definitions from the U.S. Department of Education, Office of Postsecondary Education, *The Handbook for Campus Safety and Security Reporting*, Washington, D.C., 2016.

## Definitions of Reportable Clery Crimes

Under the *Clery Act*, for the purposes of counting and disclosing Primary Offenses, Hate Crimes, VAWA crimes, Arrests and Disciplinary Referrals, statistics must be based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program.

The definitions below for Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Law Violations, Drug Law Violations, and Liquor Law Violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program.

The definitions of Fondling, Incest and Statutory Rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR.

Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual.

For the categories of Domestic Violence, Dating Violence and Stalking, the *Clery Act* specifies that MUSC must use the definitions provided by the *Violence Against Women Act of 1994* and repeated in the Department of Education's *Clery Act* regulations.

The definitions of criminal offenses provided below are used for the purposes of counting and disclosing statistics.

### Section A: Primary Clery Crimes

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

**Manslaughter by Negligence:** the killing of another person through gross negligence.

**Sex Offenses:** Sexual Assault is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Statistics include attempted Sexual Assaults but do not include any Sexual Assaults other than the four types of offenses that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program:

- **Rape:** the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or

permanent mental incapacity.

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

*Sex Offense Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program*

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

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

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Burglary vs. Larceny:** An incident must meet three conditions to be classified as a Burglary.

There must be evidence of unlawful entry [or attempted unlawful entry] (trespass). Both forcible entry and unlawful entry – no force. Unlawful entry or “breaking” occurs when a perpetrator crosses the threshold of a boundary that results in a trespass. Unlawful entry must occur within a structure that is defined as having four walls, a roof, and a door. The unlawful entry into a structure must show evidence that the entry was made to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, or if unlawful access can’t be proven, the proper classification is Larceny.

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

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

## Section B: Domestic Violence, Dating Violence, and Stalking Offenses

The [Violence Against Women Reauthorization Act of 2013 \(“VAWA”\)](#), added domestic violence, dating violence and stalking crimes to the Clery Act that MUSC is now required to report:



### Domestic Violence

The Violence Against Women Act defines the term “domestic violence” to mean a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under VAWA, 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.

### Dating Violence

The Violence Against Women Act defines the term “dating violence” to mean violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; where the existence of such a relationship is determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

### Stalking

The Violence Against Women Act defines the term “stalking” to mean “engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.”

- “Course of conduct” would be defined to mean 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” would mean significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Reasonable person” would mean a reasonable person under similar circumstances and with similar identities to the victim.

## Section C & D: Arrests and Referrals for Disciplinary Actions for Weapons Law Violations, Drug Law Violations, and Liquor Law Violations

### Definitions

**Section C: Arrests** for *Clery Act* purposes, is defined as persons processed by arrest, citation or summons.

**Section D: Referral for disciplinary action** is defined as the referral of any University student, employee, faculty, or staff member to any official of the institution who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction.

### Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

### Drug Abuse Violations

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non- narcotic drugs (barbiturates, Benzedrine).

### Liquor Law Violations

The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

### *Crime definitions from the Uniform Crime Reporting Handbook*

All weapon, drug and alcohol law violations should be reported to MUSC DPS, MUSC Department of Internal Audit Controlled Substance Investigator or to the appropriate Dean's/ HR office. MUSC DPS, Internal Audit or the appropriate Dean's office staff will make tabulation of statistics from these referrals.

### Section E: Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the *Clery Act*, only the following eight categories are reported:

1. **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
2. **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, Atheists.
3. **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex,

including lesbian, gay, bisexual, and heterosexual (straight) individuals.

4. **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
6. **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
7. **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
8. **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age or illness.

Of the crimes described above and any other crime involving bodily injury to any person **and** the crimes of larceny-theft, simple assault, intimidation and vandalism (defined below), in which the victim is intentionally selected because of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability of the victim that are reported to MUSC DPS, CSAs, or local police agency, the data shall be collected and reported according to category of prejudice.

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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

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

All the above definitions are from the U.S. Department of Education, Office of Postsecondary Education, *The Handbook for Campus Safety and Security Reporting, 2016 Edition*, Washington, D.C., 2016.

## Section F: Unfounded Crime Reports

According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases thus remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either: False or Baseless.

- **False Report:** Determined when the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.
- **Baseless Report:** Determined when the allegations reported did not meet the elements of the offense or was improperly classified as crimes in the first place.

## Collection of Crime Statistics

The Medical University of South Carolina Department of Public Safety (MUSC DPS) is responsible for the collection of statistical crime data for inclusion in its Annual Security Report (ASR) as required by the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. The MUSC DPS will review all MUSC DPS incident reports for accuracy and compliance with reporting guidelines established by the South Carolina Law Enforcement Division (SLED) and the FBI. Incidents of crime are entered daily into a computerized records management system database and forwarded to SLED monthly.

The City of Charleston Police Department primarily provides crime information for criminal offenses (including attempts) committed on-campus and for the area around the MUSC campus designated public property that is within the same reasonably contiguous geographic area of the institution. Charleston County Sheriff’s Office, S.C. Department of Health and Environmental Control, the South Carolina Department of Natural Resources Law Enforcement, S.C. Highway

Patrol, and South Carolina Law Enforcement Division will also be requested to provide statistics for any offenses committed on-campus and on designated public property that is within the same reasonably contiguous geographic area of the institution.

For the purpose of this report, the MUSC DPS will also request and receive crime statistics compiled from a variety of local, city, and county and other law enforcement agencies from across the State of South Carolina, as well as from various law enforcement agencies from across the United States for crimes (including attempts and unfounded reports) that occurred within their respective jurisdictions in or on non-campus locations owned or controlled by the Institution or recognized student organizations.

Information for this report is also compiled from reports provided on an on-going basis by campus security authorities (CSAs) (as previously stated) including, but not limited to, the Office of Education and Student Life, the Provost of Students, the Deans and Associate Deans of the six colleges, Title IX Coordinator, and MUSC department directors, heads and office managers. MUSC DPS maintains a complete list of all identified Campus Security Authorities (CSAs).

Local law enforcement agencies (such as the City of Charleston Police Department) and campus security authorities (CSAs) are requested to notify the MUSC DPS immediately if a crime that may cause an ongoing or serious threat to our campus community is reported to their department or area of responsibility. The institution has a responsibility to notify the campus community in a timely manner about certain crimes that occurred on MUSC's Clery Geography that represents a serious and continuing threat to the MUSC community.

MUSC DPS will make, keep, and maintain a daily crime log of all criminal activity on campus and contiguous geographical areas for a period of seven (7) years. This report will include the nature, date, and general location of each crime; and the disposition of the complaint, if known. Data for on campus criminal activity will be obtained from the MUSC Department of Public Safety incident reports. Data on criminal activity in contiguous geographic areas reported to MUSC DPS may also be collected from local law enforcement agencies such as the City of Charleston Police Department as well as CSAs. Hard copy information will be made available free of charge for public inspection at Public Safety Headquarters at 101 Jonathan Lucas Street upon request during normal business hours.

Read or download the DPS's Daily Crime Log by visiting:  
<https://web.musc.edu/about/safety/public-safety/reporting>

## Campus Crime Statistics

### Section A: Clery Act Crimes

	On-Campus			Non-Campus			Public Property		
Section A: Clery Act Crimes	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	2	1	0	0	1	0	0	0	0
Fondling	7	6	2	0	2	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	1	0	2	0	0	0	0	1	0
Aggravated Assault	7	6	6	1	0	0	0	1	0
Burglary	2	4	3	1	0	0	0	0	0
Motor Vehicle Theft	9	12	6	4	1	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
The Medical University of South Carolina does not maintain any student housing facilities on-campus									

### Section B: VAWA Offenses:

	On-Campus			Non-Campus			Public Property		
Section B: VAWA Offenses	2020	2021	2022	2020	2021	2022	2020	2021	2022
Domestic Violence	13	9	3	0	0	0	1	1	0
Dating Violence	2	0	1	0	0	0	0	0	0
Stalking	10	2	3	0	0	0	0	0	0
The Medical University of South Carolina does not maintain any student housing facilities on-campus									

Section C: Arrests:

	On-Campus			Non-Campus			Public Property		
Section C: Arrests	2020	2021	2022	2020	2021	2022	2020	2021	2022
Weapons Law Violations	1	2	3	2	0	1	1	0	0
Drug Law Violations	8	1	0	2	0	1	3	1	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
The Medical University of South Carolina does not maintain any student housing facilities on-campus									

Section D: Referrals for Disciplinary Action:

	On-Campus			Non-Campus			Public Property		
Section D: Referrals	2020	2021	2022	2020	2021	2022	2020	2021	2022
Weapons Law Violations	0	0	1	0	0	0	0	0	0
Drug Law Violations	0	1	1	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
The Medical University of South Carolina does not maintain any student housing facilities on-campus									

Section E: Hate Crime Statistical Data for Sections A & B:

**2022:** There were not any Hate Crimes reported for the calendar year 2022

**2021:** There were not any Hate Crimes reported for the calendar year 2021.

**2020:** Three incidents of Assault occurred on campus, characterized by Race, were reported to the Medical University of South Carolina DPS during the calendar year 2020.

## Section F: Statistical Data for Unfounded Crime Reports

The total number of **unfounded** crimes below includes all criminal offenses (Clery Crimes), hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Note: Arrests and disciplinary actions cannot be unfounded.

**2022:** There were a total of two (2) unfounded crimes for 2022.

**2021:** There were two (2) unfounded crimes for the calendar year 2021.

**2020:** There were two (2) unfounded crimes for 2020

NOTE: All unfounded crime reports are investigated by a sworn law enforcement officer of the MUSC Department of Public Safety or an outside agency if it occurred on public or non-campus property.

### Crime Statistics for the State of South Carolina

Persons wishing to view annual Crime Statistics for the State of South Carolina (2009 – 2021) can be found on the South Carolina State Law Enforcement Division (SLED) website entitled “Crime Statistics” via its website link at: <https://www.sled.sc.gov/crimestatistics.html>

--- END OF REPORT---



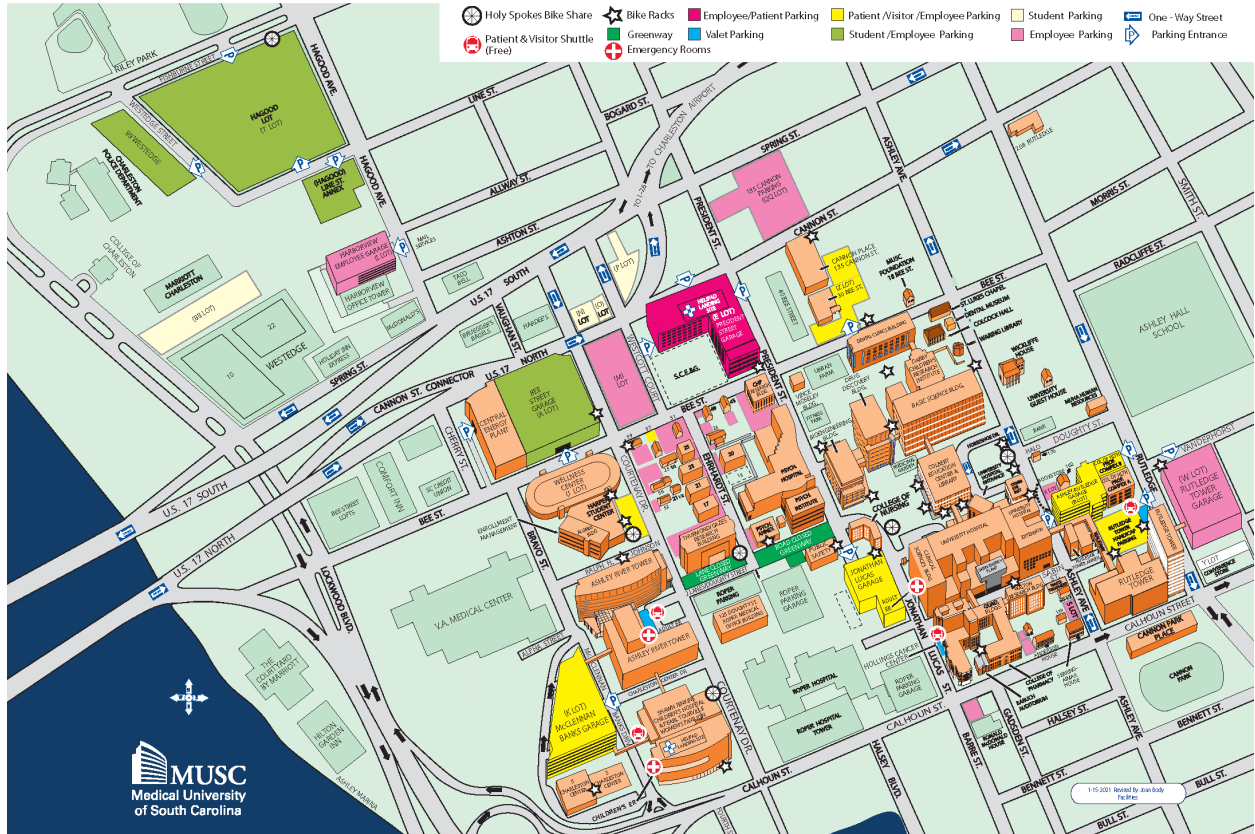
## APPENDICES

### Appendix A: Clery Act History

Clery Act History (1990-2013)

Year	Title	Provisions
1990 (11/08/90)	Student Right-To-Know and Campus Security Act; Crime Awareness and Campus Security Act of 1990, <a href="#">Title II of Public Law: 101-542 (S. 580)</a>	Required institutions of higher education participating in federal student aid programs to disclose 3 years' worth of campus crime statistics and security policies.
1991 (04/09/91)	Higher Education Technical Amendments of 1991; <a href="#">Section 10, Public Law: 102-26 (H.R. 1285)</a>	Changed initial collection of statistics from September 1, 1991 to August 1, 1991 and changed crime statistics reporting period from school year to calendar year.
1992 (07/23/92)	Higher Education Amendments of 1992; Section 486 (c) of Public Law: 102-325 (S. 1150) <a href="#">Search Thomas Law library 102 Congress using the term "Higher Education Amendments of 1992"</a>	Broadened sexual assault reporting and added required sexual assault policy statements. Specified effective dates of initial collection and dissemination requirements.
1998 (10/07/1998)	Higher Education Amendments of 1998; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, <a href="#">Section 486 (e) of Public Law: 105-244 (H.R. 6)</a>	Expanded crime categories that must be reported, added geographical breakdown, expanded definition of campus, expanded reporting of hate-crimes, added public crime log, and named law after Jeanne Clery.
2000 (10/28/2000)	<a href="#">Victims of Trafficking and Violence Protection Act of 2000</a> ; Campus Sex Crimes Prevention Act; Section 1601 of <a href="#">Public Law: 106-386 (H.R. 3244)</a>	Added notice of where public sex offender registration information about offenders on campus may be obtained.
2008 (08/14/2008)	<a href="#">Higher Education Opportunity Act</a> ; <a href="#">Public Law: 110-315</a>	Required statement of emergency response and evacuation procedures in annual security report and emergency notifications on campus, expanded hate crime statistics reported and statement of policy on law enforcement authority of campus personnel, established safeguards for "whistleblowers."
2013 (03/07/2013)	Violence Against Women Reauthorization Act (VAWA) of 2013; Campus sexual violence, domestic violence, dating violence, and stalking education and prevention; <a href="#">Public Law: 113-4</a>	Officials handling disciplinary proceedings would be required to receive annual training, and campus crime reports would be expanded to include domestic/dating violence and stalking. Addition of ongoing prevention programs for domestic/dating violence and stalking. Defined policies in place for the handling of domestic/dating violence and stalking.

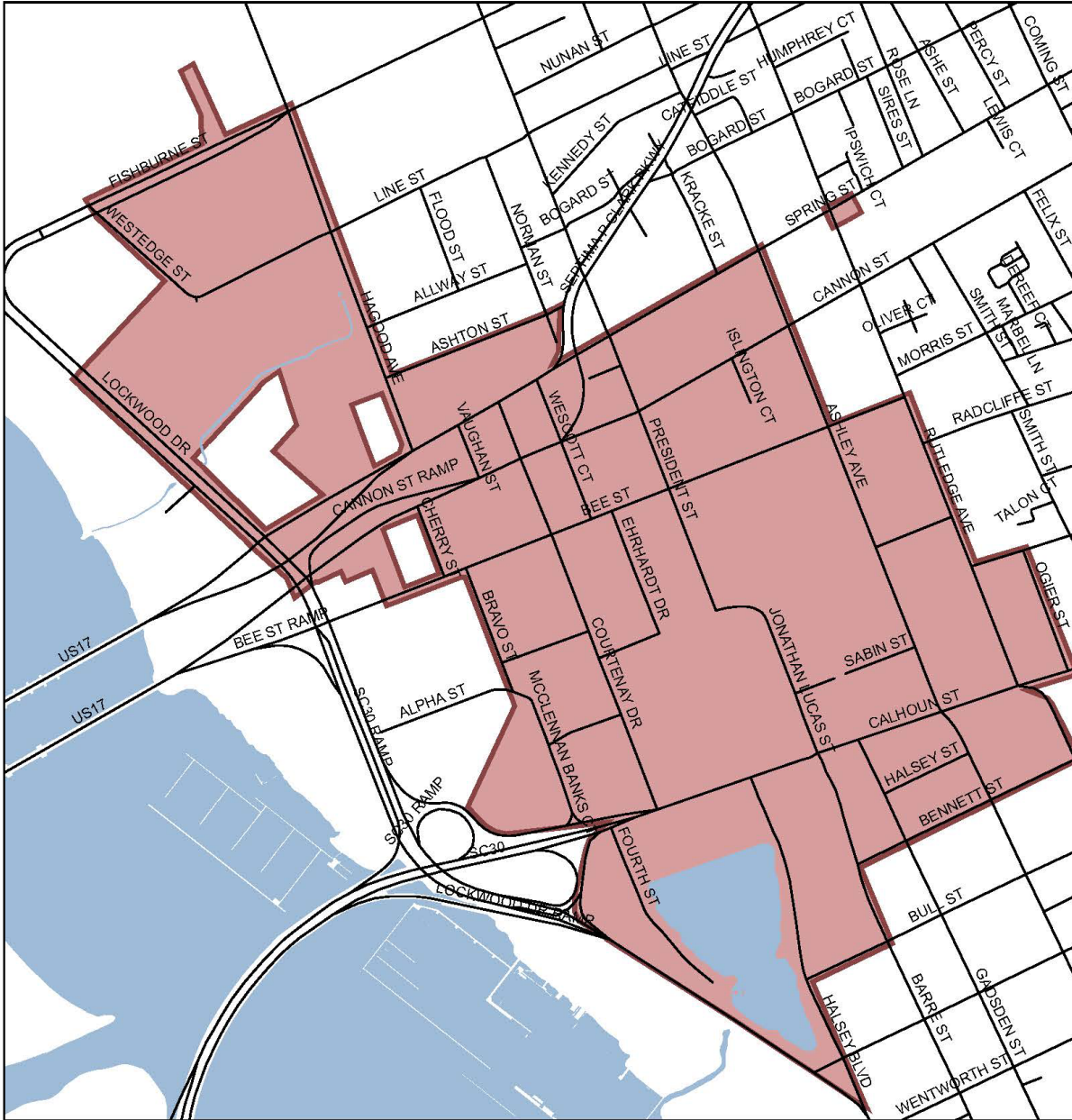
# Appendix B: Campus Map



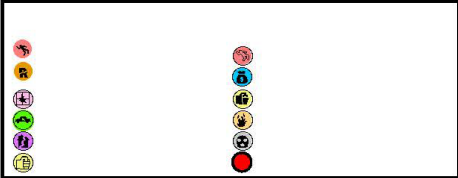
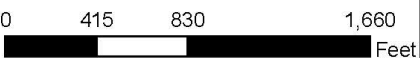
# Appendix C: Patrol Jurisdiction Map



## Appendix C MUSC DPS Patrol Jurisdiction



Created by CIU (2527) on August 27, 2018  
Source: RMS Database



**Appendix D: SC Drug and Alcohol Summary**

Category	Summary (South Carolina Code Annotated)
Possession of Marijuana	<p>It is illegal for any person to possess any amount of marijuana. <i>See</i> S.C. Code Ann. § 44-53-370(d)(5) Possessing 1 ounce or less of marijuana is a misdemeanor punishable by imprisonment for no longer than 30 days or fine not less than \$100 and not more than \$200. <i>Id.</i> Mandatory attendance in a drug abuse program may be included as part of a sentence. <i>Id.</i> However, a first-time offender may be allowed to participate in a pretrial diversion program. <i>Id.</i> Second and subsequent offenses are punishable by up to a year in prison or a fine more than \$200 but less than \$1,000, or both. <i>Id.</i> Possession of more than 1 ounce of marijuana is a felony, and a first offense is punishable by imprisonment for up to 5 years, a fine not to exceed \$5,000, or both. S.C. Code Ann. §§ 44-53-370(a)(1)-(2), 44-53-370(d)(5).</p>
Controlled Substances	<p>South Carolina statutes provide five Schedules of controlled substances. <i>See</i> S.C. Code Ann. §§ 44-53-190 – 44-53-270. The penalties for manufacture, distribution, or possession of a controlled substance vary depending on the classification of the drug in question but include imprisonment and monetary fines. <i>See</i> S.C. Code Ann. § 44-53-370. For example, a conviction for the possession of LSD results in up to two years in prison and a fine up to \$5,000. Conviction for possession of less than one gram of cocaine results in a prison sentence of up to three years, and a fine up to \$5,000. <i>Id.</i> Trafficking controlled substances into the state is punishable by severe monetary fines and mandatory prison sentences that cannot be suspended or reduced. <i>See</i> S.C. Code Ann. § 44-53-370(e). Manufacture, purchase, distribution, or possession within a half-mile radius of a school, playground, or park is a separate offense with additional penalties. S.C. Code Ann. § 44-53-445(a). Purchase alone within that zone is a misdemeanor and leads to a fine of up to \$1,000 and imprisonment up to one year. <i>Id.</i></p>
Alcohol and Minors	<p>It is illegal for a person under the age of 21 to purchase, attempt to purchase, possess, or consume alcoholic beverages. <i>See</i> S.C. Code Ann. §§ 63-19-2440(A), 63-19-2450(A). A person who violates this law commits a misdemeanor and must be fined not less than \$100 but no more than \$200, or must be imprisoned for up to 30 days, or both. S.C. Code Ann. §§ 63-19-2440(A), 63-19-2450(B). An offender must also participate in an 8-hour alcohol education or intervention class. S.C. Code Ann. §§ 63-19-2440(B), 63-19-2450(C). A person under the age of 21 can possess and consume alcohol in his parents’ or legal guardians’ home and during religious services. S.C. Code Ann. § 63-19-2460.</p>

Category	Summary (South Carolina Code Annotated)
Driving Under the Influence (DUI)	<p>It is illegal for a person to drive a vehicle with a blood alcohol concentration of 0.08% or more or while otherwise under the influence of alcohol, drugs, or a combination of both. S.C. Code Ann. §§ 56-5-2930(A), 56-5-2933(A).</p> <p>For a person's first offense with a blood alcohol concentration greater than 0.08% but less than 0.10%, the penalty is a \$400 fine or imprisonment not less than 48 hours or more than 30 days. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). However, the court may substitute 48 hours of community service in lieu of the minimum jail sentence. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). For a first offense with a blood alcohol concentration of at least 0.10% but less than 0.16%, the penalty is a \$500 fine or imprisonment not less than 72 hours which may be replaced by community service. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). First offenses with a blood alcohol concentration greater than 0.16% are punishable by a \$1,000 fine or at least 30 days jail but no more than 90 days which may be replaced by community service. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). Subsequent offenses are punishable by increasingly severe imprisonment terms and monetary fines. <i>See</i> S.C. Code Ann. §§ 56-5-2930(A)(2)-(4), 56-5-2933(A)(2)-(4).</p> <p>A person convicted for a first or subsequent DUI must complete an Alcohol and Drug Safety Action Program. S.C. Code Ann. §§56-5-2930(H), 56-5-2933(H).</p>

## Appendix E: Local Alcohol Laws

### City of Charleston, South Carolina - Code of Ordinances Alcohol Related Offenses

Sec. 21-163. - Public intoxication.

No person shall be intoxicated in a public place, whether such intoxication results from alcohol, drugs, or other intoxicants.

(Code 1975, § 37-50; Ord. No. 2012-399, § 1, 11-13-12)

Cross reference— Alcoholic beverages, Ch. 3.

State Law reference— Gross intoxication and disorderly conduct, S.C. Code 1976, § 16-17-530.

Chapter 3 - ALCOHOLIC BEVERAGES

Footnotes:

--- (1) ---

**Cross reference**— Licenses, permits and miscellaneous business regulations, Ch. 17; drunkenness in public, § 21-163.

**State Law reference**— Preemption of field as to alcoholic beverages, suspension of certain local ordinances, S.C. Code 1976, § 61-13-760; municipal police officers' powers as to enforcement of alcoholic beverage laws, S.C. Code 1976, § 61-13-780.

#### ARTICLE I. - IN GENERAL

Footnotes:

--- (2) ---

**Editor's note**— Ord. No. 2000-165, §§ 1—3, adopted July 18, 2000, amended former Art. I, §§ 3-1—3-5, in its entirety to read as herein set out. Former Art. I pertained to general provisions relating to alcoholic beverages and derived from the Code of 1975; this codification; Ord. No. 1982-38, § 1, 4-27-82; Ord. No. 1983-10, § 2, 9-28-82.

Sec. 3-1. - Beer, ale, porter, and wine defined.

*Beer, ale, porter, and wine* shall be defined for purposes of this section as stated in Section 61-4-10 of the Code of Laws of South Carolina 1976, as amended from time to time.

(Ord. No. 2000-165, § 2, 7-18-00)

Sec. 3-2. - Prohibited operation.

Commercial establishments which allow for the on-premises consumption of beer, ale, porter and/or wine shall be prohibited from operating between the hours 2:00 a.m. and 6:00 a.m. on Mondays through Saturdays.

(Ord. No. 2000-165, § 3, 7-18-00)

Secs. 3-3—3-15. - Reserved.

## ARTICLE II. - WINE AND BEER

### Sec. 3-16. - Hours of sale restricted.

It shall be unlawful within the city for the owner or person in charge of any store, beer parlor or other place of business or commercial establishment to sell, give away or, in any manner, dispense or permit the consumption of any wines or malt liquors in such store, beer parlor or other place of business or commercial establishment between the hours of 1:30 a.m. and 7:00 a.m.; provided, however, that, any establishment licensed pursuant to S.C. Code 1976, section 61-5-10 et seq., shall be authorized to sell such products during those hours in which the sale of alcoholic beverages in containers of two (2) ounces or less is lawful.

(Code 1975, § 3-9)

## ARTICLE III. - TRANSPORTATION OF BEVERAGES IN OPEN CONTAINERS AND PUBLIC CONSUMPTION

### Footnotes:

--- (3) ---

**State Law reference**— Authority to adopt, S.C. Code 1976, § 61-13-760.

### Sec. 3-31. - Restricted.

No person shall transport or possess on his person or in a motor vehicle any beer, wine, or alcoholic beverage in an open container, nor consume any beer, wine, or alcoholic beverage in or upon the streets, sidewalks, alleys, or public ways of the city, except as provided in this article.

(Ord. No. 1977-86, § 1, 12-20-77; Ord. No. 1983-15, § 1, 3-22-83)

### Sec. 3-32. - Permit for transporting, etc., beverages in open containers and consumption at group functions—Required.

- (a) No person shall possess, carry, or transport any beer, wine, or alcoholic beverage in an open container, nor consume any beer, wine, or alcoholic beverage in or upon streets, sidewalks, parks, playgrounds, alleys, public ways, or upon any private parking lot that is open for the public's use, except with the permission or consent of the owner, or at a group function, a permit for which has been obtained from the chief of police as provided in this article.
- (b) It shall be unlawful for any person to possess alcoholic beverages, beer, or wine, upon the premises of the Gaillard Municipal Auditorium, unless the same has been obtained on or brought to the premises under a permit from the city. The director of special facilities may refuse a permit for the use of alcoholic beverages, beer, or wine upon the premises of the auditorium where it can be reasonably expected that a large portion of the audience will be below the legal drinking age or when public safety requirements justify careful control of alcohol consumption upon the premises.

(Ord. No. 1977-86, § 2, 12-20-77; Ord. No. 1983-42, §§ 1, 2, 8-16-83; Ord. No. 2014-15, § 1, 1-30-14)

**Cross reference**— Licenses, permits and miscellaneous business regulations, Ch. 17.

Sec. 3-33. - Same—Application generally.

- (a) A person seeking issuance of a permit to consume or possess alcoholic beverages required by section 3-32 of this article shall file an application with the chief of police on forms provided by him. An application for a permit shall be filed with the chief of police not less than three (3) days nor more than thirty (30) days before the date on which the proposed activity is to take place.
- (b) The chief of police, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than three (3) days before the date such activity is proposed to be conducted.

(Ord. No. 1977-86, §§ 3, 5, 12-20-77)

Sec. 3-34. - Same—Application contents.

The application for a permit required by section 3-32 of this article shall set forth the following information:

- (1) The name, address, and telephone number of the person seeking the permit.
- (2) The name, address, and telephone number of the headquarters of the organization or association requesting the permit and of the authorizing and responsible head of such organization or association.
- (3) The name, address, and telephone number of the person who will be the chairman and who will be responsible for the conduct of the activity.
- (4) The date when the activity is to be conducted.
- (5) The specific location of the activity proposed.
- (6) The approximate number of people who will participate in the activity.
- (7) The hours when such activity will start and terminate.
- (8) Any additional information which the chief of police shall find reasonably necessary to a fair determination as to whether a permit should be issued.

(Ord. No. 1977-86, § 4, 12-20-77)

Sec. 3-35. - Same—Action upon application.

The chief of police shall act upon the application for a permit required by section 3-32 of this article within two (2) days after the filing thereof. If the chief of police disapproves the application, he shall mail to the applicant within two (2) days after the date upon which the application was filed a notice of his action, stating the reasons for his denial of the permit.



(Ord. No. 1977-86, § 6, 12-20-77)

Sec. 3-36. - Same—Issuance upon certain findings.

The chief of police shall issue a permit as provided for under section 3-32 of this article when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

- (1) The conduct of the activity proposed will not substantially interrupt the safe and orderly activity of the park and playground in question or the safe and orderly movement of traffic, pedestrian and vehicular.
- (2) The conduct of the activity will not require the diversion of so great a number of police officers of the city to properly police the activity so as to prevent normal police protection to the city.
- (3) The concentration of persons at the activity will not unduly interfere with proper utilization of the parks and playgrounds or with proper fire and police protection of the parks and playgrounds and areas contiguous to such areas.
- (4) The conduct of the activity is not reasonably likely to cause injury of persons or property, to provoke disorderly conduct or create a disturbance.
- (5) The conduct of the activity is not reasonably likely to cause littering or a health hazard to the citizens of the city.

(Ord. No. 1977-86, § 7, 12-20-77)

Sec. 3-37. - Same—Issuance for activity during certain times prohibited.

No permit shall be granted under this article for an activity to convene before 9:00 a.m. or terminate after 8:00 p.m.

(Ord. No. 1977-86, § 8, 12-20-77)

Sec. 3-38. - Same—Appeal from denial.

Any person aggrieved shall have the right to appeal the denial of a permit required by section 3-32 of this article to the city council. The appeal shall be taken within forty-eight (48) hours after notice. The city council shall act upon the appeal at its next regularly scheduled meeting, but no later than twenty (20) days from the time of receipt of the appeal.

(Ord. No. 1977-86, § 9, 12-20-77)

Sec. 3-39. - Same—Chief of police's authority to offer alternative permit.

The chief of police, in denying an application for a permit required by section 3-32 of this article, shall be empowered to authorize the activity on a day, at a time, or at a different location from that named by the applicant. An applicant desiring to accept an alternate permit shall, within two (2) days after notice of the action of the chief of police, file a written notice of acceptance with the chief of police. An alternate permit shall conform to the requirements of and shall have the effect of a permit required by section 3-32.

(Ord. No. 1977-86, § 10, 12-20-77)

Sec. 3-40. - Same—Notice to other city officials upon issuance.

Immediately upon the issuance of a permit the chief of police shall send a copy thereof to the mayor, the fire chief, the director of the department of leisure services, and any other city officials affected thereby.

(Ord. No. 1977-86, § 11, 12-20-77)

Sec. 3-41. - Same—Revocation.

The chief of police shall have the authority to revoke a permit required by section 3-32 of this article upon violation of the standards for issuance as set forth in section 3-36 of this article.

(Ord. No. 1977-86, § 12, 12-20-77) Sec. 3-42. - Same—Activity chairman or leader to have permit upon person during conduct of activity.

The activity chairman or other person heading or leading an activity for which a permit is required by section 3-32 of this article shall carry the permit upon his person during the conduct of the activity.

(Ord. No. 1977-86, § 13, 12-20-77)

Sec. 3-43. - Same—Permittees required to comply with terms of permit and applicable laws and ordinances.

A permittee under section 3-32 of this article shall comply with all permit directions and conditions and with all applicable laws and ordinances.

## Appendix F: Local Drug Offenses

### City of Charleston, South Carolina - Code of Ordinances

#### ARTICLE VI. - OFFENSES AGAINST PUBLIC HEALTH

Sec. 21-126. - Narcotics, controlled substances, and aromatic hydrocarbons—Sale, etc., prohibited.

- (a) No person shall sell, offer for sale, give away, bargain, trade, distribute in any manner, transport, use, prescribe, possess, knowingly keep, conceal, or allow on premises under his control one ounce or less of marijuana or ten (10) grams or less of hashish.
- (b) No person shall, for the purpose of causing a condition of intoxication, inebriation, excitement, stupefaction or the dulling of his brain or nervous system, intentionally smell or inhale the fumes from any substance containing aromatic hydrocarbons; provided, that nothing in this section shall be interpreted as applying to the inhalation of any anesthesia for medical or dental purposes.
- (c) Any person who violates any provision of section (b) above shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed one hundred dollars (\$100.00) or imprisoned for a term not to exceed thirty (30) days.

(Code 1975, § 37-34; Ord. No. 2012-407, § 1, 11-27-12)

Sec. 21-127. - Same—Sale, possession, etc., of paraphernalia prohibited.

- (a) *Definitions* as used in this section:

*Deliver* or *delivery* means the actual, constructive, or attempted transfer of a controlled drug or paraphernalia whether or not there exists an agency relationship.

*Paraphernalia* means any instrument, device, article or contrivance used, designed for use, or intended for use in ingesting, smoking, administering or preparing marijuana, hashish, hashish oil or cocaine, and shall not include cigarette papers and tobacco pipes, but shall include, but not be limited to:

- (1) Metal, wooden, acrylic, glass, stone, plastic or ceramic marijuana or hashish pipes with or without screens, permanent screens, hashish heads or punctured metal bowls.
- (2) Water pipes designed for use or intended for use with marijuana, hashish, hashish oil or cocaine.
- (3) Carburetion tubes and devices.
- (4) Smoking and carburetion masks.
- (5) Roach clips.
- (6) Separation gins designed for use or intended for use in cleaning marijuana.
- (7) Cocaine spoons and vials.

- (8) Chamber pipes.
  - (9) Carburetor pipes.
  - (10) Electric pipes.
  - (11) Air-driven pipes.
  - (12) Chilams.
  - (13) Bongs.
  - (14) Ice pipes or chillers.
  - (15) Syringes.
  - (16) Heroin spoons.
  - (17) Bottle caps.
- (b) *Prohibited acts.* It shall be unlawful for any person to advertise for sale, manufacture, possess, sell or deliver, or to possess with the intent to sell or deliver paraphernalia.
- (c) *Evidence of violations.* In determining whether an object is paraphernalia, a court or other authority shall consider, in addition to all other logically relevant factors, the following:
- (1) Statements by an owner or by anyone in control of the object concerning its use.
  - (2) The proximity of the object to controlled substances.
  - (3) The existence of any residue of controlled substances on the object.
  - (4) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of law; the innocence of an owner, or of anyone in control of the object, as to a direct violation of law shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
  - (5) Instructions, oral or written, provided with the object concerning its use.
  - (6) Descriptive materials accompanying the object which explain or depict its use.
  - (7) National and local advertising concerning its use.
  - (8) The manner in which the object is displayed for sale.
  - (9) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products.
  - (10) Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise.
  - (11) The existence and scope of legitimate uses for the object in the community.
  - (12) Expert testimony concerning its use.

## Appendix G: Federal Drug Offenses

### Federal Drug Laws (updated 08.01.2023)

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, “liquid ecstasy”), or flunitrazepam (or, “rohypnol”), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university **(21 U.S.C. § 860)** face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are

punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at [www.campusdrugprevention.gov/sites/default/files/2022-07/Federal\\_Trafficking\\_Penalties\\_Chart\\_6-23-22.pdf](http://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf).

### **Other References**

[State and Federal Laws and Sanctions Concerning Drugs and Alcohol  
Title 21 United States Code \(USC\) Controlled Substances Act](#)

[Government agencies and organizations relating to the control of and adherence to the  
Controlled Substances Act](#)

Federal trafficking penalties are listed on pages 36 – 37 in the [DRUGS OF ABUSE I, 2020 EDITION: A  
DEA Resource Guide](#).

[Student Eligibility – 2022-2023 Federal Student Aid Handbook:](#)

## Appendix H: MUSC Weapons Policy and SC Law

### HUMAN RESOURCES MANAGEMENT POLICY WEAPONS Policy 25

---

NOTE: THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE MEDICAL UNIVERSITY OF SOUTH CAROLINA (MUSC). MUSC RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

#### I. POLICY

- A.** To provide a safe environment for employees, students, patients and visitors, the Medical University of South Carolina prohibits the carrying of weapons on property owned, operated, or controlled by the University or at MUSC sponsored events.
- B.** Furthermore, in accordance with the *Law-Abiding Citizens Self-Defense Act*, the Medical University prohibits the carrying of a concealed or visible firearm, even those for which the owner has obtained a permit, on its premises or at University sponsored events.
- C.** Persons who violate this policy will be terminated and may be prosecuted.
- D.** Only Medical University Public Safety Officers or other authorized law enforcement officer in the course of their duties are exempt from this policy.

#### II. INFORMATION

- A.** The carrying of weapons, by anyone other than MUSC Public Safety Officers or other authorized law enforcement officers, is prohibited on property owned, operated or controlled by the Medical University of South Carolina and at university sponsored events.
- B.** For the purpose of this policy, a weapon is defined as any instrument or device that is specifically designed, made, or adapted for the purpose of inflicting bodily injury or death. This includes, but is not limited to; clubs, firearms, handguns, illegal knives, explosives, crossbows, bows and arrows, throwing stars and knuckles.

- C.** To ensure the safety of employees, students, patients and visitors, employees are encouraged to call the Department of Public Safety if they suspect that someone is carrying a weapon. Employees should not attempt to disarm another individual.
- D.** Violation of the policy will result in termination from employment and possible prosecution by the University.

*[The rest of this page is intentionally left blank]*



**South Carolina Code of Laws**  
**Offenses Involving Weapons**  
**FIREARMS IN PUBLIC BUILDINGS**

Class F Felony

Code §16-23-420  
CDR Code 300

Elements of The Offense:

1. (a) That the accused did carry onto any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or any publicly owned building, a firearm without the express permission of the authorities in charge of the premises or property.

OR

(b) That the accused had in his possession a firearm while in the area immediately adjacent to such buildings.

OR

(c) That the accused did display, brandish or threaten others with a firearm while in these buildings or in the immediately adjacent areas.

Note:

Persons exempted from application of this section include guards, law enforcement officers, members of armed forces, students of military science, or authorized named resident of student housing provided by public or private school.

Penalty:

Fine of not more than \$5,000 or imprisonment for not more than 5 years, or both.

**CARRYING WEAPONS ON SCHOOL PROPERTY**

Class F Felony

Code §16-23-430  
CDR Code 615

Elements of The Offense:

1. That the accused was not state, county, or municipal law-enforcement officer, nor a person authorized by school officials, and
2. That the accused while on any elementary or secondary school property did carry a knife, with a blade over two inches long, a blackjack, metal pipe or pole, firearms or any other type of weapon, device or object which may be used to inflict bodily harm or death.

Note:

If the accused is a child under the age of 17, the family court has exclusive jurisdiction.

Penalty:

Fine of not more than \$1,000 or imprisonment for not more than 5 years, or both. Also, the weapon or object used may be confiscated.

**UNLAWFUL CARRYING OF A CONCEALED WEAPON**

Unclassified Misdemeanor

Code §16-23-460

CDR Code 43

Elements of The Offense:

1. That the accused did carry on his person a concealed, deadly weapon.
2. That the weapon was such as is usually used to inflict personal injury.

Note:

This section does not apply to persons carrying concealed weapons in compliance with the "Law Abiding Citizens Self-Defense Act of 1996." (S.C. Code Ann. §23-31-205 et.seq.); or peace officers in the discharge of their duties.

This section does not apply to rifles, shotguns, dirks, slingshots, metal knuckles, knives, or razors unless they are used with the intent to commit a crime or in furtherance of a crime.

Penalty:

Fine of not more than \$500 nor less than \$200, or imprisonment for not more than 90 days nor less than 30 days. Also, the concealed weapon must be forfeited to the county (or city).

**UNLAWFUL CARRYING OF A HANDGUN**

Class C Misdemeanor

Code §16-23-20

CDR Code 44

Elements of The Offense:

1. That the accused did carry a handgun about his person and that the accused was not:
  - a. on duty as a law enforcement officer of any governmental level.
  - b. a member of the Armed Forces, National, or State militia.
  - c. Target shooting or gun collecting as a member of a club.
  - d. Hunting or fishing with a license in a licensed area.
  - e. A person engaged in the business of manufacturing, repairing, or dealing in firearms or his agent, during the usual course of business.
  - f. A guard authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States
  - g. A member of an authorized military or civil organization in an authorized parade or assembly or going to or returning from such meeting.
  - h. A person in his home or upon his real property or a person who has the permission of the owner in legal control of the home or real property
  - i. A person in a vehicle where the handgun is secured in a closed glove compartment,

closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance.

- j. A person carrying an unloaded handgun in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving his residence or changing or moving his fixed place of business;
- k. A prison guard performing official duties.
- l. A person granted a SLED permit to carry a handgun.
- m. The owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to §16-23-465, while at the place of business; however, the employee must exercise this privilege only after acquiring 1) a permit pursuant to item "l" above and 2) obtaining the permission of the owner or person in legal control or legal possession of the premises.
- n. A person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits to item "l" above.
- o. A person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.
- p. Any person on a motorcycle when a handgun is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle.

Note:

A handgun is about the person if it is readily accessible and convenient for immediate use. It does not have to be touching the person. Special attention should be given to paragraph "i" of this section which stipulates that the proper place to carry a pistol in a vehicle is in a closed glove compartment, closed console, or trunk. See §16-23-465 for penalties for carrying a pistol or firearm into a business selling alcoholic liquors, beers, or wines for on the premises consumption.

Penalty:

Fine of not more than \$1,000 or imprisonment for not more than 1 year, or both.

See Section 16-23-50 (A)(2).

---

**POINTING FIREARM AT A PERSON**

Class F Felony

Code §16-23-410  
CDR Code 122

Elements of The Offense:

1. That the accused did point a firearm at another person.

Note:

This section does not distinguish between a loaded and an unloaded firearm. This section does not abridge the right of self-defense or apply to theatricals or like performances.

Penalty:

Fine in the discretion of the court or imprisonment of not more than 5 years.

**RESISTING ARREST WITH USE OR  
THREAT OF USE OF A DEADLY WEAPON**

Class E Felony

Code §16-3-625  
CDR Code 2352

Elements of The Offense:

1. That the accused resisted the lawful efforts of a law enforcement officer to arrest him or any other person, and
2. That in so doing, the accused used, or threatened to use a deadly weapon, and
3. a. the accused was in possession of a deadly weapon, or  
b. the accused claimed to be in possession of a deadly weapon.

Note:

"Deadly weapon" means any instrument which can be used to inflict deadly force.

Penalty:

Imprisonment for not more than 10 years nor less than 2 years.

**DISCHARGING FIREARMS AT OR INTO DWELLING,  
VEHICLE, AIRCRAFT, WATERCRAFT, OR OTHER CONVEYANCE**

Class E Felony

Code §16-23-440  
CDR Code 52

Elements of The Offense:

1. That the accused unlawfully discharged or caused to be discharged firearms at or into a dwelling or building usually occupied by persons.

OR

2. That the accused unlawfully discharged or caused to be discharged firearms at or into any vehicle, aircraft, watercraft, or other conveyance, device, or equipment while it was occupied.

Penalty:

Fine of not more than \$1,000 or imprisonment of not more than 10 years, or both.

**SALE OR DELIVERY OF PISTOL; POSSESSION BY CERTAIN PERSONS; STOLEN PISTOLS**

Class F Felony

Code §16-23-30

CDR Code 2364

Elements of The Offense:

- A. 1. That the accused did knowingly sell, offer to sell, deliver, lease, rent, barter, exchange or transport for sale into the state any handgun to:
  - a. Any person convicted of a crime of violence, a fugitive from justice, a habitual drunkard, a drug addict, or one adjudicated mentally incompetent, or
  - b. Any person who is a member of a subversive organization, or
  - c. Any person under eighteen, except when on any type of military duty or training, or
  - d. Any person adjudged by court order unfit to carry or possess a handgun.

OR

- B. 1. That a person falling within "a", "b", "c", or "d" above did possess or acquire handguns within the State.

OR

- C. 1. That the accused did knowingly buy, sell, transport, pawn, receive or possess any stolen handgun or one which has had the serial number obliterated or removed.

Penalty:

In addition to seizure of handgun; fine of not more than \$2,000 or imprisonment for not more than 5 years, or both. [§16-23-50 (A)(2)].

**FIRE BOMBS**

Class F Felony

Code §16-23-480

CDR Code 346

Elements of The Offense:

1. That the accused manufactured or caused to be manufactured, or possessed an object or article designed to cause damage by fire or other means to person or property, either by ignition, detonation, or other means.

Penalty:

Fine in the discretion of the court or imprisonment for not more than 5 years, or both.

**MACHINE GUNS, MILITARY FIREARMS, SAWED-OFF SHOTGUNS AND RIFLES**

Class E Felony

Code §§16-23-220 to 16-23-240  
CDR Codes 314-316

Elements of The Offense:

1. That the accused did in any manner transport from one point to another in this state (or for any common carrier to knowingly ship or transport) machine guns, military firearms, sawed-off shotguns, or rifles. (Section 16-23-220).

OR

2. That the accused did, or did permit another, to store, keep, possess, or have in his possession machine guns, military firearms, sawed-off shotguns, or rifles. (§16-23-230).

OR

3. That the accused did participate directly or indirectly, in the selling, renting, giving away, or otherwise disposing of machine guns, military firearms, sawed-off shotguns or rifles. (§16-23-240).

Note:

Exceptions to the above provisions pertaining to such firearms are provided in §16-23-250. §23-31-330 provides for the registration of persons authorized to possess such weapons. §16-23-210 defines the weapons.

Penalty:

Fine of not more than \$10,000 or imprisonment of not more than 10 years, or both. (§16-23-260).

**ILLEGAL POSSESSION OF TEAR GAS GUN**

Class A Misdemeanor

Code §16-23-470  
CDR Code 335

Elements of The Offense:

1. That the accused did possess, use, transport, sell or buy any tear-gas machine or gun or any part thereof, or any ammunition or shells or equipment to be used in that machine or gun, and

2. That the accused was not a duly authorized law-enforcement officer.

Note:

This section does not prohibit the use of tear gas for the destruction of insects or rodents, provided the gas is not in containers suitable for use in a tear gas gun, and the user has written permission from the county agent for such use.

Penalty:

Fine of not more than \$5,000 or imprisonment of not more than 3 years, or both.

**PLACING LOADED TRAP GUN OR SPRING GUN**

Class C Misdemeanor

Code §16-23-450

CDR Code 339

Elements of The Offense:

1. That the accused did construct, set or placed a loaded trap gun, spring gun, or like device in any building or any place in the state.

Penalty:

Fine of not less than \$100 nor more than \$500 or imprisonment of not less than 30 days nor more than 1 year, or both.

## Appendix I: Local Weapons Ordinances

### City of Charleston, South Carolina - Code of Ordinances

#### ARTICLE X. - WEAPONS

**State Law reference**— Weapons, S.C. Code 1976, § 16-23-10, et seq.

Sec. 21-211. - Possession or sale of blackjacks, slingshots, and metal knuckles.

It shall be unlawful to own, possess, carry, or display, any instrument or weapon of the kind commonly known as a blackjack, slungshot, slingshot, billy, sand club, sandbag, metal knuckles or bludgeon, or any martial arts weapons such as, but not limited to, munchaku, Sai, shurikan (eight-pointed sharp stars) and ma.

(Code 1975, § 52-1)

Sec. 21-212. - Possession or sale of tear gas bombs.

Except as provided in section 16-23-470, South Carolina Code 1976, it shall be unlawful for any person to have in his possession, sell, or offer for sale in the city, any bomb, tube gun, gun or other device containing or intended to contain or discharge tear gas or other noxious or offensive or harmful gases or fluids.

(Code 1975, § 52-2)

Sec. 21-213. - Discharging firearms generally; exceptions.

No person, except in cases of urgent necessity or in the performance of a lawful duty, shall discharge or cause to be discharged any firearm in the city. Nothing contained herein shall be construed to apply to:

- (1) The hunting of game birds and game animals, as defined by S.C. Code, § 50-1-30(1) and (4), as amended, in accordance with law on lands within the city that are zoned to permit such use.
- (2) Marksmanship centers existing on the effective date of this ordinance that are used for practice and training by the South Carolina National Guard and other military organizations and military institutions.
- (3) Special events including annual turkey shoots that have received a special events permit issued by the special events committee of the city pursuant to section 2-189 of this Code and the written approval of the mayor or chief of police; and
- (4) Indoor shooting ranges that are operated in accordance with law on lands within the city that are zoned to permit such use.

(Code 1975, § 52-3; Ord. No. 1996-85, § 1, 4-23-96; Ord. No. 2012-32, § 1, 1-10-12)



**State Law reference**— Discharging firearms near public building, S.C. Code 1976, § 16-23-420; discharging firearms at or into a dwelling, § 16-23-440; shooting on public highways, § 16-17-530(c).

Sec. 21-214. - Discharging slingshots and spring guns.

No person shall shoot any slingshot, spring gun or other device which shoots slugs bullets, stones, or other missiles within the city.

(Code 1975, § 52-4)

Sec. 21-215. - Carrying concealed ice pick or knife with blade exceeding three inches in length.

It shall be unlawful for any person to carry concealed about his person any ice pick, razor, knife, dagger or stiletto, the blade of which exceeds three (3) inches in length.

(Code 1975, § 52-6)

**State Law reference**— Carrying concealed weapons, S.C. Code 1976, § 16-23-460.

Sec. 21-216. - Carrying concealed toy pistols restricted.

It shall be unlawful for any person fourteen (14) years of age or older to carry concealed about his person any toy pistol or pistol capable of firing blanks or caps or replica under circumstances evincing any intent to use or employ or allow the same to be used or employed in the commission of a crime or knowing that the same are intended to be so used.

(Code 1975, § 52-7)

**State Law reference**— Similar provisions, S.C. Code 1976, § 16-11-20.

Sec. 21-217. - Carrying loaded firearm.

Except as provided in S.C. Code 1976, § 16-23-20, no person without valid authority from a proper government agency shall carry on or about his person any firearm containing ammunition, or any pistol, whether concealed or not and whether or not containing ammunition.

(Code 1975, § 52-8)

**State Law reference**— Carrying pistols restricted, S.C. Code 1976, § 16-23-20; carrying firearms in or about public buildings, S.C. Code 1976, § 16-23-420; carrying weapons on school property, S.C. Code 1976, § 16-23-430; carrying concealed weapons, S.C. Code 1976, § 16-23-460.

Sec. 21-218. - Confiscation.

Any person convicted of the violation of the provisions of this article shall in addition to any other penalties provided by law have the weapon involved in such violation confiscated to be disposed of by the chief of police as provided by law. However, if any person other than the convicted person has an interest in the weapon, that person must be given the opportunity to come forward and show, if he can, why the weapon should not be forfeited and disposed of as provided for by law.

(Code 1975, § 52-9; Ord. No. 1981-20, § 1, 4-28-81)

Sec. 21-219. - Brandishing with a deadly weapon prohibited.

(a) Brandish means to wave or flourish menacingly, to display ostentatiously, threateningly, angrily, or aggressively.

(b) Deadly weapon in this section means any device or object designed, made, or adapted to be used for the purpose of inflicting bodily injury or death, including firearms.

(c) It shall be unlawful for any person to brandish any deadly weapon to any person or the public at large within the city limits.

(d) Upon conviction thereof, besides that penalty as may be imposed by the court, the weapon shall be forfeited to the city, and be destroyed.

(Ord. No. 2018-089, § 1, 7-17-18)

## Appendix J: South Carolina VAWA Summary

Crime Type (Code of Laws of South Carolina)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that South Carolina law does not define the term dating violence.
Domestic Violence	<ul style="list-style-type: none"> <li>• Domestic Violence (S.C. Code Ann. § 16-25-20):           <ul style="list-style-type: none"> <li>A. It is unlawful to: (1) cause physical harm or injury to a person's own household member; or (2) offer or attempt to cause physical harm or injury to a person's own household member with apparent present ability under circumstances reasonably creating fear of imminent peril.</li> <li>B. Except as otherwise provided in this section, a person commits the offense of domestic violence in the first degree if the person violates the provisions of subsection (A) and: (1) great bodily injury to the person's own household member results or the act is accomplished by means likely to result in great bodily injury to the person's own household member; (2) the person violates a protection order and in the process of violating the order commits domestic violence in the second degree; (3) has two or more prior convictions of domestic violence within ten years of the current offense; (4) the person uses a firearm in any manner while violating the provisions of subsection (A); or (5) in the process of committing domestic violence in the second degree one of the following also results: (a) the offense is committed in the presence of, or while being perceived by a minor; (b) the offense is committed against a person known, or who reasonably should have been known, by the offender to be pregnant; (c) the offense is committed during the commission of a robbery, burglary, kidnapping, or theft; (d) the offense is committed by impeding the victim's breathing or air flow; or (e) the offense is committed using physical force or the threatened use of force against another to block that person's access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with: (i) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or (ii) a request for an ambulance or</li> </ul> </li> </ul>

Crime Type (Code of Laws of South Carolina)	Definitions
	<p>emergency medical assistance to any law enforcement agency or emergency medical provider.</p> <p>C. A person commits the offense of domestic violence in the second degree if the person violates subsection (A) and: (1) moderate bodily injury to the person's own household member results or the act is accomplished by means likely to result in moderate bodily injury to the person's own household member; (2) the person violates a protection order and in the process of violating the order commits domestic violence in the third degree; (3) the person has one prior conviction for domestic violence in the past ten years from the current offense; or (4) in the process of committing domestic violence in the third degree one of the following also results: (a) the offense is committed in the presence of, or while being perceived by, a minor; (b) the offense is committed against a person known, or who reasonably should have been known, by the offender to be pregnant; (c) the offense is committed during the commission of a robbery, burglary, kidnapping, or theft; (d) the offense is committed by impeding the victim's breathing or air flow; or (e) the offense is committed using physical force or the threatened use of force against another to block that person's access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with: (i) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or (ii) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.</p> <p>D. A person commits the offense of domestic violence in the third degree if the person violates subsection (A).</p> <ul style="list-style-type: none"> <li>• Domestic Violence of a High and Aggravated Nature (S.C. Code Ann. §16-25-65): <ul style="list-style-type: none"> <li>A. A person who violates Section 16-25-20(A) is guilty of the offense of domestic violence of a high and aggravated nature when one of the following occurs. The person: (1) commits the offense under circumstances manifesting extreme indifference to the value of human life and great bodily injury</li> </ul> </li> </ul>

<b>Crime Type (Code of Laws of South Carolina)</b>	<b>Definitions</b>
	<p>to the victim results; (2) commits the offense, with or without an accompanying battery and under circumstances manifesting extreme indifference to the value of human life, and would reasonably cause a person to fear imminent great bodily injury or death; or (3) violates a protection order and, in the process of violating the order, commits domestic violence in the first degree.</p> <p>B. A person who violates subsection (A) is guilty of a felony and, upon conviction, must be imprisoned for not more than twenty years.</p> <p>C. The provisions of subsection (A) create a statutory offense of domestic violence of a high and aggravated nature and must not be construed to codify the common law crime of assault and battery of a high and aggravated nature.</p> <p>D. Circumstances manifesting extreme indifference to the value of human life include, but are not limited to, the following: (1) using a deadly weapon; (2) knowingly and intentionally impeding the normal breathing or circulation of the blood of a household member by applying pressure to the throat or neck or by obstructing the nose or mouth of a household member and thereby causing stupor or loss of consciousness for any period of time; (3) committing the offense in the presence of a minor; (4) committing the offense against a person he knew, or should have known, to be pregnant; (5) committing the offense during the commission of a robbery, burglary, kidnapping, or theft; or (6) using physical force against another to block that person's access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with: (a) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or (b) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.</p> <ul style="list-style-type: none"> <li>• For purposes of the above statutes, the following definition applies (S.C. Code Ann. §16-25-10(3)): "Household member" means: (a) a spouse; (b) a former spouse; (c) persons who have a child in common; or (d) a male and female who are cohabiting or formerly</li> </ul>

Crime Type (Code of Laws of South Carolina)	Definitions
	have cohabited [(d) was held "Unconstitutional as Applied" in <i>Doe v. State</i> , 421 S.C. 490, 808 S.E.2d 807 (2017)].
Stalking  (S.C. Code Ann. § 16-3-1700)	<p>As used in this article:</p> <p>A. "Harassment in the first degree" means a pattern of intentional, substantial, and unreasonable intrusion into the private life of a targeted person that serves no legitimate purpose and causes the person and would cause a reasonable person in his position to suffer mental or emotional distress. Harassment in the first degree may include, but is not limited to: (1) following the targeted person as he moves from location to location; (2) visual or physical contact that is initiated, maintained, or repeated after a person has been provided oral or written notice that the contact is unwanted or after the victim has filed an incident report with a law enforcement agency; (3) surveillance of or the maintenance of a presence near the targeted person's: (a) residence; (b) place of work; (c) school; or (d) another place regularly occupied or visited by the targeted person; and (4) vandalism and property damage.</p> <p>B. "Harassment in the second degree" means a pattern of intentional, substantial, and unreasonable intrusion into the private life of a targeted person that serves no legitimate purpose and causes the person and would cause a reasonable person in his position to suffer mental or emotional distress. Harassment in the second degree may include, but is not limited to, verbal, written, or electronic contact that is initiated, maintained, or repeated.</p> <p>C. "Stalking" means a pattern of words, whether verbal, written, or electronic, or a pattern of conduct that serves no legitimate purpose and is intended to cause and does cause a targeted person and would cause a reasonable person in the targeted person's position to fear: (1) death of the person or a member of his family; (2) assault upon the person or a member of his family; (3) bodily injury to the person or a member of his family; (4) criminal sexual contact on the person or a member of his family; (5) kidnapping of the person or a member of his family; or (6) damage to the property of the person or a member of his family.</p> <p>D. "Pattern" means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose.</p>

<b>Crime Type (Code of Laws of South Carolina)</b>	<b>Definitions</b>
	<p>E. "Family" means a spouse, child, parent, sibling, or a person who regularly resides in the same household as the targeted person.</p> <p>F. "Electronic contact" means any transfer of signs, signals, writings, images, sounds, data, intelligence, or information of any nature transmitted in whole or in part by any device, system, or mechanism including, but not limited to, a wire, radio, computer, electromagnetic, photoelectric, or photo-optical system.</p> <p>G. This section does not apply to words or conduct protected by the Constitution of this State or the United States, a law enforcement officer or a process server performing official duties, or a licensed private investigator performing services, or an investigation as described in detail in a contract signed by the client and the private investigator pursuant to Section 40-18-70.</p> <p>H. A person who commits the offense of harassment in any degree or stalking, as defined in this section, while subject to the terms of a restraining order issued by the family court may be charged with a violation of this article and, upon conviction, may be sentenced pursuant to the provisions of Section 16-3-1710, 16-3-1720, or 16-3-1730.</p>
<p>Sexual Assault</p>	<p>The institution has determined, based on good-faith research that South Carolina law does not define the term sexual assault. Such offenses are generally prosecuted under South Carolina's Criminal Sexual Conduct statutes. <i>See</i> S.C. Code Ann. § 16-3-652 <i>et. seq.</i></p>
<p>Rape, Fondling, Incest, Statutory Rape</p>	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under South Carolina law are as follows:</p> <ul style="list-style-type: none"> <li>• Rape: The institution has determined, based on good-faith research, that South Carolina law does not define the term rape. However, under South Carolina's Laws, with respect to Health and Abortions, SC ST § 44-41-610 (12), "rape" has the same meaning as criminal sexual conduct, regardless of the degree.</li> <li>• Fondling: The institution has determined, based on good-faith research, that South Carolina law does not define the term fondling.</li> <li>• Incest (S.C. Code Ann. § 16-15-20): Any persons who shall have carnal intercourse with each other within the following degrees of</li> </ul>

Crime Type (Code of Laws of South Carolina)	Definitions
	<p>relationship, to wit: (1) A man with his mother, grandmother, daughter, granddaughter, stepmother, sister, grandfather's wife, son's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, brother's daughter, sister's daughter, father's sister or mother's sister; or (2) A woman with her father, grandfather, son, grandson, stepfather, brother, grandmother's husband, daughter's husband, granddaughter's husband, husband's father, husband's grandfather, husband's son, husband's grandson, brother's son, sister's son, father's brother or mother's brother; Shall be guilty of incest and shall be punished by a fine of not less than five hundred dollars or imprisonment not less than one year in the Penitentiary, or both such fine and imprisonment.</p> <ul style="list-style-type: none"> <li>• Statutory Rape: The institution has determined, based on good-faith research, that South Carolina law does not define the term statutory rape. Such offenses are generally prosecuted as Criminal Sexual Conduct with a Minor under S.C. Code Ann. § 16-3-655.</li> </ul>
Other "sexual assault" crimes	<p>Other crimes under South Carolina law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> <li>• Spousal Sexual Battery (S.C. Code Ann. § 16-3-615): (A) Sexual battery, as defined in Section 16-3-651(h), when accomplished through use of aggravated force, defined as the use or the threat of use of a weapon or the use or threat of use of physical force or physical violence of a high and aggravated nature, by one spouse against the other spouse if they are living together, constitutes the felony of spousal sexual battery and, upon conviction, a person must be imprisoned not more than ten years. (B) The offending spouse's conduct must be reported to appropriate law enforcement authorities within thirty days for that spouse to be prosecuted for this offense.</li> <li>• Sexual Battery (S.C. Code Ann. § 16-3-651(h)): Sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, except when such intrusion is accomplished for medically recognized treatment or diagnostic purposes.</li> </ul>



<b>Crime Type (Code of Laws of South Carolina)</b>	<b>Definitions</b>
	<ul style="list-style-type: none"> <li>• Criminal Sexual Conduct in the First Degree (S.C. Code Ann. § 16-3-652): A person is guilty of criminal sexual conduct in the first degree if the actor engages in sexual battery with the victim and if any one or more of the following circumstances are proven: (a) The actor uses aggravated force to accomplish sexual battery; (b) The victim submits to sexual battery by the actor under circumstances where the victim is also the victim of forcible confinement, kidnapping, trafficking in persons, robbery, extortion, burglary, housebreaking, or any other similar offense or act; (c) The actor causes the victim, without the victim's consent, to become mentally incapacitated or physically helpless by administering, distributing, dispensing, delivering, or causing to be administered, distributed, dispensed, or delivered a controlled substance, a controlled substance analogue, or any intoxicating substance.</li> <li>• Criminal Sexual Conduct in the Second Degree (S.C. Code Ann. § 16-3-653): A person is guilty of criminal sexual conduct in the second degree if the actor uses aggravated coercion to accomplish sexual battery.</li> <li>• Criminal Sexual Conduct in the Third Degree (S.C. Code Ann. § 16-3-654): A person is guilty of criminal sexual conduct in the third degree if the actor engages in sexual battery with the victim and if any one or more of the following circumstances are proven: (a) The actor uses force or coercion to accomplish the sexual battery in the absence of aggravating circumstances; (b) The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless and aggravated force or aggravated coercion was not used to accomplish sexual battery.</li> <li>• Criminal Sexual Conduct with a Minor (S.C. Code Ann. § 16-3-655): <ul style="list-style-type: none"> <li>A. A person is guilty of criminal sexual conduct with a minor in the first degree if: (1) the actor engages in sexual battery with a victim who is less than eleven (11) years of age; or (2) the actor engages in sexual battery with a victim who is less than sixteen (16) years of age and the actor has previously been convicted of, pled guilty or nolo contendere to, or adjudicated delinquent for an offense listed in Section 23-3-430(C) or has been ordered to be included in the sex offender registry pursuant to Section 23-3-430(D).</li> </ul> </li> </ul>

<b>Crime Type (Code of Laws of South Carolina)</b>	<b>Definitions</b>
	<p>B. A person is guilty of criminal sexual conduct with a minor in the second degree if: (1) the actor engages in sexual battery with a victim who is fourteen (14) years of age or less but who is at least eleven (11) years of age; or (2) the actor engages in sexual battery with a victim who is at least fourteen (14) years of age but who is less than sixteen (16) years of age and the actor is in a position of familial, custodial, or official authority to coerce the victim to submit or is older than the victim. However, a person may not be convicted of a violation of the provisions of this item if he is eighteen (18) years of age or less when he engages in consensual sexual conduct with another person who is at least fourteen (14) years of age.</p> <p>C. A person is guilty of criminal sexual conduct with a minor in the third degree if the actor is over fourteen (14) years of age and the actor willfully and lewdly commits or attempts to commit a lewd or lascivious act upon or with the body, or its parts, of a child under sixteen (16) years of age, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of the actor or the child. However, a person may not be convicted of a violation of the provisions of this subsection if the person is eighteen (18) years of age or less when the person engages in consensual lewd or lascivious conduct with another person who is at least fourteen (14) years of age.</p> <ul style="list-style-type: none"> <li>• Criminal Sexual Conduct: Assaults with Intent to Commit (S.C. Code Ann. § 16-3-656): Assault with intent to commit criminal sexual conduct described in the above sections shall be punishable as if the criminal sexual conduct was committed.</li> <li>• Under South Carolina law, an "assault and battery" can also constitute a "sexual assault" in certain circumstances based on the following statutory provisions: <ul style="list-style-type: none"> <li>○ S.C. Code Ann. § 16-3-600(A)(3): "Private parts" means the genital area or buttocks of a male or female or the breasts of a female.</li> <li>○ S.C. Code Ann. § 16-3-600(C)(1)(a)(i): A person commits the offense of assault and battery in the first degree if the person unlawfully injures another person, and the act involves</li> </ul> </li> </ul>

<b>Crime Type (Code of Laws of South Carolina)</b>	<b>Definitions</b>
	<p>nonconsensual touching of the private parts of a person, either under or above clothing, with lewd and lascivious intent.</p> <ul style="list-style-type: none"> <li>○ S.C. Code Ann. § 16-3-600(D)(1)(b): A person commits the offense of assault and battery in the second degree if the person unlawfully injures another person, or offers or attempts to injure another person with present ability to do so and the act involves the nonconsensual touching of the private parts of a person, either under or above clothing.</li> </ul>
Consent (as it relates to sexual activity)	The institution has determined, based on good-faith research, that South Carolina law does not define the term consent (as it relates to sexual activity).

**--END OF DOCUMENT--**