



Campus Security Policy Statements and Crime Statistics

October 1, 2021

Public Safety: (540) 453-2370 or (540) 209-2798

If you are aware of an emergency or have immediate safety concerns, call 911 and report the danger to:

- 9-911 from a College Phone
- 911 from your cell phone

Do not assume others will report it. See something, say something.

Practice Situational Awareness:

- Remain aware of your surroundings and individuals within the immediate area.
- Do not leave items unattended in unlocked offices, classrooms, computer labs, cafeteria, hallways, other public spaces, or vehicles.

Contents

Introduction.....	4
Reporting Crimes and Other Emergencies	5
Campus Security Authorities (CSAs).....	5
Confidential Reporting Procedures	7
Pastoral/Counselor Reporting Procedures.....	7
Emergency Notification and Evacuation in Event of Emergency.....	7
Prompt Reporting.....	8
Timely Warnings.....	9
Campus Law Enforcement Policy Statement.....	9
Security of and Access to Campus Facilities.....	9
Missing Student Notification Procedure	11
Security Awareness Programs	11
Support Resources.....	11
Community Resources Directory.....	12
Crime Prevention Programs	14
Reporting the Annual Disclosure of Crime Statistics.....	14
Off Campus Locations.....	14
Violence, Firearms, and Dangerous Weapons	14
Workplace & Campus Violence Prevention and Threat Assessment Policy Guidelines.....	15
Purpose.....	15
Coverage.....	15
Definitions	15
Policy Statement.....	15
Consequences of Policy Violations	16
Violence Prevention Committees and Threat Assessment Teams.....	17
Procedures.....	17
Communication and Training	18
Threat Assessment Policy Statement.....	19
Drug and Alcohol Policy Statement.....	19

Possession, Use and Sale of Alcoholic Beverages.....	20
Possession, Use and Sale of Illegal Drugs	20
Drug and Alcohol Abuse Education Programs.....	20
Policy Statement on Prohibited Discrimination and Harassment	21
Policy on Sexual Violence, Domestic Violence, Dating Violence, and Stalking.....	22
Prevention and Awareness Program	48
Reporting Procedures.....	49
Sex Offender Registration Policy Statement	49
Enforcement of Campus Rules, Codes of Conduct, and Policy Statements	49
Student Disciplinary Procedures	49
Disclosure of Disciplinary Hearings	50
Employee Procedures.....	50
Policies Applicable to Employees	50
Background Checks.....	50
Fire Safety Report	51
Expressive Activity Procedure	51
4.10.1 Expressive Activity.....	51
4.10.1.1 VCCS Policies 6.5.1 and 6.5.2.....	51
4.10.1.2 Responsibilities.....	52
4.10.1.3 Procedure for Reserving Campus Facilities	52
4.10.1.4 Spontaneous Expressive Activity.....	53
4.10.1.5 Areas Not Available for Expressive Activity.....	53
4.10.1.6 Banners and Distribution of Commercial Materials.....	53
Appendix A: Crime Statistics Reporting Table	54
Blue Ridge Community College 2015-2017 Crime Statistics	54
Appendix B: Campus Security Authority Reporting Form	58
Appendix C: Threat Assessment Form.....	63

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Act”) requires colleges and universities to report annually information regarding their campus security policies and campus crime statistics. This report is submitted in compliance with the Act.

In partnership with our employees, students, and communities the Blue Ridge Community College (BRCC) Public Safety Department works closely with College administration to support an open and safe educational environment that fosters academic excellence and student success by providing professional security, safety, and emergency services.

Significant effort has been given to planning and outlining the procedures to be followed in the event of emergencies that can occur on a college campus. The College’s safety plans are available for viewing on the [Campus Status](#) page of the BRCC website.

This report is prepared in cooperation with the Public Safety Office, local law enforcement agencies, and the BRCC Campus Security Authorities. The Public Safety Office works diligently to provide updated information, safety education and safety programs to the College and local communities.

During the first quarter of every calendar year, the Blue Ridge Community College Public Safety Office makes a good faith effort to collect crime statistics from the following law enforcement agencies by sending a request letter for the Clery geography definitions define in this reports Introduction. These agencies are the Augusta County Sheriff’s Office, Staunton City Police Department, Waynesboro Police Department and the Rockingham County Sheriff’s Office and the data collected is reported under the Public Property category.

Blue Ridge Community College has a main campus and remote centers as defined by the following geographic descriptions:

Augusta County, Virginia:

- Blue Ridge Community College Main Campus located in Weyers Cave is bounded by:
 - College Lane and adjacent lands to the north up to Weyers Cave Road (VA 256) and, State Route 928 (Weller Pond Lane) to the south, between U.S. Interstate 81 to east, and U.S. Route 11 to the west
- Blue Ridge Community College Aviation Maintenance Training Center located in Weyers Cave within the boundaries of the Shenandoah Valley Regional Airport
- Blue Ridge Community College Commercial Driving Program truck driving range located in Verona, within the boundaries of the Augusta County Government Center complex
- Blue Ridge Community College Forklift Program located in Weyers Cave, 97 Railside Dr.
- Blue Ridge Community College Augusta Health Center located in Fishersville within the boundaries of Medical Center Circle – BRCC closed this center on June 30, 2017
- Blue Ridge Community College Waynesboro Online Outpost, 110 North Wayne Avenue, Waynesboro, VA. Opened March 2019.

Rockingham County, Virginia:

- Blue Ridge Community College Welding Training Center located in Rockingham County, Mount Crawford area (4901 Crowe Drive Suite 4915) is bounded by:
 - Cecil Wampler Road (Route 704) on the north, to the end of Crowe Drive to the south, between Scholars Road to the east, and Crowe Drive to the west

City of Harrisonburg, Virginia – BRCC closed this center on January 1, 2016

- Blue Ridge Community College Harrisonburg Center (160 C North Mason Street) bounded by:
 - East Rock Street on the north, to East Elizabeth Street on the south, and between Community Street to the east, and N Federal Street to the west

City of Staunton, Virginia – BRCC EMS Program 6/13/2018 to 12/31/2018

- Blue Ridge Community College EMS Program 2312 West Beverly St bounded by:
 - Rowe Street on the north, to East Noon Street, on the south Mulberry Street

Reporting Crimes and Other Emergencies

Students, faculty, staff, guests, and community members are encouraged to report all crimes and safety issues to the Public Safety Office to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the campus community. The Campus Safety and Security Officers can be reached by calling extension 602370 from any campus phone, or by calling the Security cell phone directly at 540-209-2798. Additionally, for any emergency, contact 911 (9-911 from any campus phone) and an appropriate emergency response will be dispatched. Emergency Call Boxes are located in the South parking lot, behind the Recreation Center and in the parking deck. The Call Boxes have two buttons programmed to reach either the Campus Security Officer or 911. When properly used, these Call Boxes serve as an enhancement to our security on campus.

Campus Security Authorities (CSAs)

To report an actual or possible crime, contact the Blue Ridge Community College Public Safety Office at 540-453-2503 (non-emergencies), 9-911 (emergencies only), or the Security Officer at 540-453-2370 or ext. 602370 from any campus phone. BRCC crimes statistics compiled for this report are based on data provided by the Public Safety Coordinator, Campus Police, local law enforcement agencies, College campus security authorities, and Title IX Coordinator and is presented in Appendix A.

Although we encourage the reporting of campus criminal activity to the BRCC Public Safety Office, in some instances members of the campus community may choose to file a report with a Campus Security Authority. Any reportable crime made to a Campus Security Authority or Title IX Coordinator can and should be immediately transmitted to the Public Safety Office.

In addition to department heads, managers, supervisors, Student Services officials, student club advisors, and coaches the following have been designated as Campus Security Authorities:

Campus Security Authorities (CSAs)	Contact Information
VP of Instruction and Student Services	540-453-2500, youngb@brcc.edu
VP of Finance and Administration	540-453-2281, pagec@brcc.edu
Director, Finance & Facilities	540-453-2285, hamptonf@brcc.edu
Dean of Continuing Education	540-453-2264, ratliffk@brcc.edu
Dean of Academic Affairs	540-453-2376, ursod@brcc.edu
Dean of Academic Affairs	540-453-2344, jarboem@brcc.edu
Dean of Student Services	540-453-2332, bryantv@brcc.edu
Coordinator of Student Activities/Director of Rec Center	540-453-2368, richardsonc@brcc.edu
Director of Human Resources	540-453-2371, nicelyt@brcc.edu

BRCC CSAs submit information using the BRCC CSA Reporting Form as presented in Appendix B, or via email with contact information and details. In addition, CSAs are required to take annual training as designated by BRCC Administration. During the first quarter of the calendar year all CSAs and the Title IX Coordinators are contacted requesting any additional reports not submitted during the previous year. This information along with the data provided by local law enforcement is combined with Campus Public Safety data and entered into the web-based data collection and this report.

Blue Ridge Community College Academic Counselors are encouraged to tell students about the reporting procedures outlined in this document. As noted below, confidential reports/anonymous reports are extremely valuable in order to prevent further victimization and to obtain a more accurate portrait of Blue Ridge Community College campus crime activities.

Although Blue Ridge Community College is a safe campus, this does not mean that students should not be conscious of safety issues. Faculty, staff, and students are advised to keep their vehicles locked while in the BRCC parking lots, and to keep their belongings with them at all times. They are also asked to report any suspicious person, behavior, or package to the BRCC Public Safety Office.

If minor offenses involving college rules and regulations are committed by a Blue Ridge Community College student, faculty, or staff member, the Public Safety Office will refer the individual to the Vice President of Instruction and Student Services or Vice President of Finance and Administration via the Human Resource Director.

Public Safety personnel are tasked with reporting to Buildings & Grounds areas of the campus that may create safety concerns. Any faculty, staff, or student may also report a safety concern to Buildings & Grounds or the Public Safety Department.

Confidential Reporting Procedures

If the victim of a crime or a witness to a crime does not want to pursue action within the college system or the criminal justice system, he/she may still want to consider making a confidential report. Confidentiality will be respected within the limits of the law.

With the victim's permission, the Public Safety Office staff can file a report on the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while allowing the college to take steps to ensure the future safety of the victim and others. With the information, the College can keep an accurate record of the number of incidents involving students, faculty, and staff to determine whether there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the College.

Pastoral/Counselor Reporting Procedures

Blue Ridge Community College does not have Pastoral or Licensed counselors on campus. BRCC works closely with Valley Community Services Board (VCSB) to provide access to mental health counselors. All academic advisors are asked to encourage their students to report crimes to the Public Safety Department and refer them to VCSB as necessary.

Emergency Notification and Evacuation in Event of Emergency

The purpose of the Blue Ridge Community College Safety Manual is to establish clear guidelines detailing the appropriate response to emergency, disaster, and crisis situations. The goal of this manual is to limit the loss of life and property and achieve a safe and effective resolution in the event of an emergency or crisis that affects community members and/or the operations of the college.

In the event of an emergency, the Incident Command Team (ICT) will be contacted. If appropriate, the ICT will make decisions regarding timely warnings and college responses. A timely warning will not be delayed pending the notification of the ICT. The ICT is comprised of key College administrators who are responsible to prepare for and respond to campus emergencies with key members authorized to initiate timely warnings, as appropriate. The ICT will confirm that a significant emergency or dangerous situation exists and will:

- 1) Determine the appropriate segment(s) of the campus community to receive notifications.
- 2) Determine the content of the notifications
- 3) Initiate the notification systems.

In the event of a crisis or emergency students, faculty, and staff will be notified of the situation and provided direction on how to avoid potential harm. The college has emergency text messaging capability for members of the College and local communities. Through this method, the College can send text messages to those who have provided the requisite information. A web-based sign up system allows the campus community to register for this service from any computer on or off campus.

Students, faculty, and staff are strongly encouraged to provide cell phone numbers and email addresses for inclusion in the emergency notification system. Access to the emergency text alert sign up can be found here: [BRCC VA Alert System](#)

The system is tested at minimal on an annual basis. The Public Safety Office documents all tests, including the date, time, and whether it was announced or unannounced.

The following Blue Ridge Community College officials have the authority to disseminate timely warnings and emergency notifications:

- College President
- Vice President of Instruction and Student Services
- Vice President of Finance and Administration
- Academic Deans
- Dean of Continuing Education
- Dean of Student Services
- Director of Public Relations
- Director of Public Safety

One of these officials will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or staff occurring on the campus. Considering the safety of the community, the official(s) will determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the official(s), compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The college also can notify the campus community of an emergency through CISCO phone public address system and the College's web site. In addition, both the campus community and the greater community can be notified by local radio and TV stations.

After the initial notification, follow-up information will be disseminated to the campus community via the public address and text messaging system, email, social media, news media, and/or the College's web site as needed.

Prompt Reporting

Blue Ridge Community College campus community members are strongly encouraged to report criminal activity and suspicious persons to the Public Safety Office as well as local law enforcement, if appropriate. Victims or witnesses should report crimes immediately to ensure inclusion in the annual crime statistics and to aid in providing "timely warnings" notices to the community. Security problems that may or may not be crimes, or other emergencies should also be reported. BRCC encourages accurate and prompt reporting of all crimes to the Public Safety Office and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

Campus Security Officers can be reached by calling extension 602370 on any campus phone, or via cell phone 540-453-2370. Additionally, for any emergency one can contact 911 (9-911 from a campus phone) and an appropriate emergency response will be dispatched.

Timely Warnings

In the event that a situation arises, either on or off campus, that constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warnings will be issued through the College’s campus wide public address system, text alert system, email system, BRCC twitter feed, and BRCC website to students, faculty, and staff. In addition to the procedures for complying with the “timely warning” requirements of the Act, the college has an emergency alert system that permits the rapid communication of emergency information to the campus community through both the text message capabilities of cell phones, as well as email.

Using this system, several campus officials, including the Director of Public Safety, have the authority to broadcast a message that may involve an immediate threat of injury.

Campus Law Enforcement Policy Statement

The Blue Ridge Community College Public Safety Office supports an open and safe educational environment that fosters academic excellence and student success by providing professional police, safety, security, and emergency services in partnership with our employees, students, and community. Practicing community-policing philosophies, Campus Police and Security Officers use crisis intervention, communication, and suicide prevention techniques and communication skills to deescalate critical incidents.

The Blue Ridge Community College Public Safety Office coordinates security and safety training and educational sessions with Student Services, the Student Government Association, faculty and staff. These sessions include, but are not limited to, presentations and seminars during new student and employee orientations, in-service week, Student Government Association and College Club sponsored events. Emphasis in these educational sessions focuses on “See Something, Say Something,” situational awareness, active assailant response best practices, crime preventions, and the risks of impairment, injury, or death to due alcohol and substance abuse and the legal and disciplinary consequences of these behaviors. In addition, a focus is placed on education concerning bystander intervention and suicide intervention.

Security of and Access to Campus Facilities

The BRCC Public Safety Office strives to make Blue Ridge Community College a pleasant and safe place to study, work, and socialize. It is the purpose of the Public Safety Office to work with all members of the campus community to preserve life, maintain human rights, protect property, promote individual responsibility, and fulfill community commitments.

Staff can contribute to the safety and security of the campus and their departments by alerting supervisors, Buildings and Grounds (540-453-2299), or the Director of Facilities and Finance (540-453-2285) of any areas that need attention such as light bulbs that are not working or trip hazards. If a faculty or staff member is working after hours, they should notify the on-duty Public Safety Officer. All doors to the work areas should be locked when vacant. The phone number for the Public Safety Officer on duty is ext. 602370 from any campus phone or 540-453-2370.

Campus Security Officers patrol the campus 7 days a week, 24 hours a day. Their responsibility is the protection of campus community members, security of the campus and Blue Ridge Community College assets. Security cameras are located throughout campus and are periodically monitored and reviewed by the Public Safety staff.

During business hours, the college will be open to students, parents, employees, contractors, guests, visitors, and invitees. During non-business hours, access to all college facilities is by key or proximity card, if issued, or by approved admittance via the Public Safety Office.

Blue Ridge Community College Public Safety personnel have the authority to ask persons for identification and to determine whether individuals have lawful business at Blue Ridge Community College. BRCC public safety officers have the authority to issue parking warnings and tickets in accordance with BRCC policy statements. With the exception of sworn BRCC Police Officers, BRCC Public Safety personnel do not possess arrest power.

Criminal incidents are investigated by the BRCC Campus Police Department or referred to the local law enforcement agencies with jurisdiction on the campus, centers, or where the incident occurred. The BRCC Public Safety Office maintains a highly professional working relationship with the Augusta County Sheriff's Office, Rockingham County Sheriff's Office, Harrisonburg Police Department, Staunton Police Department, James Madison University Campus Police, Shenandoah Valley Airport Police, and the Virginia State Police. All crime victims and witnesses are strongly encouraged to report crime to the Public Safety Office or the appropriate law enforcement agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics. BRCC and Augusta County Sherriff's Office share a Mutual Aid Agreement for specific law enforcement issues.

Blue Ridge Community College assumes that members of the student body will exhibit mature and responsible behavior. The policies and regulations of the campus are designed to encourage students in this direction. The College will not attempt to supervise the life of each individual student.

However, as long as a person is a member of the student body, the College expects that each student will function in a manner that will reflect positively on the College. Thus, unseemly conduct by individual students or interpersonal behavior that violates acceptable community standards of conduct will subject the student or students involved to disciplinary action, including possible suspension or expulsion from the college.

On occasion, it is necessary for the College to investigate, respond, or confront matters of student conduct. College officials have both the responsibility and the authority to address incidents of alleged campus infractions and to issue censure commensurate with the offense. Nevertheless, any student so confronted and accused will have an opportunity to explain himself or herself through conversation with the appropriate college official.

Students are subject to the laws governing all private citizens as well as the rules of the College. Violation of laws by Blue Ridge Community College students on campus may result in legal action and/or disciplinary action by the College. The College is not a sanctuary from the law or its representatives. Nor does the College abdicate its own responsibility to deal with internal affairs even when civil authorities are involved. For example, shoplifting, whether on or off campus, is a crime, and students are subject to criminal prosecution as well as disciplinary action by the college.

The office of the Public Safety Department is located in building G-Houff Student Center, G167 Suite. The Public Safety Director and Campus Police can be reached by phone at 540-453-2503. Campus Security Officers can be contacted at ext. 602370 from any campus phone or by calling the Security Office at 540-453-2370 or cell phone at 540-209-2798. The BRCC office of Public Safety maintains a daily crime log. The log is available for inspection during normal business hours at the Public Safety office in G167 Suite.

The Director of Public Safety reports to the Vice President of Finance and Administration. During office hours, phone contact can be made with the Vice President at 540-453-2281 or email: pagec@brcc.edu.

Blue Ridge Community College does not have student housing of any kind on or off campus. There are no student organizations that have non-campus housing facilities.

Missing Student Notification Procedure

The Campus Police Department will work with other local and state law enforcement agencies regarding any missing person reported to or received by the College.

Security Awareness Programs

Students are informed during new student orientation sessions each academic year about security and campus safety procedures and practices. Also described are crime prevention measures, including personal safety tips. A video with security practices and procedures is available on the BRCC orientation web page and is available not only during orientation, but at any time. Security information is presented on BRCC's Campus Security & Public Safety web page. The Public Safety Office distributes to all students a pamphlet outlining campus safety, emergency notification access, and emergency information.

All degree seeking students are required to take a student development course which introduces them to Wellness Resources including medical resources. A student run club, "Beyond the Blue," whose membership includes students in the Human Services program, provides information, education, and referral services to students who have social, emotional or health issues.

Upon request, Public Safety Officers are available to provide escort assistance on campus to members of the campus community twenty-four hours a day. Students and staff are encouraged to utilize this service any time they feel uncomfortable with walking across campus or to their vehicle. Students and staff are requested to call the Public Safety Officer at 540-209-2798 to request escort assistance.

There is a common theme throughout all security programs: every member of the College community is responsible not only for her/ his own safety, but also for the safety of others. Bystander engagement is a primary objective of Public Safety educational programs. Individuals are encouraged to report any unusual or suspicious person or circumstances promptly to the Public Safety Office.

New employees are provided with information regarding security and campus safety procedures and practices including a description of the responsibilities of public safety staff, crime reporting procedures, and use of telephones to report emergencies. These procedures and practices are included in the faculty/staff handbook located on the BRCC Webpage.

Support Resources

While BRCC does not employ licensed counselors, it does maintain a page on the BRCC Student Life & Services, Student Support Programs, <https://www.brcc.edu/services/support-programs/> Referral services are also provided by "Beyond the Blue" (explained above). The listed resources include:

Community Resources Guides

- Virginia Career Works

Food Banks

- Augusta County Food Pantries
- Blue Ridge Area Food Bank
- Harrisonburg Food Pantries
- Verona Community Food Pantry

Mental Health and Wellness

- Wellness Resources
- Dealing with Stigma
- Depression & Anxiety
- Suicide Awareness

Community Resources Directory AIDS

Agency	Telephone
AIDS HOTLINE	(800) 232-4636

Local Health Departments

Department	Telephone
Augusta-Staunton	(540) 332-7830
Augusta-Waynesboro	(540) 949-0137
Highland County	(540) 468-2270
Rockingham-Harrisonburg	(540) 574-5100

Domestic Violence

Agency	Telephone
Child Abuse and Neglect Hotline	(800) 422-4453
Domestic Violence Hotline	(800) 799-7233
First Step - A Response to Domestic Violence, Inc. 129 Franklin Street, Harrisonburg, VA 22801	(540) 434-0295

Sexual Assault

Agency	Telephone
Collins Center (formerly CASA) The Collins Center (formerly Citizens Against Sexual Assault or CASA) is a private, non-profit organization that provides crisis intervention, victim assistance, and community education services.	(540) 434-2272
New Directions Center office:	(540) 886-6800

The New Directions Center is a private, non-profit organization that provides crisis intervention, victim assistance, and education services to the Staunton, Waynesboro, and Augusta County area.

Substance Abuse

Agency	Telephone
<p>ASAP 350 N. Main Street Harrisonburg, VA 22801</p>	(540) 434-0154
<p>ASAP 240 N. Central Avenue Suite B Staunton, VA 24401</p>	(540) 886-5616
<p>Alcoholics Anonymous Staunton, VA, 24401 Waynesboro, VA Harrisonburg, VA</p>	<p>(540) 885-6912 (540) 949-7777 (540) 434-8870</p>
<p>Augusta Medical Center Recovery Choice Route 608 P.O. Box 1000 Fishersville, VA 22939</p>	(540) 213-2525 or toll free 800-932-0262, ext. 2525
<p>This agency provides a number of alternatives best suited to treat individual problems with regard to chemical dependency. It offers both in-patient and out-patient programs, and free consultation and evaluation.</p>	
<p>Harrisonburg-Rockingham Community Services Board Intensive Treatment Program 1241 N. Main Street Harrisonburg, VA 22801 This program allows the chemically dependent person to live at home and continue employment throughout treatment.</p>	(540) 434-1941
<p>Mental Health Association of Augusta Professional Building, Room 206-208 Staunton, VA 24401</p>	(540) 886-7181
<p>Valley Community Services Board Substance Abuse Services 85 Sangers Lane Staunton, VA 24401</p>	(540) 887-3200

Mental Health/Suicide Prevention

Agency	Telephone
Valley Community Services Board Emergency Services, Staunton	(540) 887-3200 Emergency: (866) 274-7475
Harrisonburg/Rockingham Community Services Board Emergency Services, Harrisonburg	(540) 434-1941 Emergency: (540) 434-1766

Crime Prevention Programs

Blue Ridge Community College collaborates with state and local law enforcement agencies to address crime prevention and reporting. Key areas of collaboration include Crime Prevention through Environmental Design (CPTED) and Bystander Intervention programs. Blue Ridge Community College also promotes the “SEE SOMETHING, SAY SOMETHING” Homeland Security initiative.

Reporting the Annual Disclosure of Crime Statistics

Campus crime, arrest and referral statistics include those reported to the Public Safety Office, designated campus officials known as Campus Security Authorities (CSAs) (including but not limited to Deans, department heads, Student Services officials, advisors to students/student organizations, and coaches), and local law enforcement agencies. A procedure is in place to report crime statistics disclosed confidentially to these entities.

The full text of this report is on the College’s web site at: <https://www.brcc.edu/security/clery/>

Printed copies of the Annual Security Report are available from the Public Safety Department. (Room G167, Phone 540-453-2503).

Off Campus Locations

Blue Ridge Community College does not have any officially recognized student or other organizations with off-campus locations.

Violence, Firearms, and Dangerous Weapons

Blue Ridge Community College is committed to ensuring the safety of all employees, students, guests, and visitors to the campus community. As such, BRCC will not tolerate any physical violence or threatening behavior in the workplace.

Physical Violence includes, but is not limited to:

- Any act that injures a person physically
- Other physical actions such as hitting, pushing, spitting, kicking, holding, impeding, or blocking the movement of another person.

Threatening behavior includes, but is not limited to:

- Verbal threats of violence towards persons or property
- Visual threats, including threatening or intimidating writings, e-mail, posters, cartoons, publications, drawings, gestures, or electronic transmissions.

BRCC has ZERO TOLERANCE for all acts or threats of violence. Any threat or act of violence will be taken seriously, addressed immediately, and dealt with appropriately, which may include disciplinary action, termination of employment, arrest and prosecution.

Unauthorized possession or use of firearms is prohibited on campus. Using other materials or items as dangerous weapons is also prohibited. An item is classified as a dangerous weapon when it is used with the intent to cause harm, threaten, or intimidate. BRCC prohibits carrying weapons on campus property.

Workplace & Campus Violence Prevention and Threat Assessment Policy Guidelines

The Virginia Community College System (VCCS) has adopted the following system-wide Workplace & Campus Violence Prevention and Threat Assessment policy that is applicable to Blue Ridge Community College beginning January 1, 2012. In addition, this restriction will apply to the general public in College administration and academic buildings (this includes the Houff Student Center).

Purpose

The purpose of this policy is to establish guidelines for the development of a College/System Office policy for the prevention of workplace and general campus violence. It includes the formation of campus Threat Assessment Teams and the promotion and maintenance of a productive environment for learning and working that is free from threats, intimidation, and violence.

Coverage

These policy guidelines apply to all faculty, staff, students, visitors, contractors, and other third parties. Students may be covered under additional provisions of their respective college's Student Handbook.

Definitions

Workplace & Campus: Any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations (other than an individual's home when telecommuting), and travel to and from work assignments.

Workplace & Campus Violence: Any physical assault or threatening behavior occurring in the workplace by employees, students, or third parties. This includes, but is not limited to, beating, stabbing, suicide, shooting, rape, attempted suicide, psychological trauma such as threats or obscene phone calls, intentionally damaging property, an intimidating presence which makes a reasonable person apprehensive of imminent harm, and harassment of any nature such as stalking, shouting so as to cause a disruption, swearing or committing injurious acts motivated by, or related to, domestic violence or sexual harassment.

Third Parties: Individuals who are not state employees, such as relatives, acquaintances, strangers, contractors, or visitors.

Policy Statement

The colleges/system office prohibits threats and acts of violence on college property, within college/system office facilities, at any college/system office-sponsored event; while engaged in college/system office business, educational, or athletic activities; and while traveling in state vehicles.

Prohibited conduct includes but is not limited to:

- injuring another person physically;
- engaging in behavior that creates a reasonable fear of injury to self or another person;
- engaging in behavior that would subject a reasonable person to, and does subject another individual to, extreme emotional distress;
- possessing, brandishing, or using a weapon while on state premises by students, except where possession is a result of participation in an organized and scheduled instructional exercise for a course, or where the student is a law enforcement professional, or when the weapon is secured in the student's vehicle; possessing, brandishing, or using a firearm, weapon, or other device by faculty or staff that is not required by the individual's position while on college/system office property or engaged in college/system office business; or in violation of law or other college/system office policy, except where the employee is a law enforcement professional, and except when the weapon is secured in the employee's vehicle;
- brandishing, using, or possessing a weapon by third parties while on campus in academic or administrative buildings, or while attending a sporting, entertainment or educational event. This provision does not apply to law enforcement personnel.
- intentionally damaging property;
- threatening to injure an individual (including oneself) or to damage property;
- committing injurious acts motivated by, or related to, domestic violence or sexual harassment; and
- Retaliating against any employee or student who, in good faith, reports a violation of this policy.

Consequences of Policy Violations

1. Employees violating this policy will be subject to disciplinary action up to and including termination and criminal prosecution using existing policies and procedures including Section 3 of the VCCS Policy Manual or DHRM Policy 1.60, Standards of Conduct. Additionally, employees who are identified as engaging in the use of threatening language or behavior may be required, as a condition of continued employment, to participate in a mental health evaluation as part of a threat assessment process, and receive approval from the mental health evaluator that they are not a risk to themselves or others.
2. Students violating this policy will be subject to disciplinary action as outlined in their respective college's Student Handbook, and other college policies as appropriate. Additionally, students who are identified as engaging in the use of threatening language or behavior may be required, as a condition of continued enrollment, to participate in a mental health evaluation as part of a threat assessment process, and receive approval from the mental health evaluator that they are not a risk to themselves or others.
3. Visitors and third parties violating this policy will be subject to applicable local, state, federal laws, and associated regulations, and may be barred from the college/System Office at the college's/System Office's discretion for violating this policy.

Violence Prevention Committees and Threat Assessment Teams

1. Blue Ridge Community College has established a committee with responsibility for education and violence prevention on campus. The membership of this body shall include representatives from the following areas: student affairs, human resources, law enforcement, a mental health professional or counseling services representative, and others who have knowledge, professional expertise, or responsibilities that could assist the committee with completing its work. However, in all cases the membership of the committee must comply with the requirements of Virginia Code § 23-9.2:10. The committee should consult VCCS legal counsel when necessary, through established protocols.
2. The BRCC violence prevention committee has published for its college community a clear statement of its mission and membership as well as the committee's leadership role in the area of violence prevention.
3. The BRCC violence prevention committee has published guidance to faculty, staff and students regarding the following:
 - A. How to recognize and report aberrant or potentially harmful behavior that may represent a threat to the community
 - B. Policies and procedures for the assessment of individuals whose behavior may present a threat
 - C. Appropriate means of intervention with such individuals
 - D. College/system action to resolve potential threats
 - E. To whom on the college's threat assessment team, or through what method, potentially threatening behavior should be reported
4. Blue Ridge Community College has organized a threat assessment team. Membership of this body shall include representatives from the following areas: student affairs, human resources, law enforcement, and a mental health representative. The violence prevention committee may also be designated the campus threat assessment team if the counseling services representative is also a mental health professional. The threat assessment team may supplement its membership with others as necessary to assist it with fulfilling its purpose. However, in all cases the membership of the team must comply with the requirements of Virginia Code § 23-9.2:10. The threat assessment team shall implement the assessment, intervention, and action policies of the violence prevention committee. The committee should consult VCCS legal counsel when necessary, through established protocols.

Procedures

Procedures for reporting or responding to threats or incidents of workplace and campus violence
Employee and student responsibilities include:

- Reporting incidents or threats of violence to their immediate supervisor, Human Resource Office, campus police/security, Threat Assessment Team members, or other designated individuals or offices by stated college policy.
- Providing Human Resources and the immediate supervisor, or a college counseling services office with a copy of any Protective Orders from a court, which lists the College/System Office as protected areas so that appropriate enforcement activities occur.

No person who, in good faith, reports threatening or otherwise troubling behavior in accordance with this policy will be subject to retaliation.

Management Responsibilities include:

- Designating a Workforce Violence Prevention Coordinator.
- Obtaining the name(s) of an emergency clinician at each Community Services Board (CSB) in the college's service region to serve as a contact person. Each President must designate a college staff member with responsibility for communication with the CSB contact person(s) to prepare for and respond to potential emergencies, to include requesting an assessment to determine whether a student, faculty or staff member poses a threat of violence to self or others.
- Establishing a college violence prevention committee and organizing a threat assessment team for the State Board's establishment to comply with § 23.1-805 of the Code of Virginia. Each college's administration should ensure that its threat assessment team remains able to quickly receive information about, assess, and respond to potential threats that are reported in accordance with its policies, and to determine corrective actions and prepare necessary reports on given situations. In addition, each college's administration should ensure that its violence prevention committee remains able to publish education and prevention information and recommend ways to, (1) to respond to incidents, (2) investigate all reported incidents of workplace violence, and (3) determine the appropriate response and the actions necessary to address a particular situation.

Threat Assessment Team Responsibilities include:

- Establishing or utilizing existing relationships with local and state law-enforcement agencies as well as mental health agencies to ensure compliance with § 23.1-805 of the Code of Virginia, and expedite assessment and intervention with individuals whose behavior may present a threat to campus safety.
- Upon a preliminary determination that an individual poses a threat of violence to self or others, or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in Virginia Code § 19.2-389 and 19.2-389.1, and health records as provided in § [32.1-127.1:03](#).
- No member of a threat assessment team shall re-disclose any criminal history record information or health information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team. Va. Code § 23.1-805(E).

Communication and Training

The Workplace & Campus Violence Prevention and Threat Assessment Policy is posted on the College website under Policies.

Information on the Workforce Violence Prevention and Threat Assessment Policy, will be included as part of the employee orientation.

The violence prevention committee will provide training periodically to employees on recognizing and responding to potentially violent or violent situations in the workplace.

Information regarding this policy will be included as part of student orientation.

Any student, faculty, or employee who becomes aware of an act or threat of violence, shall immediately report it to a College official. If the act represents an immediate threat of harm to any individual, it must be reported immediately to law enforcement authorities. In the event of an emergency, dial 9-911 from any campus phone.

Any incident will result in a prompt and diligent investigation by the appropriate College official or law enforcement officer. All students, faculty, and staff shall cooperate with any investigation. Sanctions will be commensurate with the severity and/or frequency of the offense; however, any violation under this policy is an extremely serious offense and may result in expulsion or termination, even upon the first offense. BRCC prohibits any form of retaliation against a student, faculty, or staff member making a report under this policy.

Threat Assessment Policy Statement

To comply with Virginia Code Title 23, Section 9.2.10 Violence prevention; threat assessment team and Virginia Community College System (VCCS) Workplace & Campus Violence Prevention and Threat Assessment Policy Guidelines, Blue Ridge Community College (BRCC) has established a Joint Violence Prevention and Threat Assessment Team charged with: “(i) providing guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community; (ii) identification of members of the campus community to whom threatening behavior should be reported; and (iii) policies and procedures for the assessment of individuals whose behavior may present a threat, appropriate means of intervention with such individuals, and sufficient means of action, including interim suspension, referrals to community services boards or health care providers for evaluation or treatment, or medical separation to resolve potential threats.”

Specific guidance for recognizing behavior of concern can be found in the [Threat Assessment Recognition Guidelines](#) using a [Threat Assessment Referral form](#) (See Appendix C)

Drug and Alcohol Policy Statement

As a recipient of federal aid and federal grants, the College must certify under the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 that it will take certain steps to provide a drug-free workplace. Unlawfully possessing, being under the influence of, using, distributing, dispensing, or manufacturing alcohol or illegal or controlled substances is prohibited on College property, in College vehicles, while conducting College business, or as a part of College activities. Students are subject to legal action and college disciplinary procedures as the circumstances and officer discretion dictates.

Any employee convicted for any drug statute violation must notify his or her supervisor within five days of the conviction. The College will take appropriate action against an employee who violates any part of the workplace rule, up to and including termination and referral for prosecution, which is deemed in the best interest of the College and in accordance with applicable law. Employees not terminated may be required to participate satisfactorily in an approved alcohol or drug abuse assistance or rehabilitation program.

Separate from the legal requirements, the college is concerned with the health and well-being of members of the college community. Employees may contact the Director of Human Resources in confidence for referrals or information regarding available and appropriate substance abuse counseling, treatment, and rehabilitation programs.

The college reserves the right to require testing of employees for alcohol (including medications containing alcohol) or illegal or controlled substances, on a random basis and/or based on reasonable suspicion.

Possession, Use and Sale of Alcoholic Beverages

The possession, use, or distribution of alcoholic beverages on campus is not permitted. The college expects students to use good decision making with alcohol use and not engage in behavior that will negatively affect his or her educational and personal goals. If students use alcoholic beverages off campus, it is expected that they will maintain proper decorum when they return to campus. Any student found behaving in an inappropriate, rowdy, destructive, or unsafe manner on campus while under the influence of alcohol or drugs will be found in violation of the College's alcohol or drug policy.

Possession, Use and Sale of Illegal Drugs

Illegal drugs may not be marketed, possessed, used, or distributed on campus. Any student found in the presence of illegal drugs or drug paraphernalia may be asked to appear before the Vice President of Instruction and Student Services. In the event of the use, possession, or possession with apparent intent to distribute illegal drugs, law enforcement will be called to investigate the incident. If students are suspended, they may forfeit their academic work for the current term.

Virginia law provides stiff penalties for illegal possession or distribution of drugs. Blue Ridge Community College will cooperate with law enforcement authorities in apprehending and prosecuting any alleged violators of drug laws. A student is found in violation of the College's drug policy if the student is found to be either using an illegal drug or in possession of an illegal drug (which could include evidence of recent possession or use) or drug paraphernalia.

Drug and Alcohol Abuse Education Programs

Alcohol abuse and illicit drug use are serious societal problems. To help contend with such problems, and to prevent drug or alcohol use that adversely affects academic and job performance and safety, the following programs are available in the area for students and employees. Students and employees are informed as these programs are made available. Although a student's or employee's rehabilitation efforts will be encouraged, participation in any program will not serve as protection against the normal disciplinary process associated with a violation of the College's alcohol and drug policies. The college's Student Service and Academic Counselors can refer students for substance abuse treatment by other providers.

- Health care benefits for treatment of alcohol and drug problems are available through the health insurance policy available to employees.
- Sentara-RMH Healthcare in Harrisonburg, Virginia, and Augusta Health in Fishersville, Virginia, both offer Employee Assistance Programs (EAP), which the College can access for employees on a case-by-case basis. Information is available in the Human Resources Office.

- All degree seeking students are required to take a student development course which introduces them to Wellness Resources. A student run club, "Beyond the Blue," whose membership includes students in the Human Services program, provides information, education, and referral services to students who have social, emotional or health issues.

Any employee who seeks rehabilitation through an inpatient program may be eligible for an unpaid leave of absence in accordance with the Family and Medical Leave Act.

Students and employees also are informed that Blue Ridge Community College will impose disciplinary sanctions on students and employees (consistent with local, State and federal law) up to and including expulsion or termination of employment and referral for prosecution, for violations of the College's alcohol and illegal drug policies.

Students and employees are informed that Virginia law contains a variety of provisions governing the possession, use, and consumption of alcoholic beverages. The laws apply to all students and employees.

Some of the pertinent laws and sanctions for violations are summarized below:

- Drinking in Public - A fine not to exceed \$250
- Purchasing for Minors - Confinement in jail for up to 12 months, a fine not to exceed \$2,500, and loss of driver's permit for up to one year
- Underage Possession - Fine not to exceed \$2,500, confinement in jail for up to 12 months, loss of driver's permit for up to one year
- Driving While Intoxicated – A fine not to exceed \$2,500 (mandatory minimum fine of \$250 for first offense), mandatory jail time for a first offense based on the level of blood alcohol content, loss of driver's permit up to 12 months (for first offense)

Students and employees should be aware that the unlawful possession, distribution, and use of controlled substances and illicit drugs, as defined by Virginia law, are prohibited. Controlled substances are classified into "schedules" ranging from Schedule I through Schedule VI.

Policy Statement on Prohibited Discrimination and Harassment

Blue Ridge Community College is a community based on trust and respect for others. Students, faculty, and staff have the right to be free from prohibited discrimination and harassment within the college community. Specifically, the college prohibits discrimination, including harassment, based on race, color, religion, national or ethnic origin, sex, sexual orientation, age, disability, or veteran's status in its educational programs and activities and with regard to employment. Such conduct violates not only college policy, but may also violate state and federal law.

Unwelcome verbal or physical conduct toward a member of the college community may constitute prohibited harassment. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature or based on gender may constitute prohibited sexual harassment. Whether sexual or non-sexual, such conduct constitutes prohibited harassment if:

- 1) The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile or offensive work or academic environment;

2) Submission to such conduct is an implicit or explicit condition of employment or academic success; or

3) Submission to or rejection of such conduct is used as the basis for an employment or academic decision.

Any employee who believes herself or himself to be the object of prohibited discrimination or harassment by a member of the faculty or staff should consult with the Director of Human Resources or the employee's supervisor, the Vice President of Finance and Administration, or any member of management with whom an employee feels comfortable talking.

No employee will be disciplined or otherwise retaliated against for identifying such discrimination or harassment. It is important to inform the College; we cannot remedy the situation if we are unaware that a problem exists. Confidentiality will be maintained to the extent possible without jeopardizing a full investigation of the complaint.

Policy on Sexual Violence, Domestic Violence, Dating Violence, and Stalking

A. Notice of Nondiscrimination

As a recipient of federal funds, Blue Ridge Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in education programs or activities, admission, and employment. Under certain circumstances, sexual harassment constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. The Title IX Coordinator is Annette Williams, whose office is located at T124, and may be contacted by phone at 540 453-2332 or by email at williamsa@brcc.edu.

B. Policy

1. Blue Ridge Community College is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. Accordingly, this Policy prohibits sex discrimination, which includes sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking. This Policy also prohibits retaliation. This Policy supplements the following general policy statement set forth by the Virginia Community College System: This College promotes and maintains educational opportunities without regard to race, color, national origin, religion, disability, sex, sexual orientation, gender identity, ethnicity, marital status, pregnancy, childbirth or related medical conditions including lactation, age (except when age is a bona fide occupational qualification), veteran status, or other non-merit factors. This Policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act), and Virginia law.

2. This Policy is not intended to substitute or supersede related criminal or civil law. Individuals are encouraged to report incidents of sexual and domestic violence, dating violence, and stalking to law enforcement authorities. Criminal and civil remedies are available in addition to the remedies that the College can provide.

C. Purpose

The purpose of this Policy is to establish that the College prohibits sexual harassment and retaliation, and to set forth procedures by which allegations of sexual harassment shall be reported, filed, investigated, and resolved.

D. Applicability

This Policy applies to prohibited conduct by or against students, faculty, staff, and third parties, e.g., contractors and visitors involving a program or activity of the College in the United States. Conduct outside the jurisdiction of this Policy may be subject to discipline under a separate code of conduct or policy.

E. Definitions

1. Actual Knowledge. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a College's Title IX Coordinator [and/or any other official of the College who has authority to institute corrective measures on behalf of the College].
2. Advisor. An advisor is an individual who provides the complainant or respondent support, guidance, and advice. Advisors may be present at any meeting or live hearing but may not speak directly on behalf of the complainant or respondent, except to conduct cross-examination during a live hearing. Advisors may be but are not required to be licensed attorneys.
3. Appeal Officer. The Appeal Officer is the designated employee who reviews the complete record of the formal complaint and written statements of the parties during an appeal of a written determination. The Appeal Officer decides whether to grant the appeal and determines the result of the appeal.
4. Campus. Campus refers to (i) any building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used in direct support of, or in a manner related to, the College's educational purposes, and (ii) any building or property that is within or reasonably contiguous to the area described in clause (i) that is owned by the College but controlled by another person, is frequently used by students, and supports institutional purposes, such as a food or other retail vendor.
5. Complainant. A complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may file a formal complaint against faculty, staff, students, or third parties.
6. Consent. Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). An individual cannot consent who is under the age of legal consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Any sexual activity or sex act committed against one's will, by the use of force, threat, intimidation, or ruse, or through one's mental incapacity or physical helplessness is without consent.

a) *Mental incapacity* means that condition of a person existing at the time which prevents the person from understanding the nature or consequences of the sexual act involved (the who, what, when, where, why, and how) and about which the accused knew or should have known. This includes incapacitation by using drugs or alcohol. Intoxication is not synonymous with incapacitation.

b) *Physical helplessness* means unconsciousness or any other condition existing at the time which otherwise rendered the person physically unable to communicate an unwillingness to act and about which the accused knew or should have known. Physical helplessness may be reached through the use of alcohol or drugs.

7. Cross-examination. Cross-examination is the opportunity for a party's advisor to ask questions of the other party and the other party's witnesses.

8. Cumulative Evidence. Cumulative evidence is additional evidence that has been introduced already on the same issue and is therefore unnecessary. The Hearing Officer has the discretion to exclude cumulative evidence.

9. Dating Violence. Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be 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.

10. Deliberate Indifference. Deliberate indifference refers to a response to sexual harassment that is clearly unreasonable in light of the known circumstances. The College's response may be deliberately indifferent if the response restricts the rights to the Freedom of Speech and Due Process under the First, Fifth, and Fourteenth Amendments of the U.S. Constitution.

11. Direct Examination. Direct examination is the questioning of a witness by a party who has called the witness to provide such testimony.

12. Domestic Violence. Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse, a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

13. Due Process. Due process is a right guaranteed by the Fifth and Fourteenth Amendments of the U.S. Constitution. Basic procedural due process guarantees that an individual receives notice of the matter pending that relates to the possible deprivation of a property or liberty interest and the opportunity to be heard. For example, students and employees facing suspension or expulsion/termination for disciplinary reasons must be given notice of the allegations against them prior to any hearing or determination of responsibility. Any disciplinary process must be fair and impartial. Additionally, the opportunity to respond must be meaningful.

14. Education Program or Activity. An education program or activity encompasses all of the College's operations and includes locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Examples of education programs or activities includes, but are not limited to, college-sponsored conferences, athletic

events and sports teams, student organizations, and wi-fi network.

15. Exculpatory Evidence. Exculpatory evidence is evidence that shows, or tends to show, that a respondent is not responsible for some or all of the conduct alleged in the notice of allegations. The College must provide the respondent with all exculpatory evidence.

16. Final Decision. A final decision is the written document that describes any sanctions imposed and remedies provided to the respondent and complainant, respectively, at the conclusion of the formal resolution process.

17. Formal Complaint. A formal complaint is a document filed and signed by a complainant or signed by the Title IX Coordinator that alleges sexual harassment against a respondent and requests the College to investigate the allegation of sexual harassment. The complainant must be participating in or attempting to participate in an education program or activity of the College when the formal complaint is filed. A complainant cannot file a formal complaint anonymously. The Title IX Coordinator may sign on a complainant's behalf in matters where it is in the best interest of the complainant or the College to do so. The College may consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

18. Freedom of Speech. The freedom of speech is a right guaranteed by the First Amendment of the U.S. Constitution to express one's thoughts and views without unlawful governmental restrictions. As governmental entities, Colleges must not infringe on this right. This Policy expressly prohibits censorship of constitutionally protected expression.

19. Hearing Officer. A Hearing Officer is the presiding official of a live hearing who must issue a written determination on responsibility. Colleges may choose to hold live hearings with a single Hearing Officer or by committee.

20. Inculpatory Evidence. Inculpatory evidence is evidence that shows, or tends to show, that a respondent is responsible for some or all of the conduct alleged in the notice of allegations.

21. Preponderance of the Evidence. A preponderance of the evidence is evidence that shows that the fact sought to be proved is more probable than not to be true. A preponderance of the evidence means evidence that is of greater weight or more convincing than the evidence that supports the contrary position.

22. Relevance. Relevance refers to evidence that tends to prove or disprove whether the respondent is responsible for the alleged conduct. In determining whether a question is relevant, the Hearing Officer must focus on evidence pertinent to proving whether facts important to the allegations in the formal complaint are more or less likely to be true.

23. Remedies. Remedies are actions taken or accommodations provided to the complainant after a determination of responsibility for sexual harassment has been made against the respondent. Remedies are designed to restore or preserve equal access to the College's education program or activity. Remedies may be disciplinary or non-disciplinary.

24. Report of Sexual Harassment. A report of sexual harassment occurs when anyone reports an allegation of sexual harassment to the Title IX Coordinator, or one that reaches the Title IX Coordinator through a Responsible Employee. An individual need not be participating or attempting to participate in an education program or activity of the College to file a report. The respondent also does not need to

be an employee, student, or otherwise affiliated with the College for a person to file a report against a respondent. A report of sexual harassment does not trigger an investigation or the formal or informal resolution process, but it does require the Title IX Coordinator to meet with the complainant and carry out the procedures described in Section S and/or T of this Policy, as applicable.

25. Respondent. A respondent is an individual who has been reported to have engaged in conduct that could constitute sexual harassment as defined under this Policy. In most cases, a respondent is a person enrolled or employed by the College or who has another affiliation or connection with the College. The College may dismiss a formal complaint when the College has little to no control over the respondent but will offer supportive measures to the complainant and set reasonable restrictions on an unaffiliated respondent when appropriate.

26. Responsible Employee. A Responsible Employee is an employee who has the authority to take action to redress sexual harassment; who has been given the duty to report sexual harassment to the Title IX Coordinator [or other designee]; or an employee a student could reasonably believe has such authority or duty. [The College may name Responsible Employees by title, or name employees who are Campus Security Authorities (CSAs) as Responsible Employees.] A Responsible Employee shall not be an employee who, in his or her position at the College, provides services to the campus community as a licensed health care professional, (or the administrative staff of a licensed health care professional), professional counselor, victim support personnel, clergy, or attorney. [Colleges may choose to identify by name employees who are not Responsible Employees.]

27. Review Committee. A review committee is the committee consisting of three or more persons, including the Title IX Coordinator or designee, a representative of campus police or campus security, and a student affairs representative, that is responsible for reviewing information related to acts of sexual violence.

28. Sex Discrimination. Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, separates or denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in an education program or activity. The College's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment constitutes sex discrimination under Title IX when such response is deliberately indifferent.

29. Sexual Assault. Sexual assault is any sexual act directed against another person without consent or where the person is incapable of giving consent. Sexual assault includes intentionally touching, either directly or through clothing, the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual assault includes sexual violence.

30. Sexual Exploitation. Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual harassment offenses. Examples of sexual exploitation include prostituting another person; non-consensual video or audio-taping of otherwise consensual sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex), and knowingly transmitting HIV or an STD to another.

31. Sexual Harassment. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- a) *Quid Pro Quo*: The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly;
- b) *Hostile Environment*: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity of the College, including a student's educational experience or an employee's work performance;
- c) *Clery Act/VAWA Offenses*: Sexual assault/sexual violence, dating violence, domestic violence, and stalking, as defined by this Policy.

27. Sexual Violence. Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape and sexual assault.

28. Stalking. Stalking means 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. Such conduct can occur in person or online, but the conduct must involve an education program or activity of the College.

29. Statement. A statement is a person's intent to make factual assertions, including evidence that contains a person's statement(s). Party or witness statements, police reports, Sexual Assault Nurse Examiner (SANE) reports, medical reports, and other records may not be relied upon in making a final determination after the completion of a live hearing if they contain statements of a party or witness who has not submitted to cross-examination.

30. Supportive Measures. Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the 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 equal access to the College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus environment, or to deter sexual harassment.

31. Third Party. A third party is any person who is not a student or employee of the College.

32. Title IX. Title IX means Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance.

33. Title IX Coordinator. The Title IX Coordinator is the employee or employees designated and authorized to coordinate the College's efforts to comply with its responsibilities under Title IX.

34. Workday. A workday is any day that the College is open for business. Workdays include days when classes are not held, but when employees are expected to be at work.

35. Written Determination. A written determination is the written decision by a Hearing Officer that a respondent is responsible or not responsible for a violation of this Policy by a preponderance of the evidence after a live hearing. A written determination also is the result of an appeal decided by an Appeal Officer.

F. Retaliation

1. No person may intimidate, threaten, coerce, harass, discriminate, or take any other adverse action against any other person for the purpose of interfering with any right or privilege provided by this Policy,

H. Confidentiality and Anonymous Reports

1. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College must keep confidential the identity of any individual who has made a report or formal complaint of sexual harassment; any complainant or any individual who has been reported to be the perpetrator of sexual harassment; and any witness related to a report or formal complaint of sexual harassment, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as otherwise required by law, or to carry out the purposes of this Policy, including the conduct of any investigation, live hearing, or judicial proceeding arising from any report or formal complaint.
2. The College has a responsibility to respond to conduct that violates this Policy. For this reason, most College employees may not keep secret a report of sexual harassment. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and as confidentially as possible. College employees must share such information only with those College and law enforcement officials who must be informed of the information pursuant to this Policy.
3. Responsible Employees must report all alleged violations of this Policy obtained in the course of his or her employment to the Title IX Coordinator as soon as practicable after addressing the immediate needs of the complainant. Other campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus law enforcement, student activities staff, human resources staff, and advisors to student organizations. All employees must report suspected child abuse or neglect to the [Title IX Coordinator/other designated official] as soon as practicable, but no later than 24 hours after forming such suspicion, pursuant to VCCS Policy Number 3.14.6, Reporting Sexual Child Abuse or Neglect.
4. If a complainant wishes to keep the report of sexual harassment completely confidential, it is recommended that he or she reports the alleged conduct to someone without a duty to report incidents of sexual harassment to the Title IX Coordinator. Full-time employees also may contact the Employee Assistance Program. If the complainant requests that the complainant's identity is not released to anyone else, the College's response may be limited to providing supportive measures, if appropriate and reasonably available. When supportive measures are provided, the College will protect the privacy of the complainant to the extent possible while still providing the supportive measures.
5. The College may pursue the formal resolution process even if the complainant requests the College to take no action. The Title IX Coordinator will notify the complainant in writing within five (5) workdays of the decision to pursue the formal resolution process when he or she is unable to maintain confidentiality or respect the complainant's request for no further action. The Title IX Coordinator will give the complainant's wishes due consideration.
6. The College will accept anonymous reports, but its response may be limited to providing supportive measures if appropriate and reasonably available. The Title IX Coordinator (or campus police) will conduct a preliminary investigation in an effort to determine the respondent's identity. If the preliminary investigation fails to reveal the identity of the respondent, the Title IX Coordinator shall close the report because the College must have sufficient information to conduct a meaningful and fair investigation. If the identity of the respondent is revealed, the Title IX Coordinator shall proceed as otherwise provided in this Policy. The Title IX Coordinator will notify the complainant in writing of the result of the preliminary investigation promptly after the preliminary investigation.

I. Immunity

The College encourages the reporting of incidents that violate this Policy. The use of alcohol or drugs should not be a deterrent to reporting a possible incident of sexual harassment. When conducting the investigation, the College's primary focus will be on addressing the alleged sexual harassment and not on alcohol and drug violations that may be discovered or disclosed. The College does not condone underage drinking or the use of illicit drugs; however, the College will grant immunity from disciplinary action based on the personal consumption of alcohol or drugs to individuals who report incidents that violate this Policy, provided that such report is made in good faith. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

J. Timely Warnings

The College is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure, to the extent possible, that an alleged victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

K. Interim Measures

1. Immediate Suspension. Prior to the resolution of a formal complaint, the College may immediately suspend the respondent from an education program or activity when it determines that the respondent's continued presence poses an immediate threat to the physical health or safety of any person arising from the allegations of sexual harassment. Prior to such suspension, the College will conduct an individualized safety and risk analysis, focusing on the particular respondent and the specific facts and circumstances arising from the allegations of sexual harassment that justify the suspension. The College shall notify the respondent in writing of the specific facts and circumstances that make the immediate suspension necessary and reasonable and shall give the respondent the opportunity to challenge the decision immediately following the suspension.

2. Administrative Leave. The College may place a respondent employee on administrative leave prior to the resolution of a formal complaint. Reasons to place an employee on administrative leave include but are not limited to, the continued presence of the employee may be harmful to the employee or other employees; may hamper an investigation into the employee's alleged conduct; or may disrupt the work environment.

3. Mutual No Contact Order. The College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means. The College also will enforce orders of protection issued by courts on all College property to the extent possible.

L. Supportive Measures

1. The College will offer supportive measures to individuals whether or not a formal complaint has been filed, or whether the alleged incident is under investigation by a law enforcement agency. All requests for supportive measures will be provided if appropriate and reasonably available.

2. Supportive measures may include, but are not limited to, course schedule adjustments, reassignment of duty, leaves of absence, alternative parking arrangements, rescheduling class work, assignments, and

examinations; allowing alternative class or work arrangements, such as independent study or teleworking; escort services, increased security and monitoring of certain areas of the campus, and other similar measures. Provisions of supportive measures to either party will be kept confidential to the extent possible.

M. Procedures to Follow after an Incident

Anyone who has experienced an incident of sexual harassment as defined by this Policy should take the following action:

1. Find a safe place away from harm.
2. Call 911 or if on campus, contact campus police/security.
3. Call a friend, a campus advocate, a family member, or someone else you trust and ask her or him to stay with you.
4. Go to the nearest medical facility/emergency room. It is important to seek appropriate medical attention to ensure your health and well-being, as well as to preserve any physical evidence.
5. If you suspect that you may have been given a drug, ask the hospital or clinic where you receive medical care to take a urine sample. The urine sample should be preserved as evidence. "Rape drugs," such as Rohypnol and GHB, are more likely to be detected in urine than in blood.
6. For professional and confidential counseling support, call the Virginia Family Violence & Sexual Assault Hotline at 1-800-838-8238. Help is available 24 hours a day. [Colleges may use the local hotline.]
7. You should take the following steps to preserve any physical evidence because it will be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protective order:
 - a) Do not wash your hands, bathe, or douche. Do not urinate, if possible.
 - b) Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if the incident involved oral contact.
 - c) Keep the clothing worn when the incident occurred. If you change clothing, place the worn clothing in a paper bag.
 - d) Do not destroy any physical evidence that may be found in the vicinity of the incident by cleaning or straightening the location of the crime. Do not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.
 - e) Tell someone all the details you remember or write them down as soon as possible.
 - f) Maintain text messages, pictures, online postings, video, and other documentary or electronic evidence that may corroborate a formal complaint.

N. Support Services

1. All students and employees will receive information in writing of available counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus.
2. For information about available resources, go to: <https://www.brcc.edu/brcc/policy/sexual-domestic-dating-violence-stalking>

O. Education and Awareness Program

1. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual assault, domestic violence, dating violence, and stalking.
2. The program, at a minimum, shall include:
 - a) A statement that the College prohibits sexual harassment, including sexual assault, domestic violence, dating violence, and stalking;
 - b) The definition of sexual harassment, including sexual assault, domestic violence, dating violence, and stalking;
 - c) The definition of consent;
 - d) Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than such individual;
 - e) Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
 - f) Information on possible sanctions, procedures to follow after an incident of sexual assault, domestic violence, dating violence or stalking, disciplinary procedures, and the protection of confidentiality; and
 - g) Written notification about available resources and services and supportive measures available if appropriate and reasonably available.
3. The College offers the prevention and awareness program to all new and existing students and employees.

P. Academic Freedom and Freedom of Speech

1. This Policy does not allow censorship of constitutionally protected expression. As a "marketplace of ideas," the College encourages intellectual inquiry and recognizes that such inquiry may result in intellectual disagreements. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from a student's educational experience or an employee's work performance. Verbal or written communications, without accompanying unwanted sexual physical contact, does not constitute sexual assault.

2. In addressing all complaints and reports of alleged violations of this Policy, the College will take actions to comply with this Policy that recognize and ensure the free speech rights of students and employees. This Policy does not apply to curricula, curricular materials, or abridge the use of any textbooks.

Q. False Statements

The College prohibits knowingly making false statements or knowingly submitting false information. Any individual who knowingly files a false report or formal complaint, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a report or formal complaint may be subject to disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff. An allegation that

cannot be proven by a preponderance of the evidence is insufficient evidence of a knowing false statement.

R. Consensual Relationships

Pursuant to VCCS Policy 3.14.2, consenting romantic or sexual relationships between employees and students for whom the employee has a direct professional responsibility are prohibited. Consenting romantic or sexual relationships between employees where one employee has a direct professional responsibility to the other also are prohibited. Consenting romantic or sexual relationships between other employees (not in a supervisory position), or with students for whom the employee does not have a direct professional responsibility, although not expressly prohibited, are unwise and strongly discouraged. The relationship may be viewed in different ways by each of the parties, in retrospect. Additionally, circumstances may change and conduct that was previously welcome may become unwelcome.

S. Handling Reports of Sexual Violence

1. The Title IX Coordinator will assist members of the campus community in reporting incidents of sexual violence to law enforcement authorities upon request. When allowable under Virginia law, the Title IX Coordinator will request the consent of the complainant (or alleged victim if different from the complainant) to report incidents of alleged sexual violence that occur on campus property to law enforcement.

2. Under Virginia law, the College may determine that the disclosure of information to local law enforcement regarding the alleged incident of sexual violence, including personally identifiable information, is necessary to protect the health or safety of the complainant or other individuals. The College also is required to notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) when the alleged incident of sexual violence constitutes a felony.

3. Upon receiving a report of an alleged act of sexual violence as defined in this Policy against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College's review committee within 72 hours to review the information reported and any information obtained through law enforcement records, criminal history record information, health records, conduct or personnel records, and any other facts and circumstances, including personally identifiable information, related to the alleged incident known to the review committee. The review committee may try to reach a consensus, but it is the law enforcement representative of the review committee that ultimately determines whether the disclosure of the information, including the personally identifiable information, is necessary to protect the health or safety of the alleged victim or other individuals. The College shall disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident immediately. The Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

4. If the report of an alleged act of sexual violence would constitute a felony, within 24 hours of the first review committee meeting, the law enforcement representative of the review committee shall notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) and disclose the information received by the review committee, including personally identifiable information, if such information was disclosed pursuant to Section S2. The law enforcement representative usually will make this disclosure; however, any member of the review committee may decide independently that such disclosure is required under state law and within 24 hours of the first

review team meeting shall disclose the information to the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence), including personally identifiable information, if such information was disclosed pursuant to Section S2. If the Title IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

5. Law enforcement will notify the local Commonwealth's Attorney within 48 hours of beginning an investigation involving a felonious act of sexual violence. Either campus police, the local law enforcement agency, or the State Police will notify the Commonwealth's Attorney pursuant to an MAA/MOU.

6. In addition to the procedures described in this Section, the College must follow the procedures described in Section T following a report of sexual violence.

T. Handling Reports of Sexual Harassment

1. Upon receiving actual knowledge of sexual harassment in an education program or activity of the College against a person in the United States, the College must respond promptly in a manner that is not deliberately indifferent. The College will treat complainants and respondents equitably by offering supportive measures and by completing either a formal or informal resolution process before imposing any disciplinary sanctions or other corrective actions that are not supportive measures against a respondent. The Title IX Coordinator shall promptly provide a written notification of rights and options to complainants and respondents upon receipt of a report of sexual harassment. The written notification must include, where applicable:

- a) The available law enforcement options for investigation and prosecution;
- b) The importance of collection and preservation of evidence;
- c) The available options for a protective order;
- d) The available campus options for investigation and resolution under the College's policies, including the complainant's option to file a formal complaint;
- e) The party's right to participate or decline to participate in any investigation to the extent permitted under state or federal law;
- f) The applicable federal or state confidentiality provisions that govern information provided by a complainant;
- g) Information on contacting available on-campus resources and community resources, including the local sexual assault crisis centers, domestic violence crisis centers, victim support services with which the College has entered into a memorandum of understanding, or other support services;
- h) The importance of seeking appropriate medical attention;
- i) Discuss the College's obligation to disclose information about the report, including personally identifiable information, to campus/local law enforcement or to the local Commonwealth's Attorney, or both, if the review team determines that such disclosure is necessary to protect the health or safety of the complainant or others;
- j) The possible interim measures that may be imposed when necessary during the pendency of the investigative or resolution process;

- k) The supportive measures available with or without filing a formal complaint when appropriate and reasonably available; and
 - l) An explanation to the complainant of the process for filing a formal complaint, including providing the complainant with a Formal Complaint Form, when applicable.
2. The Title IX Coordinator must consider the complainant's wishes with respect to supportive measures.
 3. After providing the information described in Section T1, the Title IX Coordinator must close the report under this Policy if the conduct alleged in the report would not constitute sexual harassment as defined by this Policy, even if proved, or is outside the jurisdiction of the College, i.e., the conduct did not occur on campus or involve an education program or activity of the College, or the complainant decides against filing a formal complaint and the College honors the request. The Title IX Coordinator will notify the parties simultaneously in writing with the rationale for the decision to close the report.
 4. The Title IX Coordinator shall forward the report to the appropriate College official that will determine whether the conduct alleged in the report violates a separate policy or code of conduct.
 5. The Title IX Coordinator will document the action(s) taken and the rationale for such action(s).

U. Resolution of Formal Complaints

1. The College's Responsibility. The College must provide a prompt, fair, and impartial investigation, and resolution of alleged violations of this Policy. When resolving a formal complaint, the College will evaluate all relevant evidence objectively, including both inculpatory and exculpatory evidence, and will make credibility determinations without reference to a person's status as a complainant, respondent, or witness. The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. Finally, at all times prior to a determination of responsibility, the respondent will be presumed not responsible for the alleged conduct. The imposition of interim measures does not constitute a presumption of responsibility.
2. Resolution Process Options. The College may resolve formal complaints either by a formal or informal resolution process.
3. Suspending an Investigation. The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed its gathering of evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.
4. Time Frame for Resolution of Formal Complaint. The resolution of any alleged violation of this Policy should be completed normally within seventy-five (75) workdays of the filing of the formal complaint, unless good cause exists to extend the timeframe. For resolving formal complaints, good cause includes but is not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or unavoidable scheduling conflicts. The 75-workday timeframe refers to the entire formal resolution process, which includes the initial determination, investigation, live hearing, determination of responsibility, and the imposition of sanctions and provision of remedies, if any. The 75-workday timeframe does not include appeals. If any step of the process must be suspended or delayed for any reason and more time is necessary, the Title IX

Coordinator will notify the parties in writing and give the reason for the delay and an estimated length of the delay.

V. Formal Resolution Process

1. Formal Complaint Form. To initiate the formal resolution process, complainants must complete the Formal Complaint Form or other written and signed document that requests an investigation, [found in Appendix A or other location], and submit it to the Title IX Coordinator. The Title IX Coordinator may sign a formal complaint after due consideration of the complainant's wishes. In determining whether to sign a formal complaint, the Title IX Coordinator will consider the following factors:

- a) The seriousness of the allegation(s), including whether the allegation(s) include bodily injury, threats, or the use of weapons;
- b) The complainant's or alleged victim's age;
- c) Whether there have been other similar complaints of against the same respondent; and,
- d) The applicability of any laws mandating disclosure.

2. Notice of Allegations to the Parties. After receiving a formal complaint and as soon as practicable, the Title IX Coordinator will contact the parties to schedule an initial meeting. The correspondence must include the following information:

- a) A copy of the College's Title IX Policy against sexual harassment, including the process by which the College resolves allegations of sexual harassment;
- b) Notice of the allegation(s), including sufficient details known at the time and with sufficient time to prepare a response before the initial meeting. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
- c) Notice that each party may be accompanied by an advisor of his or her choice at all meetings and the live hearing who may be, but is not required to be, an attorney, and that each party and advisor will have the opportunity to inspect and review evidence;
- d) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the formal or informal resolution process;
- e) A statement that each party must notify the Title IX Coordinator in writing within five (5) workdays if he or she believes that the Title IX Coordinator has a conflict of interest or bias against the party.
- f) A statement that the College prohibits knowingly making false statements or knowingly submitting false information during the resolution of a formal complaint, in accordance with Section Q of this Policy.

3. Complainant's Initial Meeting with the Title IX Coordinator. At this meeting, the Title IX Coordinator will:

- a. Determine whether an informal resolution is permissible, and whether the complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind;
- b. Explain avenues for formal resolution and informal resolution of the formal complaint;

- c. Explain that if the complainant chooses an informal resolution, that the complainant may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process;
- d. Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued;
- e. Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence;
- f. Discuss confidentiality standards and concerns with the complainant;
- g. Discuss non-retaliation requirements;
- h. Refer the complainant to campus and community resources, including the local sexual assault crisis center, domestic violence crisis center, victim support service with which the College has entered into a memorandum of understanding, or other appropriate support services;
- i. Inform the complainant of any interim measures that will be imposed and any supportive measures that will be provided to the complainant during the pendency of the investigative and resolution processes;
- j. Discuss the right to a prompt, fair, and impartial resolution of the formal complaint;
- k. Answer questions about the Policy and procedures.

4. Respondent's Initial Meeting with the Title IX Coordinator. During this meeting with the respondent, the Title IX Coordinator will:

- a) Determine whether an informal resolution is permissible, and whether the respondent wishes to pursue an informal resolution;
- b) Explain avenues for formal resolution and informal resolution of the formal complaint;
- c) Explain that if the respondent chooses an informal resolution, that the respondent may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process, but may not do so after the conclusion of the informal resolution process;
- d) Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued;
- e) Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence;
 - f) Discuss confidentiality standards and concerns with the respondent;
 - g) Discuss non-retaliation requirements;
 - h) Inform the respondent of any interim measures that will be imposed and any supportive measures that will be provided to the respondent during the pendency of the investigative and resolution processes;
 - i) Refer the respondent to campus and community resources, as appropriate;
 - j) Discuss the respondent's the right to due process and a prompt, fair, and impartial resolution of the formal complaint; and

- k) If the respondent is a student and the formal complaint involves an alleged act of sexual violence as defined in this Policy, explain to the respondent that the College will include a notation on the academic transcript if the respondent is suspended or dismissed after being found responsible, or if the respondent withdraws while under investigation, that the investigation may continue in the respondent's absence, if possible, while being afforded notice of all meetings and the live hearing, if applicable, and an opportunity to inspect, review, and respond to all the evidence.
- l) Answer questions about the Policy and procedures.

5. Title IX Coordinator's Initial Determination.

- a) The Title IX Coordinator shall investigate the allegations in all formal complaints. The Title IX Coordinator must dismiss the formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this Policy even if proved, or is outside the jurisdiction of the College, i.e., the conduct did not involve an education program or activity of the College, or did not occur against a person in the United States. The Title IX Coordinator shall forward the formal complaint to an appropriate College official that will determine whether the conduct alleged in the formal complaint violates a separate policy or code of conduct.
- b) The Title IX Coordinator may dismiss the formal complaint if (i) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any of its allegations and the Title IX Coordinator determines that the College will honor the request; (ii) the respondent is no longer enrolled or employed at the College, or cannot be identified; or (iii) specific circumstances prevent the College from gathering sufficient evidence to determine whether the respondent is responsible for the conduct alleged in the formal complaint. If a complainant requests to withdraw a formal complaint, the Title IX Coordinator will consider the factors listed in Section V1.
- c) If the Title IX Coordinator dismisses the formal complaint, he or she will send written notice of the dismissal with specific reason(s) for the dismissal to the parties, simultaneously, within five (5) workdays of completing the initial meetings. This decision may be appealed.

6. Appointment of the Investigator and Conduct of the Investigation.

- a) Appointment of Investigator. After an initial determination to continue the formal resolution process or after failed informal resolution process, the Title IX Coordinator will appoint an investigator within five (5) workdays of completing the initial meetings. The Title IX Coordinator will provide the investigator's name and contact information to the complainant and respondent and will forward the formal complaint to the investigator. Within five (5) workdays of such appointment, the investigator, the complainant, or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest or bias of the appointed investigator. The Title IX Coordinator will consider such information and will appoint a different investigator if it is determined that a material conflict of interest or bias exists.
- b) Contacting the Parties. The investigator will contact the complainant and respondent promptly. In most cases, this should occur within ten (10) workdays from the date of the investigator's appointment. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and recommendations of witnesses, including character and expert witnesses, to be interviewed for the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.

- c) Weighing of Evidence. As part of the investigation, the investigator must weigh the credibility and demeanor of the complainant, respondent, and witnesses, and ensure that credibility determinations are not based on a person's status as a complainant, respondent, or witness; the logic and consistency of the evidence, motives, and any inculpatory and exculpatory evidence.
- d) Withdrawal of a Student During an Investigation. The withdrawal of a student from the College while under investigation for an alleged act of sexual violence as defined by this Policy in most cases will not end the College's investigation and resolution of the complaint. The College shall continue the investigation if possible, as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence, to inspect, review, and respond to all the evidence and the written investigative report prior to making a determination on responsibility.
- (1) Upon the student's withdrawal, the College shall place a notation on the student's academic transcript that states, "*Withdrew while under investigation for a violation of [name of community college's] Title IX Policy.*" After the College has completed its investigation and resolution of the complaint, the College shall either (a) remove the notation if the student is found not responsible or (b) change the notation to reflect either a suspension or dismissal for a violation of the Policy if either was imposed.
 - (2) The College shall end the investigation and resolution of the complaint if the College cannot locate the respondent and provide him or her notice and the opportunity to respond. In such cases, the College shall maintain the withdrawal notation on the student's academic transcript. Upon a final determination, the Title IX Coordinator immediately shall notify the registrar and direct that the appropriate notation is made.
- e) Inspection and Review of the Evidence. The parties will have the opportunity to inspect, review, and respond to all the evidence obtained during the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination of responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The investigator will send each party and each party's advisor, if any, a copy of the evidence subject to review. The parties will have ten (10) workdays to submit a written response to the evidence and the option to submit additional evidence, which the investigator will consider prior to the completion of the investigative report. Neither the parties nor their advisors may disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX formal resolution process. Nevertheless, the College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- f) Investigative Report. The investigator will complete an investigative report that fairly summarizes relevant evidence, including but not limited to, all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant records, and a detailed report of the events in question. The investigative report shall include the following information to the extent possible:
- (1) The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation;
 - (2) The names and gender of all persons alleged to have committed the alleged violation;
 - (3) A statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);

- (4) The dates of the report and formal complaint were filed;
- (5) The dates the parties were interviewed;
- (6) The names and gender of all known witnesses to the alleged incident(s);
- (7) The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
- (8) Any written statements of the complainant or the alleged victim if different from the complainant; and
- (9) The date on which the College deferred its investigation and disciplinary process because the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process, if applicable.

g) Submission of the Investigative Report. The investigator will submit the investigative report to the Title IX Coordinator, who will send the investigative report to the parties and the parties' advisors, if any, simultaneously for review and written response as soon as possible, but no later than five (5) workdays after receiving the investigative report from the investigator. The parties will have ten (10) workdays to submit a written response to the investigative report to the Title IX Coordinator. The Title IX Coordinator will not consider the parties' written responses but will ensure that such statements are added to the record. Neither the parties nor their advisors may disseminate the investigative report or use such report for any purpose unrelated to the Title IX formal or informal resolution process.

W. Conduct of Live Hearing

1. The Title IX Coordinator will appoint a Hearing Officer [and members of the Hearing Committee, if preferred by the College] within ten (10) workdays after sending the investigative report to the parties and their advisors, if any. Within five (5) workdays after the appointment, the Hearing Officer will contact the parties to schedule a live hearing. The parties have five (5) workdays after being contacted by the Hearing Officer to notify the Title IX Coordinator in writing of any potential conflict of interest or bias of the Hearing Officer. The Title IX Coordinator will consider such information and will appoint a different Hearing Officer if the Title IX Coordinator determines that a material conflict of interest or bias exists. When the date, time, and place of the live hearing is confirmed, the Hearing Officer will notify the parties in writing simultaneously of the date, time, and place of the live hearing.

2. No later than fifteen (15) workdays before the live hearing, each party must notify the Hearing Officer and the other party of: a) the name and contact information of the advisor, if new, or a statement that a party does not have an advisor available for the hearing, if applicable; b) the names and contact information of witnesses that will be called at the live hearing and the purpose of their testimony at the live hearing; c) whether a party intends to be subjected to cross-examination; d) a description of documents or other evidence and the purpose of such evidence that will be used at the live hearing; e) the specific remedy requested; and, f) whether a party requests that the live hearing occurs with the parties located in separate rooms with technology that enables the Hearing Officer and the parties to see and hear the party or the witness answering questions simultaneously. Only one party is required to make the request for separate rooms.

3. The Hearing Officer will notify the Title IX Coordinator promptly that the College must appoint an advisor for a party when notified of the need for an advisor. The Title IX Coordinator will appoint the advisor promptly, but no later than ten (10) workdays prior to the live hearing. If a party appears at a live

hearing without an advisor, the Hearing Officer shall delay the start of the live hearing until an advisor is available.

4. The Hearing Officer shall ensure that all evidence obtained during the investigation to the parties available at the live hearing.

5. Rules of the Live Hearing.

a) Evidence. The formal rules of evidence will not be applied except to determine whether the evidence or question presented is relevant or cumulative.

(1) Either party may call character or expert witnesses.

(2) Questions and evidence about a party's sexual predisposition or prior sexual behavior are not relevant, unless:

(a) 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

(b) 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.

(3) If the evidence or witness testimony is, on its face, not relevant or is cumulative, the Hearing Officer may exclude such evidence or witness statement(s), with the rationale for the decision in the pre-hearing determination. The parties may object in writing to such determination within five (5) workdays of the determination. The Hearing Officer shall rule on the objection within five (5) workdays of receipt of the objection.

(4) No party or witness statement shall be entered into evidence unless that party or witness submits to cross-examination.

b) Standard of Evidence. The live hearing will determine responsibility using the preponderance of the evidence standard.

c) Participation of Parties and Witnesses. Neither party may choose to "waive" the right to a live hearing, but parties and witnesses may choose whether to participate in the live hearing or submit to cross-examination.

d) Recording or Transcript. The Hearing Officer will arrange for the live hearing to be recorded. Each party will receive a copy of the recorded live hearing upon request. Parties may prepare a transcript of the recording at their own expense. Neither the parties nor their advisors may disseminate the record or transcript or use such record or transcript for any purpose unrelated to the Title IX formal resolution process or related civil proceeding.

e) Opening Statements and Closing Arguments. At the sole discretion of the Hearing Officer, the parties may make opening and/or closing statements at the live hearing. The Hearing Officer will determine the time that is allotted for each.

g) Pre-Hearing Determinations. No later than ten (10) workdays prior to the live hearing, the Hearing Officer shall decide (1) whether to exclude any of the proposed evidence or witnesses, and the basis upon which such evidence or witness is excluded; (2) whether to allow opening statements and closing arguments and the time allotted for both; and, (3) whether any additional evidence or witness statement(s) shall be excluded because a party or witness will not be subjected to cross-examination.

h) Rules of Conduct During the Live Hearing. All live hearings will be closed to the public and witnesses will be present only during their testimony. For live hearings that use technology, the Hearing Officer shall ensure that appropriate protections are in place to maintain confidentiality.

- (1) The College will require all parties, advisors, and witnesses to maintain appropriate decorum throughout the live hearing. Participants at the live hearing are expected to abide by the Hearing Officer's directions and determinations, maintain civility, and avoid emotional outbursts and raised voices.
- (2) Repeated violations of appropriate decorum will result in a break in the live hearing, the length of which shall be determined by the Hearing Officer. The Hearing Officer reserves the right in his or her sole discretion to appoint a different advisor to conduct cross-examination on behalf of a party after repeated violations of appropriate decorum or other rules related to the conduct of the live hearing.

6. Role of the Advisor.

- a) The role of the advisor at the live hearing is to conduct cross-examination on behalf of a party. The advisor is not to "represent" a party, but only to relay the party's cross-examination questions that the party wishes to have asked of the other party and witnesses so that parties never personally question or confront each other during a live hearing. A party shall not conduct cross-examination on his or her behalf.
- b) Each party may retain an attorney at his or her expense or designate a non-attorney advisor to accompany him or her at the live hearing. The advisor may provide advice and consultation to the parties or the parties' witnesses outside of the conduct of the live hearing to assist parties in handling the formal resolution process.
- c) A party's advisor must conduct cross-examination at the live hearing directly, orally, and in real time. Only relevant cross-examination questions and follow-up questions, including those that challenge credibility, may be asked. Advisors may not raise objections or make statements or arguments during the live hearing.
- d) The College shall appoint an advisor for the live hearing at no cost to a party when the party does not have an advisor. The appointed advisor may be but is not required to be a licensed attorney or anyone with formal legal training. Advisors may be faculty, staff, students, or volunteers from the local community.

7. Role of the Hearing Officer.

- a) The role of the Hearing Officer is to preside over the live hearing in a fair and impartial manner. After the live hearing, the Hearing Officer must issue a written determination regarding responsibility using the preponderance of the evidence standard of evidence. The Hearing Officer will be the final decision-maker on all matters of procedure during the live hearing.
- b) Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Officer first must determine whether the question is relevant or cumulative and explain any decision to exclude a question that is not relevant or is cumulative.
- c) The Hearing Officer may question the parties and witnesses, but they may refuse to respond.
- d) The Hearing Officer may consider any relevant and reliable evidence, including statements of a party or witness, even if such party or witness does not submit to cross-examination at the live hearing. The Hearing Officer must first consider the reliability of any the statement. Factors to consider include, but are not limited to, whether a party or witness commented on or challenged the statement prior to the live hearing, whether the statement is a rumor or something of which the party or witness does not have first-hand knowledge, and whether the person who made the statement has a motive or a conflict of interest that can be demonstrated through other evidence. The level of reliability will determine the amount of weight the Hearing Officer will give to the statement when reaching a determination regarding responsibility. Additionally, the Hearing Officer must not draw an inference about the

determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

e) Within ten (10) workdays after the live hearing, or with good cause shown as soon as possible, the Hearing Officer will submit a written determination to the Title IX Coordinator. The Hearing Officer must make a finding of responsibility or non-responsibility for each allegation and describe the rationale for the finding based on an objective evaluation of the evidence presented at the live hearing. The written determination shall include the following:

- (1) Identification of the allegations potentially constituting sexual harassment defined under this Policy;
- (2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held. The description of the procedural steps also should include who performed the investigation and the process taken to inspect and review the evidence and disseminate the investigative report, including the adherence to mandated procedural timelines;
- (3) Findings of fact supporting the determination;
- (4) Conclusions regarding the application of this Policy to the facts;
- (5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any range of disciplinary sanction(s) to be imposed on the respondent, and whether (not which) remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant.
- (6) When applicable, a statement that a notation will be placed on the academic transcript that the respondent was suspended or dismissed for a violation of the College's Title IX Policy.
- (7) When applicable, a statement that the respondent may request the expungement of the notation on the academic transcript for good cause shown and after a period of three years.
- (8) The College's procedures and permissible bases for the complainant and the respondent to appeal. If the complainant or respondent does not contest the finding or recommended sanction(s) and/or remedies and does not file an appeal within the required time frame, the written determination shall be final.

X. Actions Following the Written Determination

1. The role of the Title IX Coordinator following receipt of the written determination from the Hearing Officer is to facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.

2. The Title IX Coordinator must provide the written determination to the parties simultaneously, with a copy to Human Resources, Conduct Officer, and/or other College officials, as appropriate. The appropriate college official, after consultation with the Title IX Coordinator, will determine the sanction(s) imposed and remedies provided, if any.

3. The parties shall receive the final decision on the imposition of sanction(s), if any, and the provision of remedies, if any, simultaneously within ten (10) workdays of receipt of the written determination by the appropriate college official(s). The College must disclose to the complainant the sanction(s) imposed on

the respondent that directly relate to the complainant when such disclosure is necessary to ensure equal access to the College's education program or activity.

4. The Title IX Coordinator shall confer as necessary with employees, community resources, or other support services that will provide such remedies.

5. Any sanctions to be imposed or remedies to be provided should begin after five (5) workdays of submitting the final decision unless a party files an appeal.

6. If the respondent is a third party, the Title IX Coordinator will forward the written determination to [vice president/police chief, or other college official]. Within ten (10) workdays, the [designated official] shall determine and impose appropriate sanction(s), as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s) in the final decision, if any. The Title IX Coordinator may disclose to the complainant information as described above.

Y. Appeals

1. Within five (5) workdays of receipt of the final decision, either party may appeal the Hearing Officer's written determination regarding responsibility and the final decision related to sanctions and remedies. The complainant also may appeal the College's dismissal of a formal complaint or any of its allegations therein within five (5) workdays of such dismissal. The appeal must be in writing and submitted to the Title IX Coordinator, who will appoint an Appeal Officer within five (5) workdays of receipt of the appeal. The Appeal Officer's decision is final.

2. The Appeal Officer will grant an appeal only on the following bases:

- a) Procedural irregularity that affected the outcome of the matter;
- b) New evidence that was not reasonably known or available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c) The Title IX Coordinator, investigator(s), or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter;

3. Within five (5) workdays of receipt of an appeal request, the Title IX Coordinator will notify the other party that an appeal has been filed and implement appeal procedures equally for both parties.

4. The Title IX Coordinator will compile the record, including the notice of allegations, evidence obtained, investigative report, live hearing recording, written determination, and final decision. The Title IX Coordinator shall forward the record with the appeal request to the Appeal Officer as soon as possible, but no later than ten (10) workdays of receipt of the appeal request.

5. The Appeal Officer must not be the Hearing Officer, the investigator, or the Title IX Coordinator and be free from conflict of interest and bias.

6. Upon receipt of the request for the appeal and the record, the Appeal Officer shall decide whether to grant the appeal, including the rationale for the decision, and notify the parties whether the appeal has been granted simultaneously. The decision shall be made within ten (10) workdays of receipt of the appeal request and record from the Title IX Coordinator.

7. If the Appeal Officer decides to grant the appeal, he or she will notify the parties that they have five (5) workdays to submit a written statement in support of, or against, the outcome of the written determination, final decision, or dismissal of the formal complaint. The Appeal Officer may grant additional time for good cause to both parties.

8. The Appeal Officer shall make the decision based on the record and the parties' written statements, if any. The Appeal Officer shall not receive additional statements or testimony from any other person.

9. The Appeal Officer shall issue a written determination of the result of the appeal and the rationale for such result within ten (10) workdays of receipt of written statements, if any. The Appeal Officer shall provide the written determination to the parties simultaneously.

10. At the conclusion of the appeal, the Title IX Officer shall facilitate the imposition of sanctions, if any, and the provision of remedies as provided in Section X.

Z. Informal Resolution Process

1. The informal resolution process is available under the following conditions:

a) The complainant has filed a formal complaint of hostile environment sexual harassment involving parties with the same status (e.g., student-student or employee-employee);

b) The Title IX Coordinator has completed the steps described in Sections V1 through V4; and,

c) The parties voluntarily request in writing to resolve the formal complaint through the informal resolution process.

2. Within five (5) workdays after the receipt of the written request to start the informal resolution process, the Title IX Coordinator will appoint a College official to facilitate an effective and appropriate resolution ("Facilitator"). The Title IX Coordinator may serve as a Facilitator. Within five (5) workdays of such appointment (or receipt of the written request), the parties may identify to the Title IX Coordinator in writing any potential conflict of interest or bias posed by such Facilitator to the matter. The Title IX Coordinator will consider such information and will appoint another Facilitator if it is determined that a material conflict of interest or bias exists. Within five (5) workdays of the appointment (or receipt of the written request), the Facilitator will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed, but the College shall not conduct a full investigation as part of the informal resolution process.

3. Within ten (10) workdays of receiving the written statements, the Facilitator will hold a meeting(s) with the parties and coordinate informal resolution measures. The Facilitator shall document the meeting(s) in writing. Each party may have one advisor of his or her choice during any meeting; however, the advisor may not speak on the party's behalf.

4. The informal resolution process should be completed within thirty (30) workdays in most cases, unless good cause exists to extend the time. The parties will be notified in writing and given the reason for the delay and an estimated time of completion.

5. Any resolution of a formal complaint through the informal resolution process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also respecting the due process rights of the respondent. Informal resolution process remedies include mandatory training, reflective writing assignment, counseling, written counseling memorandum by an employee's supervisor, suspension, termination, or expulsion, or other methods designed to restore or preserve equal access to the College's education programs or activities.

6. At the conclusion of meetings, interviews, and the receipt of statements, the Facilitator will write a summary of such in a written informal resolution report and provide the parties with the informal resolution report simultaneously. The written informal resolution report shall include the notice of allegations, a meeting(s) summary, remedies provided, if any, sanctions imposed, if any, and whether the formal complaint was resolved through the informal resolution process. The Facilitator will forward the written informal resolution report to the Title IX Coordinator, when applicable.

7. At the conclusion of the informal resolution process, if the formal complaint was resolved to the satisfaction of the parties, the parties will provide a written and signed statement as such for the record. The decision will be final, and the matter will be closed.

8. At any time prior to resolving a formal complaint through the informal resolution process, either party may withdraw in writing from the informal resolution process and resume or begin the formal resolution process.

9. If the formal complaint is not resolved through the informal resolution process, the Title IX Coordinator shall begin the formal resolution process at Section V5 of this Policy.

10. The Facilitator shall not be a witness as part of the formal resolution process, but the written informal resolution report shall be part of the record.

AA. Sanctions & Corrective Actions

1. The College will take reasonable steps to address any violations of this Policy and to restore or preserve equal access to the College's education programs or activities. Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

2. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education, a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, verbal or written warning, a no-contact order, written or verbal apology, verbal or written warning, probation, suspension, and expulsion from the College.

3. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and corrective actions include required discrimination or harassment education, informal or formal counseling, reassignment, demotion, suspension, non-reappointment, and termination from employment.

4. Third parties, e.g., contractors, or patrons from the general public, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary.

5. Sanctions imposed do not take effect until the resolution of any timely appeal. However, the College may keep in place any interim measures when necessary.

BB. Academic Transcript Notations and Expungement

1. If a student is found responsible for an act of sexual violence as defined by this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: "Suspended/Dismissed for a violation of [the name of the College's] Title IX Policy." In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension and any conditions thereof, and when the student is considered to be in good standing. The student shall be considered to be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator (or designee) shall meet with the student to confirm completion of the conditions and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript.

2. If a student withdraws from the College while under investigation involving an act of sexual violence as defined by this Policy, the student's academic transcript shall be noted as follows: "Withdrew while under investigation for a violation of [name of the College's] Title IX Policy." Students are strongly encouraged not to withdraw from the College.
3. The College shall immediately remove the notation from the student's academic transcript upon a subsequent finding that the student is not responsible an offense of sexual violence as defined by this Policy. Upon such a finding, the Title IX Coordinator (or designee) shall direct the registrar to remove the notation from the student's academic transcript.
4. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student's academic transcript after resolution of any timely appeal.
5. The College shall expunge the notation from the academic transcript of any student for good cause shown and after a period of three (3) years.
 - a) Persons seeking to expunge the notation on an academic transcript shall submit a written request for expungement to the [College's designated official] no sooner than three years after the date the College placed the notation on the academic transcript.
 - b) The request for expungement must contain sufficient information to support a finding of good cause. For expungement purposes, good cause includes (1) the act of sexual violence did not involve serious bodily injury, the use of force, or threat, and the former respondent demonstrates remorse and/or rehabilitation; (2) the former respondent committed the Policy violation while under the age of 18 and the former respondent demonstrates remorse and/or rehabilitation; and, (3) any other reason that, in interest of justice, the notation should be expunged.
 - c) The [designated official] shall issue a written decision and the rationale for such decision within ten (10) workdays of receipt the request.
 - d) If the request for expungement is denied, the former respondent may submit another request for expungement no sooner than three (3) years after the denial of the request. This decision is final.

CC. Training and Training Materials

1. Title IX Coordinator(s), investigators, Hearing Officers, Appeal Officers, and Facilitators for the informal resolution process must receive annual training, as appropriate, on the following topics:
 - a) The definition of sexual harassment;
 - b) The scope of the College's education programs or activities;
 - c) How to conduct an investigation and grievance process, including live hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
 - d) The definition of relevance;
 - e) Investigative report writing; and,
 - f) Technology that may be used at live hearings.
2. College-appointed advisors receive training on the definitions of sexual harassment, consent, preponderance of the evidence, and relevance.

3. Training materials must not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.
4. All training materials must be available on the College's website.

DD. Record Keeping

1. The Title IX Coordinator, Deputy Title IX Coordinator, if applicable, and any other employee as appropriate, e.g., HR Director, shall maintain in a confidential manner, for at least seven (7) years from the date of creation of the last record pertaining to each case, in paper or electronic files of the following:
 - a) The complete file for each sexual harassment investigation and formal resolution process, including (i) any determination regarding responsibility; (ii) any audio or audiovisual recording or transcript of the live hearing; (iii) any disciplinary sanctions imposed on the respondent; and, (iv) any remedies provided to the complainant;
 - b) Records of any appeal and its result;
 - c) Records of any informal resolution process and its result;
 - d) All materials used to train Title IX Coordinators, investigators, Hearing Officers, Appeal Officers, and Facilitators for an informal resolution process.
2. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. Records must explain why the College's response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's education programs or activities.
3. If the College does not provide a complainant with supportive measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances, including whether such decision was made based on the complainant's request or desire for the College to take no action or to provide supportive measures.
4. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken.

Prevention and Awareness Program

Blue Ridge Community College has a prevention and awareness program. This began in October 2013 when a core group of responsible employees attended "Bringing in the Bystander: Bystander Intervention and Sexual Violence © sponsored by the Virginia Department of Criminal Justice. Resources from this session were used to present information to faculty and staff during semester in-service training on January 2, 2014.

A campus safety fair was held on March 21, 2017, which included the topics of Online Safety; Personal Safety including the risks of alcohol and drug impairment, domestic violence, dating violence, stalking, sexual abuse and assault; College emergency procedures including alert systems, and responding to emergencies.

All new employees participate in "Not Anymore" Training (Title IX) as a required part of their orientation.

All degree seeking students are required to take a student development course which introduces them to Wellness Resources. A student run club, "Beyond the Blue," whose membership includes students in the Human Services program, provides information, education, and referral services to students who have social, emotional or health issues.

Reporting Procedures

Students who believe that they have been subjected to sexual assault, harassment, or sexual violence should report their complaint as soon as possible after the event occurs. Reports of sexual misconduct by another student may be made to Annette Williams, Dean of Academic Compliance located on the in the Technology Building (T124) at the Weyers Cave campus, 540-453-2332, / williamsa@brcc.edu, or to Dr. Bob Young, Vice President of Instruction and Student Services in Armstrong C107A, 540-453-2500 / youngb@brcc.edu. Student or employee allegations involving college employees may be reported to the supervisor of the accused employee; Tim Nicely, Human Resources Director at 540-453-2371 / nicelyt@brcc.edu; or Annette Williams, Dean of Academic Compliance in T building at 540-453-2332 / williamsa@brcc.edu.

Sex Offender Registration Policy Statement

Law enforcement agency information provided by the Commonwealth of Virginia under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)), concerning registered sex offenders may be obtained at the Public Safety Department located in G167 – Weyers Cave or by going to the Virginia State Police website at: <http://sex-offender.vsp.virginia.gov/sor/>.

Enforcement of Campus Rules, Codes of Conduct, and Policy Statements

The College Administration makes every effort to avoid arbitrary, harsh, or unfair sanctions for student violations. Good citizenship in any community requires a great deal of responsibility on the part of all members. With this responsibility comes the obligation to refrain from infringing on the rights of others, whether through placing persons in danger or jeopardizing either personal well-being or property. However, when a student displays poor citizenship, blatant disregard for college policies, minimal academic motivation, or an attitude inconsistent with reasonable expectations of a member of an academic community, the student may be subject to administrative review, which could result in suspension or expulsion.

In keeping with the principle of confidentiality concerning student behavior, the Vice President, Instruction & Student Services (VP-ISS) conducts closed meetings. Witnesses to an incident and others who have specific evidence concerning the incident may be invited to appear. In all instances, the VP-ISS has the authority to decide whether a witness other than the student directly involved will be invited to testify.

Options available to the VP-ISS include (but are not limited to) warnings, denial of privileges, disciplinary probation, campus work hours, and short-term suspension, plus mandatory counseling, psychiatric or substance abuse evaluations, or the recommendation of suspension or expulsion.

Student Disciplinary Procedures

The Blue Ridge Community College Statement of Values is based upon respect for the dignity and worth of individuals within the campus community. Further, the college community welcomes diversity of ideas, intellectual debate, and the learning thereby engendered. Blue Ridge Community College strives for an environment that promotes these values and believes that, as members of the college community, each student contributes to uphold them. Therefore, the college clearly presents student rights and

responsibilities in the Student Handbook and establishes disciplinary and grievance procedures to ensure that all members of the college community may benefit from the promotion of these values.

Disclosure of Disciplinary Hearings

Upon written request, Blue Ridge Community College will in compliance with applicable law, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased because of the crime or offense, Blue Ridge Community College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Employee Procedures

The Faculty-Staff Handbook of Institutional Procedures and Guidelines is a living document that will be reviewed on a regular basis. Where applicable, sections of the manual will be referred to in appropriate Governance Committees and/or Administrative Units for review. The period between reviews for any section shall not exceed three years.

Policies Applicable to Employees

The security policies of the College applicable to employees are set forth principally in the Faculty-Staff Handbook. The following information is from the current version of the Faculty-Staff Handbook of Institutional Procedures and Guidelines Updated March 2018 and available upon request through the Human Resources Department.

Revisions, additions, or deletions recommended by governance committees will be addressed to the appropriate Administrative Liaison. Approved changes accepted during the spring semester will be incorporated no later than September. Approved changes accepted during the fall semester will be incorporated no later than March. Revisions, additions, and changes proposed by departments will be reviewed during the summer, and incorporated no later than September.

Substantive corrections, additions, revisions, and deletions to the Faculty-Staff Handbook of Institutional Procedures and Guidelines will be forwarded to the September and March Local Board meetings for acceptance. Non-substantive edits including, but not limited to, grammar, formatting, etc. may be made without Local Board approval. The Faculty-Staff Handbook of Institutional Procedures and Guidelines will be forwarded to the Local Board for acceptance, in its entirety, every three years.

Most recent revision/review dates for each section and next scheduled revision/review dates shall be tracked.

Background Checks

In an effort to provide a safe campus environment for its students and employees, the College reserves the right to conduct a background investigation of all applicants selected for any position at the college including staff, faculty, adjuncts, and temporary positions. It is the expectation of the college that similar background checks are performed by all third-party contractors. Job offers made are contingent upon the results of this investigation. All applicants for employment with the College are required to sign an authorization form giving Blue Ridge Community College permission to conduct a background investigation. The College will conduct and utilize these background investigations as they relate to the fitness for duty for a particular position, in accordance with applicable law. A relevant job-related

conviction is grounds for termination of employment or non-selection of an applicant. Falsification of application materials, including failure to disclose misdemeanor or felony convictions, is grounds for termination of employment or non-selection.

Fire Safety Report

Blue Ridge Community College does not have student housing of any kind on or off campus.

The BRCC Public Safety Department, along with the Health, Safety, and Human Resources committee, coordinates fire safety drills. These drills are conducted during the Fall and Spring semesters.

Expressive Activity Procedure

4.10.1 Expressive Activity

Reference: VCCS Policy 6.5.1; VCCS Policy 6.5.2

It is the practice of Blue Ridge Community College (BRCC) to adopt and adhere to the Virginia Community College Policy cited in the references of this section regarding Expressive Activity.

4.10.1.1 VCCS Policies 6.5.1 and 6.5.2

1. This policy applies to all buildings, grounds and other spaces owned or controlled by the college. The term “expressive activity” includes:
 - a. Meetings and other group activities of students and student organizations;
 - b. Speeches, performances, demonstrations, rallies, vigils, and other events by students, student organizations, and outside groups invited by student organizations;
 - c. Distributions of literature, such as leafleting and pamphleting; and
 - d. Any other expression protected by the First Amendment of the U.S. Constitution. This policy does not apply in instances when speakers, performers, groups, etc. are invited by the college or to external groups that arrange to use college space through a Facilities Use Agreement.
2. College property is primarily dedicated to academic, student life and administrative functions. However, it also represents a “marketplace of ideas,” and especially for students, many areas of campus represent a public forum for speech and other expressive activities. Colleges may place restrictions on expressive activities occurring indoors, but especially for students and student organizations, the outdoor areas of campus remain venues for free expression including speeches, demonstrations, and the distribution of literature.
3. Indoors or outdoors, colleges shall not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on its content or viewpoint. Nevertheless, colleges may establish reasonable time, place and manner restrictions on expressive activity. Such restrictions must be content-neutral, narrowly tailored to serve a significant governmental interest, and allow ample alternative channels for communication of the information.
4. No event or expressive activity shall be permitted to violate or hinder the rights of others within the campus community or substantially disrupt normal college operations.

4.10.1.2 Responsibilities

The Vice President of Instruction and Student Services addresses inquiries regarding the procedure and is responsible for implementation. Appeals resulting from administrative decisions with regard to this procedure on expressive activity on campus will be directed to the Vice President of Finance and Administration.

4.10.1.3 Procedure for Reserving Campus Facilities

1. Students, student organizations or college employees who desire to reserve campus facilities for expressive activities should:

- a. Students and Student Organizations: submit their request to the Dean of Student Services;
- b. College Employees: submit their request to the Vice President of Instruction and Student Services.

Requests must be made with at least 24-hour notice. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus.

2. If individuals or organizations who are not members of the college community (i.e., not students, student organizations, or college employees) desire to reserve campus facilities, a recognized student organization must sponsor them. These individuals or organizations should contact the Vice President of Instruction and Student Services if interested in being sponsored by the college.
3. The college will assess appropriate fees for equipment and facility use to users who are not members of the campus community. Security fees may be assessed to defray the actual costs of providing security when the size of the audience may pose a risk to safety. At no time shall the college assess a security fee based on the anticipated reaction to the expressive activity.
4. Facilities available for use are available only during normal operating hours or as otherwise posted.
5. Students, student organizations, and college employees may request to reserve campus facilities on a first-come, first-served basis. These requests may be denied for the following reasons only:
 - a. The requested venue is an indoor facility that the college has designated as not available under section 4.10.1.5 of this procedure;
 - b. The requested venue is an indoor facility and the request conflicts with restrictions enacted pursuant to section 4.10.1.3 (4) of this procedure;
 - c. The venue is already reserved for another event;
 - d. The activity will attract a crowd larger than the venue can safely contain;
 - e. The activity will substantially disrupt another event being held at a neighboring venue;
 - f. The activity will substantially disrupt college operations (including classes)
 - g. The activity is a clear and present threat to public safety, according to the college's police or security department;
 - h. The activity will occur during college examination periods
 - i. The activity is unlawful
6. During an event, the student, student organization, or college employee requesting the reservation is responsible for preserving and maintaining the facility it reserved. If the event

(including set up and take down) causes any damage to those facilities, the person(s) or organization (and its officers, if applicable) shall assume responsibility.

7. When assessing a request to reserve campus facilities, the college will not consider the content or viewpoint of the expression or the possible reaction to that expression. The college will not impose restrictions on students, student organizations, or college employees due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to a student's, student organization, or college employee's expression, college officials (including college police or security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

4.10.1.4 Spontaneous Expressive Activity

1. For outdoor campus facilities and areas, students, student organizations, and their sponsored guests may freely engage in spontaneous expressive activities as long as they do not
 - a. block access to campus buildings,
 - b. obstruct vehicular or pedestrian traffic,
 - c. substantially disrupt previously scheduled campus events,
 - d. substantially disrupt college operations,
 - e. constitute unlawful activity, or
 - f. create a clear and present threat to public safety, according to the college's police or security department.
2. No indoor areas or facilities are available for spontaneous expressive activity.

4.10.1.5 Areas Not Available for Expressive Activity

The following indoor areas/facilities are not available for expressive activity.

- Library
- Administrative/business offices
- Classrooms (during instructional hours)
- Laboratories (including computer labs)

4.10.1.6 Banners and Distribution of Commercial Materials

1. Banners used in expressing speech should comply with the provisions of this procedure and cannot be used to block, obstruct or otherwise deny access to any pedestrian or vehicular traffic.
2. Distribution of commercial advertising or the placement of commercial material is prohibited in the following areas:
 - a. Administrative offices
 - b. Classrooms, computer rooms, laboratories, and other places where instruction takes place
 - c. Libraries

Appendix A: Crime Statistics Reporting Table
 Blue Ridge Community College 2018-2020 Crime Statistics

Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Negligent Manslaughter	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Rape	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Fondling (Sexual Battery)	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Incest	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Statutory Rape	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Robbery	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Aggravated Assault	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Burglary	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Motor Vehicle Theft	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Arson	2018	0	0	0
	2019	0	0	0
	2020	0	0	0

Hate Crime: Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Hate Crime: Murder/Non-Negligent Manslaughter	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Rape	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Fondling	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Incest	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Statutory Rape	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Robbery	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Aggravated Assault	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Burglary	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Motor Vehicle Theft	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Arson	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Simple Assault	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Larceny-Theft	2018	0	0	0
	2019	0	0	0
	2020	0	0	0

Hate Crime: Intimidation	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Hate Crime: Destruction/Damage/Vandalism of Property	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
VAWA Offenses:	Year	On-Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2018	0	0	1
	2019	0	0	0
	2020	0	0	0
VAWA Offenses: Dating Violence	2018	0	0	1
	2019	0	0	0
	2020	0	0	0
VAWA Offenses: Stalking	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Arrests:	Year	On-Campus Property	Non-Campus Property	Public Property
Arrests: Weapons: Carrying, Possessing, etc.	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Arrests: Drug Abuse Violations	2018	1	1	0
	2019	1	0	0
	2020	0	0	2
Arrests: Liquor Law Violations	2018	0	0	1
	2019	0	0	1
	2020	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Disciplinary Referrals: Liquor Law Violations	2018	1	0	0
	2019	0	0	0
	2020	0	0	0

Unfounded Crimes:	Year	On-Campus Property	Non-Campus Property	Public Property
Unfounded Crimes	2018	1	0	0
	2019	0	0	0
	2020	0	0	0

Appendix B: Campus Security Authority Reporting Form

Date of report: _____

Name of campus security authority: _____

Reporting Person Contact Information

Reported By: The Victim <input type="checkbox"/> A Third Party <input type="checkbox"/>	
First Name:	Last Name:
Phone Number:	E-mail Address:
If a third party reported the crime to you, please enter the relationship of the third party to the victim: _____	

Agency Notified

If, to your knowledge, a law enforcement agency was notified, please enter the name of that agency.

Agency: _____

Does the victim want the incident reported to law enforcement? Yes No

Incident Information

Location of incident (building name, street address, office number):

Time of incident (if known): _____

Incident description (Please provide specific, detailed information; can attach additional document if necessary.)

Incident category:	<i>(Please see attached for definitions of offenses.)</i>		
Homicide	<input type="checkbox"/>	Burglary	<input type="checkbox"/>
Aggravated Assault	<input type="checkbox"/>	Robbery	<input type="checkbox"/>
Sex Offense (Forcible)	<input type="checkbox"/>	Motor Vehicle Theft	<input type="checkbox"/>
Sex Offense (Non-Forcible)	<input type="checkbox"/>	Arson	<input type="checkbox"/>
Dating Violence	<input type="checkbox"/>	Domestic Violence	<input type="checkbox"/>
Stalking	<input type="checkbox"/>	Hate Crime <i>Please see below for additional information.</i>	<input type="checkbox"/>
Arrest for Liquor Law Violation	<input type="checkbox"/>	Referral for Liquor Law Violation	<input type="checkbox"/>
Arrest for Drug Law Violation	<input type="checkbox"/>	Referral for Drug Law Violation	<input type="checkbox"/>
Arrest for Weapons Law Violation	<input type="checkbox"/>	Referral for Weapons Law Violation	<input type="checkbox"/>
Other Crime Category	<i>If the crime was not listed above, please enter the additional crime category: _____</i>		

I am not sure how to classify this incident.

Please provide as much information as possible so that campus personnel can make this determination.

Is there any evidence that this crime was motivated by bias? Yes No

If yes, please choose any/all categories of prejudice that apply.

- Race Ethnicity Disability Gender Identity
 Gender Religion National Origin Sexual Orientation

If you answered “yes” to the Motivated by Bias question, please provide a brief summary of the evidence supporting a bias motivation:

Location

What best describes the location of the crime? *(If the crime occurred in multiple places, check all that apply. Please see the attached for further explanation as to the geography.)*

- On campus
- Public property immediately adjacent to campus
- Non-campus in a University owned leased or controlled space (fraternity, sorority, off-campus classroom)
- Unknown location, other
- I do not know which category this location would fall under.

Please review the information within the form. When complete, submit the form to: BRCC Public Safety Department

Crime Definitions

Homicide	<ul style="list-style-type: none">• Murder/non-negligent manslaughter: the willful (nonnegligent) killing of one human being by another• Negligent Manslaughter: the killing of another person through gross negligence
Sex Offenses - Forcible	<ul style="list-style-type: none">• Forcible rape: carnal knowledge of a person forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth)• Forcible sodomy: oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly and/or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity• Sexual assault with an object: use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity• Forcible fondling: touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her mental incapacity

Sex Offenses – Non-Forcible	<ul style="list-style-type: none"> • Incest: non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law • Statutory Rape: non-forcible sexual intercourse with a person who is under the age of consent
Robbery	<ul style="list-style-type: none"> • Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear
Aggravated Assault	<ul style="list-style-type: none"> • Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury
Burglary	<ul style="list-style-type: none"> • Unlawful entry of a structure to commit a felony or a theft
Motor Vehicle Theft	<ul style="list-style-type: none"> • The theft or attempted theft of a motor vehicle
Arson	<ul style="list-style-type: none"> • Willful or malicious burning or attempt to burn with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
Dating Violence	<ul style="list-style-type: none"> • Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: <ul style="list-style-type: none"> • the length of the relationship • the type of the relationship • the frequency of interaction between the persons involved in the relationship
Domestic Violence	<ul style="list-style-type: none"> • Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction...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
Stalking	<ul style="list-style-type: none"> • 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
Liquor Law Violation	<ul style="list-style-type: none"> • The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages
Drug Law Violation	<ul style="list-style-type: none"> • The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use
Illegal Weapons Possession	<ul style="list-style-type: none"> • The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons

Geography Definitions

On campus:

- any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendors).

Non-campus building or property:

- any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public property:

- all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Appendix C: Threat Assessment Form

Members of the campus community concerned about an individual making threats or posing a risk of campus violence are encouraged to contact the Threat Assessment Team (TAT) in the Public Safety Office at 540-453-2347. If you do not perceive an immediate threat, please complete this form to help the college assess the potential threat. By providing information about troubling behavior, you can help to assist staff, faculty and students before a situation becomes dangerous. If you perceive an immediate threat to safety of persons or property, please call 9-911 from any campus phone, then Campus Security at 540-453-2370 or 540-430-4564.

(See back of form for immediate threat warning signs).

Individual(s) of concern _____

Check whether student () or employee () other ()

Name of Person completing this form: _____

Phone: (____) _____ email: _____

This information will be kept confidential and will only be used to contact you for further information or updates

Reason for Referral (explain your concerns): _____

Steps already taken to address the issue: _____

Please check all applicable behaviors from list on back of form:

Send completed form to: William D Wilkerson, Chief of Police – G167

Submitted forms will be used for investigative information only. Any action needed will be based on information discovered during the investigation.

Check all that you think may apply	
<u>Mild Risk Behavior</u>	<u>Moderate Risk Behavior</u>
<input type="checkbox"/> Disruptive or concerning behavior	<input type="checkbox"/> Repeated disruption
<input type="checkbox"/> Individual shows signs of distress	<input type="checkbox"/> Possible threat is made or is present
<input type="checkbox"/> No threat is made or present	<input type="checkbox"/> The threat is inconsistent, lacks detail
<input type="checkbox"/> Social withdrawal or lacking interpersonal skills	<input type="checkbox"/> Excessive feelings of isolation
<input type="checkbox"/> Feelings of being picked on	<input type="checkbox"/> Excessive feelings of rejection
<input type="checkbox"/> Low school interest, poor academic performance	<input type="checkbox"/> Being a victim of violence, teasing, bullying
<input type="checkbox"/> History of discipline problems	<input type="checkbox"/> Dwelling on perceived injustices
<input type="checkbox"/> Feelings of being persecuted	<input type="checkbox"/> Seeing self as victim
<input type="checkbox"/> Depression	<input type="checkbox"/> Intolerance for differences
<input type="checkbox"/> Marked change in appearance	<input type="checkbox"/> Obsession with particular person
<input type="checkbox"/> Recent loss or disappointment (grades, relationship, death)	<input type="checkbox"/> History of violence, aggression
<u>Elevated Risk Behavior</u>	<u>Severe Risk Behavior</u>
<input type="checkbox"/> Seriously disruptive incidents	<input type="checkbox"/> Disturbed behavior; not one's normal self
<input type="checkbox"/> Exhibiting clear distress	<input type="checkbox"/> Threat made or is present
<input type="checkbox"/> Patterns of impulsive & chronic, hitting & bullying	<input type="checkbox"/> Affiliation with gangs
<input type="checkbox"/> General statements of distorted, bizarre thoughts	<input type="checkbox"/> Talking about weapons or bombs
<input type="checkbox"/> Visible signs of drug & alcohol use	
<input type="checkbox"/> Inappropriate access to, possession of, use of firearms	
<input type="checkbox"/> Threats of violence (direct or indirect)	
<input type="checkbox"/> Expressions of violence in writings & drawings	
<input type="checkbox"/> Uncontrolled anger	
<input type="checkbox"/> Threat is vague and indirect but shared with multiple people	

Imminent Warning Signs Call 9-911, then Campus Security at 540-453-2370 or 540-209-2798

- Handling, displaying, and/or use of firearm or other weapon. Severe rage for seemingly minor reasons.
- Suicide threats or statements, gestures, recent attempts. Severe destruction of property.
- Detailed recent threats of lethal violence (time, place, serious physical fighting with method, hit list) peers, family, others)
- Rehearsing an attack or ambush

Please explain any checked items or concerns:

PUBLIC SAFETY OFFICE USE ONLY:

Date referral form received: _____ Received by: _____

Date form originator notified of receipt: _____ Notified by: _____