



BlueRidge

COMMUNITY AND
TECHNICAL COLLEGE

Annual Security Report

October 1, 2014

MESSAGE FROM THE SECURITY DEPARTMENT

We are pleased to introduce the 2014 Blue Ridge CTC Security Department's Annual Security Report. This report is prepared to disseminate important information to the College community. With this publication, it is our intent to communicate not only mandatory information such as crime statistics but also give insight into the many ways in which we strive to keep this community safe.

The 2014 Annual Security Report contains information regarding crime prevention programs offered at the college, tips on crime prevention and personal safety, instruction on reporting crimes and emergencies, and the Blue Ridge CTC crime statistics, security-related policies and statements. Blue Ridge CTC does not have any college housing on or off campus nor does the institution participate in athletic programming. Therefore this report does not include missing persons or fire report. Fire Drills are conducted once a semester at each location and logs available upon request. If asked, Blue Ridge CTC will participate with any agency on a missing persons case.

As you will see when you review the crime statistics section of this report, Blue Ridge CTC is an extremely safe campus. Campus safety is the responsibility of all members of the campus community. Accordingly, we depend on every member of our community to report suspicious situations immediately to the Security Department and make good decisions that keep both themselves and others safe.

The Security Department employs numerous strategies in its mission of maintaining a safe and orderly environment for students, employees and visitors. In addition to patrolling the campus by foot and vehicle and conducting safety and lighting surveys, Campus Security provides escorts, manages vehicle registration, controls building access using state-of-the-art technology, monitors campus traffic and parking, and responds to all emergencies and suspicious or unsafe situations.

Campus security officers do not have arrest powers but may detain individuals for further questioning by police. Students, faculty, staff, and visitors are expected to cooperate with Campus Security when providing identification and reporting incidents which might result in a breach of campus-wide security.

Blue Ridge CTC security Department has a sound working relationship with local law enforcement but does not have any official (MOU) with any local law enforcement agency regarding the investigation of any of alleged criminal offenses.

If you would like to learn more or wish to contact the Security Department you may call the Campus Security Office at 304-260-4380 ext. 2250.

SECURITY DEPARTMENT MISSION

The stated purpose of the Blue Ridge CTC Security Department is to provide a safe and secure environment for students, faculty, staff and visitors and the safeguarding of campus property and facilities from damage or loss. Our approach is to involve the entire college family in the process of maintaining a safe campus. The Security Department strives to create an atmosphere of comfort and safety to allow students to concentrate on academic issues and to allow employees to concentrate on student service and learning.

THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the landmark federal law, originally known as the Campus Security Act, which requires colleges and universities across the United States to disclose information about crime on and around their campuses. The law was amended in 2000 to require schools beginning in 2003 to notify the campus community about where public “Megan’s Law” information concerning registered sex offenders on campus could be obtained. In 2008, amendments also added a provision to protect crime victims, "whistleblowers", and others from retaliation

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus security, local law-enforcement, and other college officials who have “significant responsibility for student and campus activities”;
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees”;
- Devise an emergency response, notification and testing policy;
- Disclose in a public crime log “any crime that occurred on campus. . . . or within the patrol jurisdiction of the campus security department and is reported to the security department”;
- Maintain in a public fire log
- Enact policies and procedures to handle reports of missing students.

The Blue Ridge Security Department is responsible for preparing and distributing this report. Crime statistics are compiled based on incidents reported to the Security Department as well as other campus security authorities – those with “significant responsibility for student and campus activities.” Campus crime statistics are also collected from external agencies such as the Berkeley Co Sheriff’s Department.

To learn more about the Clery Act, visit: www.securityoncampus.org/schools/cleryact - click on “Get Informed.”

CLERY ACT CRIME DEFINITIONS

Per the Clery Act, crimes are classified based on the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions used are from the FBI’s National Incident-Based Reporting System (NIBRS) edition of the UCR. Hate crimes are classified according to the FBI’s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. Although the law states that institutions must use the UCR for defining and classifying crimes, it doesn’t require Clery Act crime reporting to meet all UCR standards.

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result. Aggravated assault is an unlawful attack by one person upon another for the purpose

of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Arson is any 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, etc.

Burglary is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Dating violence is violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Domestic violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Drug abuse violations are defined as the violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

Hate crimes are committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, national origin, or disability.

Liquor law violations are defined as the violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Motor vehicle theft is the theft or attempted theft of a motor vehicle.

Murder and non-negligent manslaughter is the willful (non-negligent) killing of one human being by another.

Negligent manslaughter is the killing of another person through gross negligence.

Robbery is the 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.

Sex offenses are defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Domestic violence** is a felony or misdemeanor crime of violence committed by—
 - a current or former spouse or intimate partner of the victim,
 - a person with whom the victim shares a child in common,
 - a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
 - a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under VAWA, or
 - any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Dating violence** is 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:
 - the length of the relationship;
 - the type of relationship; and
 - the frequency of interaction between the persons involved in the relationship.
- **Stalking** is 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.

Weapons violations are defined as the violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Geographic 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 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 a food or other retail vendor).

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 are within the campus, or immediately adjacent to and accessible from the campus.

CRIME REPORTING OPTIONS and CAMPUS SECURITY AUTHORITIES

It is the policy of Blue Ridge CTC Security department is to encourage the accurate and prompt reporting of all crimes to the Security Department and/or the appropriate law enforcement agency. Crimes, suspicious activities and emergencies should first be reported to the emergency response system by dialing 911. Secondly, call the campus Security Department to report the incident. Victims or witnesses of a crime may report on a voluntary or confidential basis to several offices that the college has identified as “Campus Security Authorities (CSA).” The Clery Act recognizes certain College officials and offices as CSAs. The act defines these individuals as “officials of an institution who has significant responsibility for student and campus activities, including but not limited to, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or response to particular issues on behalf of the institution.”

While the college has identified a number of CSAs we officially designate the following offices as places where campus community members should report crimes:

OFFICAL	CAMPUS ADDRESS	PHONE NUMBER
Security Department	HQ Building Room 1002	Ext 2250
College President	HQ Building Room 2300	Ext 2403
Vice President of EM	HQ Building Room 2300	Ext 2107
Vice President of HR	HQ Building Room 1210	Ext 2234
Director of Access	HQ Building Room 1300	Ext 2109

Information concerning crimes can be reported on a voluntary, confidential basis to the Security Department directly for inclusion in the annual crime statistics. Counselors who learn of a crime from a counselee should inform the counselee that the crime may be reported on a voluntary confidential basis to the Security Department for inclusion in the college’s crime statistics only.

CRIME PREVENTION

Blue Ridge CTC encourages anyone with questions or concerns regarding crime prevention to contact Berkeley Co Sheriff’s Department (304) 267-7600.

TIMELY WARNINGS

Upon receipt of information of a crime or a threat to students, staff and faculty, the Security Department will ensure timely notification of a crime or threat to all students, staff and faculty.

EMERGENCY NOTIFICATION POLICY

Blue Ridge CTC, in order to maintain a safe campus environment, has an emergency notification system (known as E2Campus). Students will be asked each year to update their contact information in our student information system. At the time of enrollment, students are given an option to sign up for the E2Campus Alerts. If they sign up to participate, they will be notified through text messaging and/or email of any serious emergency situation on campus.

It is the policy of Blue Ridge CTC to issue emergency notification alerts in an effort to notify Blue Ridge community members about certain crimes in and around our community in a timely manner. For the purposes of this policy, “timely manner” means that upon confirmation by college administrators, the campus community will be immediately notified of any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff. Warnings may only be withheld if they would compromise efforts to contain the emergency. Blue Ridge CTC complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as mandated by the Department of Education. The E2Campus emergency notification system will only be used in significant emergency or dangerous situations involving an immediate threat. Frequent, non-emergency use of this system might compromise its effectiveness in a serious emergency situation. The E2Campus system will be used to provide instructions and information to all or an affected segment of the student population who have opted into the system before, during and after a situation where student health and safety may be compromised due to a natural disaster, criminal activity, and/or public health threat.

E2Campus directly links to the institution’s Facebook and Twitter accounts. The website posts messages immediately upon notification. Press partners and other community members are included and receive notifications through the system as well.

For more information on how to sign up, please visit our website at <http://www.blueridgectc.edu/about-blue-ridge/safety-security/>

STUDENT RESPONSIBILITY

The cooperation, involvement, and personal support of students in campus safety is crucial to the overall safety of the campus. Students must assume responsibility for their own personal safety and the security of their personal belongings by taking, simple common sense precautions. The students’ awareness of their environment and their surroundings is the best place to start.

- Be aware of your surroundings. Park in well-lit, heavily populated areas. Trust your instincts. If something doesn’t feel right, find another place to park.
- If you have a cell phone, have it accessible.
- Do not leave valuable items visible in your vehicle.
- Always roll up your windows and lock your doors before leaving your vehicle.
- Walk with others to your vehicle whenever possible.

- Carry your keys in hand when you approach your vehicle.
- Look around and check the back seat of your vehicle before entering.
- Upon entering your vehicle immediately lock all doors.
- If you are involved in a minor collision in an isolated area, you may want to drive to a well-lit and populated area before stopping to assess your damage.
- Never pick up hitchhikers.
- While driving, if you notice that you are being followed drive to the nearest open store, service station, police station etc. for help. Blow your horn to draw attention to yourself. Try to get a description of the car following you and its license plate number.

DRUG AND ALCOHOL POLICY

Blue Ridge Community and Technical College believes that the illegal use of drugs and alcohol presents a serious health and safety hazard to the college community and interferes with educational and occupational success.

The college fully complies with the Drug Free School and Communities Act of 1989 to prohibit the illegal possession, consumption and distribution of drugs and alcohol on college property, during classes and at activities officially sponsored by the college.

Students, faculty and staff may not consume alcoholic beverages on College property, during classes, or in connection with activities officially sponsored by the college except by explicit permission of the College President.

Blue Ridge Community and Technical College recognizes its employees and students as being adults and expects them to obey the law and to take personal responsibility for their conduct. This policy applies to the college community as a whole which includes faculty, staff, students, and visitors.

ALCOHOL AND DRUG-FREE ENVIRONMENT

The purpose of this policy is to assure compliance with the Drug-Free Schools and Communities Act of 1989 and the Drug- Free Work Place Act of 1988.

This policy applies to the entire college community, including students, faculty, staff and visitors to any of the campuses or classroom buildings.

Standards of Conduct

The unlawful manufacturing, distribution, dispensing, possession or use of illicit drugs and unauthorized use of alcohol on Blue Ridge Community and Technical College property or as a part of any College activity are prohibited.

It is prohibited to come to work, class or any College-sponsored function under the influence of alcohol or illicit drugs.

Legally prescribed medications taken properly are excluded from prohibition and permitted only to the extent that such medications do not adversely affect a person's work ability, job performance, or the safety of others.

Disciplinary Sanctions

Any person who violates the policy shall be subject to disciplinary action. The College may impose disciplinary sanctions on students and employees consistent with institutional policies, and local, state, or federal laws for violation of the standards of conduct outlined above and prohibited in the Drug-Free Schools and Communities laws.

All persons should be aware that violations could result in expulsion from school, termination of employment, or referral for prosecution. Students who violate this policy are subject to a judicial hearing and possible referral to law enforcement agencies.

Visitors who violate this policy may be referred to law enforcement agencies and will immediately be escorted off college campus.

The Director of Human Resources will impose appropriate sanctions for employees who violate this policy.

College sanctions will be imposed consistent with procedures used in disciplinary actions listed in the Student Handbook and/or Faculty Handbook.

Counseling and Referral Assistance

All students who violate this policy are required to attend 5 hours of drug and alcohol counseling before being able to participate in the classroom again.

Help and referral are available to students and employees. Services are confidential. A listing of some available community resources can be found in the enrollment management office. There are many resources to help you or anyone you care about find treatment.

HARASSMENT AND SEXUAL ASSAULT

Blue Ridge CTC is committed to maintaining an environment in which all individuals treat each other with dignity and respect and which is free from all forms of intimidation, exploitation and harassment, including sexual harassment and sexual assault. Any form of harassment, sexual harassment or sexual assault is absolutely prohibited. Anyone who violates this policy will be subject to discipline, up to and including expulsion.

Harassment, including sexual harassment, includes unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a nature that denigrates or shows hostility or aversion toward an individual because of his/her race, color, national origin, gender, disability or age.

Sexual assault is an extreme form of sexual harassment and is defined as a situation in which an individual is forced, threatened or coerced into sexual contact against his or her free will or without his or her consent. Sexual assault may include date or acquaintance rape, sexual molestation, unwanted sexual touching or having sexual contact with a person while knowing or having reason to know that the person is incapacitated in some way.

Any person who has been a victim of a sexual assault should, as soon as possible:

- Seek medical attention immediately. Do not bathe, change clothes or do anything that may interfere with the collection of evidence which can be helpful in proving that a sexual assault occurred.
- Seek counseling and support services.
- Keep a journal. Write down the events of the assault including the date, time and chronology. If there are witnesses or people who have information about the assault, write down their names in your journal. Preserve any harassing letters, messages or e-mails as evidence.

Individuals who have been subjected to harassment, sexual harassment or sexual assault should file a written complaint immediately in accordance with the Grievance Policy of the college.

Any person determined to be responsible for harassment; sexual harassment or sexual assault will be subject to appropriate disciplinary action, up to and including immediate dismissal.

The college strongly encourages individuals to report all incidents immediately so that complaints can be investigated in a timely manner.

**VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA),
CAMPUS SEXUAL VIOLENCE ELIMINATION (SAVE) ACT, AND TITLE IX**

Discrimination

Blue Ridge CTC does not discriminate on the basis of sex in its educational programs. Sexual harassment, sexual assault, sexual violence, dating violence, domestic violence, stalking, and sexual misconduct are types of sex-based discrimination and are prohibited. As required by federal law, Blue Ridge CTC issues this statement of policy to inform the college community of its comprehensive plan addressing sexual misconduct with educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking when it is reported to a college official. Blue Ridge CTC prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. Crimes should be reported to law enforcement.

Title IX prohibits different forms of discrimination. Sex discrimination includes sexual harassment and sexual violence. Students or employees who experience discrimination should report it to the Title IX Coordinator.

Blue Ridge CTC has the responsibility to promptly investigate complaints of sex discrimination and take appropriate steps to remedy any hostile educational environment that is created by such behaviors. A hostile education environment is created by an act or series of acts of sex discrimination that are serious enough to interfere with a students' ability to learn or participate in educational or extracurricular activities. During the investigation, remediation, and appeal processes, the college must provide both parties with equivalent rights. For example, both parties have the right to have an advisor present during meetings and hearings, and both parties have the right to be informed of the outcome of any hearing or appeal.

While Blue Ridge CTC has a duty to promptly and equitably respond to a complaint of sexual harassment or violence, the victim cannot be required to participate in the disciplinary process and has the right to have his/her identity remain confidential. However, if the victim chooses not to participate and to have one's identity remain confidential during the investigation, remediation, and conduct process, the college may be limited in its ability to investigate and take remedial action against the alleged perpetrator(s).

Rights that are afforded both the accuser and the accused during the process may include the following:

- Bring an advisor of your choice
- Present information or have witnesses speak on your behalf
- Have timely access to information that will be used at a hearing
- Receive the final hearing decision in writing at the same time as the other party without being required to sign a non-disclosure agreement

Title IX protects the victim or anyone else reporting sex discrimination, sexual harassment, or sexual violence from retaliation, whether it be by college employee or student. For additional information on the college's policies, students should consult the Student Handbook and employees should consult the Personnel Handbook.

DEFINITIONS – 2014 WEST VIRGINIA CRIMINAL CODE CHAPTER 61

West Virginia law defines “assault” as occurring when a person purposely, knowingly, or recklessly causes physical injury to another person. Assault also occurs in certain situations where a person negligently causes physical injury to another person, creates a risk of death or serious physical injury, causes another to apprehend immediate physical injury, or causes offensive physical contact with another person.

West Virginia law defines sexual abuse (sometimes referred to as “sexual assault”) as occurring when a person subjects another person to sexual contact without that person’s consent or by the use of forcible compulsion or when that person is incapacitated, incapable of consent, or lacks the capacity to consent.

“**Consent**” is defined as an unambiguous and willful participation or cooperation in an act or as an attitude that is commonly understood to be consistent with the exercise of free will. Consent requires participants who are fully conscious, are equally free to act, have clearly communicated their willingness, cooperation, or permission to participate in a specific sexual activity, are positive and clear in their desires, and are able to cease ongoing consensual activity at any time. Refusal does not have to be verbal; it can be expressed with gestures, body language or attitude.

A prior sexual history between the complainant and respondent does not constitute consent. Consent (or lack of consent) may be express or implied under Missouri law. Assent (i.e., an expression of approval or agreement) does not constitute consent if:

- It is given by a person who lacks mental capacity; or
- It is given by a person who is unable to make a reasonable judgment about the sexual activity because of age, mental disease or defect, intoxication, drugs, or some other reason; or
- It is induced by force, duress or deception.

“**Rape**” means penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. (

“**Sexual assault**” means any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

“**Fondling**” is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

“**Incest**” is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

“**Statutory Rape**” is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

“**Domestic violence**” means a felony or misdemeanor crime of violence committed by—

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under VAWA, or
- 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.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting these definitions is considered a crime for the purposes of Clery Act reporting. Missouri law defines domestic assault (sometimes referred to as “domestic violence”) as occurring when an assault occurs between members of the same family or household. (

“Dating violence” means 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:
 - the length of the relationship;
 - the type of relationship; and
 - the frequency of interaction between the persons involved in the relationship.

“Stalking” is 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.

For the purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveys, threatens, or communicates to or about, a person, or interferes with a person’s property. West Virginia law defines “stalking” as occurring when a person purposely harasses another person or follows another person with the intent to harass. A person harasses another when he or she engages in a course of conduct directed at a person that serves no legitimate purpose and that would cause a reasonable person to be frightened, intimidated, or distressed.

EDUCATION AND PREVENTION PROGRAMS

The college is in the process of instituting a program that will be comprehensive, intentional, with integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.
- Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns

for students and employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity and/or using the definition of consent;
- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

PROCEDURES FOR REPORTING A COMPLAINT

The college has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The college will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the local law enforcement.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at a hospital. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to college hearing boards/investigators or police.

Although the college strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The college will assist any victim with notifying local police or sheriff if they so desire. The phone number for the Berkeley Co Sheriff's Department is 304-267-7000.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report all incidents promptly to the Title IX Coordinator (if the incident involves sexual assault) regardless whether you file a report with the police or sheriff.

TITLE IX NONDISCRIMINATION

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. Title IX states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Blue Ridge CTC prohibits discrimination on the basis of sex, including sexual harassment, in education programs and activities. Title IX protects individuals from harassment connected to any of the academic, educational, extracurricular, athletic, and other programs, activities or employment of schools, regardless of the location. Title IX protects both males and females from sexual harassment by any school employee, student, and a non-employee third party. This policy applies to administrators, faculty, and other college employees; students; applicants for employment; customers; third-party contractors; and all other persons that participate in the college's educational programs and activities, including third-party visitors on campus. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved. The college has designated these individuals to coordinate its compliance with Title IX and to receive inquiries regarding Title IX policies on campus.

Pursuant to Title IX of the Educational Amendments of 1972 and 34 C.F.R. Part 106, Blue Ridge CTC's Title IX Coordinator is the designated agent of the college with primary responsibility for coordinating Title IX compliance efforts. The Title IX coordinator's responsibilities are critical to the development, implementation, and monitoring of meaningful efforts to comply with Title IX legislation, regulation, and case law. In broad terms, the Title IX Coordinator oversees monitoring of college policy in relation to Title IX law developments; implementation of grievance procedures, including notification, investigation and disposition of complaints; provision of educational materials and training for the campus community; conducting and/or coordinating investigations of complaints received pursuant to Title IX; ensuring a fair and neutral process for all parties; and monitoring all other aspects of the college's Title IX compliance.

The Title IX Coordinator for Blue Ridge CTC is: Leslie See, Vice President of Enrollment Management; 13650 Apple Harvest Dr, Martinsburg WV 25403; (304) 260-4380 Ext. 2107; Email- lsee@blueridgectc.edu

If you do not wish to contact the college Title IX Coordinators or other designated college resources with your questions or concerns regarding Title IX policies and its implementation at the College, you may contact the Assistant Secretary for Civil Rights in the Office for Civil Rights (OCR) with the U.S. Department of Education. For further information on notice of nondiscrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Responsible Employees

The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information less the victim's identifying information will be provided to the person responsible to compile the annual crime statistics even if the victim chooses not to alert campus safety personally.

A “responsible employee” is any employee who has the authority to take action to address sexual misconduct, who has been given the duty to report to appropriate college officials about incidents of sexual violence or any other misconduct by students, or who a student could reasonably believe has this authority or responsibility. A responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual violence shared by the victim. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report. A responsible employee should not share information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement. Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee’s reporting obligations. If the victim wants to maintain confidentiality, direct the victim to confidential resources.

Procedures

The college will provide assistance and resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the college, the college will use the “preponderance of evidence” standard of evidence and the following procedures during any judicial hearing on campus arising from such a report:

Sexual Assault

- Depending on when reported, institution will provide complainant with access to medical care
- Institution will assess immediate safety needs of complainant
- Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police
- Institution will provide complainant with referrals to on and off campus mental health providers
- Institution will assess need to implement interim or long -term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties
- Institution will provide a “No trespass” directive to accused party if deemed appropriate
- Institution will provide written instructions on how to apply for Protective Order
- Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
- Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
- Institution will enforce the anti-retaliation policy and take immediate actions against parties that retaliate against a person for complaining of sex-based discrimination.

Stalking

- Institution will assess immediate safety needs of complainant
- Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department
- Institution will provide instructions on how to apply for Protective Order
- Institution will provide information to complainant on how to preserve evidence

- Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate

Dating Violence

- Institution will assist complainant with contacting local police of compliant requests and complainant provided with contact information for local police department
- Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department
- Institution will provide instructions on how to apply for Protective Order
- Institution will provide information to complainant on how to preserve evidence
- Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
- Institution will provide a “No trespass” directive to accused party if deemed appropriate

Domestic Violence

- Institution will assess immediate safety needs of complainant
- Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department
- Institution will provide instructions on how to apply for Protective Order
- Institution will provide information to complainant on how to preserve evidence
- Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
- Institution will provide a “No trespass” directive to accused party if deemed appropriate

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the college will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Any person who obtains an order of protection should provide a copy to the Title IX Coordinator. A complainant may then meet with the Title IX Coordinator to develop a Safety Action Plan, which is a plan for campus safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction. The victim is required to apply directly for these services. The college may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim’s cooperation and consent, college offices will work cooperatively to ensure that the complainant’s health, physical safety, work and academic status are protected, pending the outcome of a formal college investigation of the complaint.

For example, if reasonably available, a complainant may be offered changes to academic, housing or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly

available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The college does not publish the name of crime victims in the Security Departments Daily Crime Log. Students may request that directory information on file be removed from public sources by request to the Registrar.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or others are in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in

with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

- If you see something suspicious, contact law enforcement immediately (calling 911).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason.
 - Have a code word with your friends or family so that if you don't feel comfortable
 - You can call them and communicate your discomfort without the person you are with knowing. Your friends or family can come to get you or make up an excuse for you to leave.
 - Make excuses: need to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
 - Think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking or using drugs, say that you want to wait until you both have your full judgment before doing anything you may regret later.

Adjudication of Violations

Whether or not criminal charges are filed, the college or a person may file a complaint under the sexual misconduct policy alleging that a student or employee violated the College's policy.

Reports of all domestic violence, dating violence, sexual assault and stalking made to one of the Title IX Coordinators for investigation regardless of if the complainant chooses to pursue criminal charges. The college disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members are trained on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

Title IX states that an institution has a duty to investigate if it knows or reasonably should know of sexual harassment or sexual violence. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the college may assume the role of the complainant. The college's policy regarding sexual misconduct is:

- The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;
- The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
- The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
- The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
- A student conduct decision is based on the preponderance of evidence standard. (i.e. "more likely than not to have occurred")
- The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
- The accuser and the accused each have the right to appeal the outcome of the hearing by the complainant or respondent may appeal the determination by submitting written objections to the Title IX Coordinator within ten (10) calendar days of the receipt of the determination and will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may utilize the complaint and investigatory procedures set forth in the college's policy against Sexual Harassment in order to remedy any hostile environment. All conduct proceedings against students, however, will be resolved through this policy which includes the prohibition of retaliatory action on the part of the accused. When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the college's ability to respond to the complaint may be limited.

Confidentiality

The college will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law.

Sanctions and Protective Measures

Investigations that result in a finding of that a violation of policy occurred by a preponderance of evidence will lead to the initiation of disciplinary procedures against the accused individual. College sanctions including, suspension or expulsion from the college may be imposed upon those determined to have violated this policy. The College may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions:

- Probation or suspension
- Issuance of a no contact letter to the accused
- Issuance of a campus ban letter to the accused

For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or a designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a college order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the college's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Blue Ridge CTC.

Upon written request, the college will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the victim's next of kin shall be treated as the alleged victim for purposes of this paragraph.

When taking such steps to separate the complainant and the accused, the College will attempt to minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

SEX OFFENDER REGISTRATION

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. Information about registered sex offenders in West Virginia can be found at.

<https://apps.wv.gov/StatePolice/SexOffender/Disclaimer?continueToUrl=http%3A%2F%2Fapps.wv.gov%2FStatePolice%2FSexOffender>

PUBLIC NOTIFICATION OF PUBLISHED ANNUAL SECURITY REPORT

Published October 1st of each year

Blue Ridge CTC's annual security report is now available. This report is required by federal law and contains policy statements and crime statistics for the school. The policy statements address the school's policies, procedures and programs concerning safety and security, for example, policies for responding to emergency situations and sexual offenses. Three years' worth of statistics are included for certain types of crimes that were reported to have occurred on campus, in or on off-campus buildings or property owned or controlled by the school and on public property within or immediately adjacent to the campus. This report is available online at <http://www.blueridgectc.edu/about-blue-ridge/safety-security/>
You may also request a paper copy from the Security Office.

CAMPUS CRIME STATISTICS TABLE 2013 (including 2011, 2012 & 2013)

The statistical information provided in the table below complies with the required reporting of the “Jeanne Clery Disclosure of Campus Security Policies and Campus Crime Statistics Act.” Crime statistics for the most recent three-year periods are published. These statistics reflect incidents reported to Campus Security Officers and involve incidents occurring on campus, and in areas adjacent to the college campus.

Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling)	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Sex Offenses, Non Forcible (Incest and Statutory)	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Robbery	2013	0	0	1	1
	2012	0	0	0	0
	2011	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Burglary	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Motor Vehicle Theft	2013	1	0	0	1
	2012	0	0	0	0
	2011	0	0	0	0
Liquor Law Arrests	2013	0	0	2	2
	2012	0	0	0	0
	2011	0	0	0	0
Drug Law Arrests	2013	0	0	5	5
	2012	0	0	0	0
	2011	0	0	0	0
Weapons Law Arrests	2013	0	0	0	0
	2012	0	0	0	0
	2011	0	0	0	0
Destruction of Property	2013	0	1	0	1
	2012	0	0	0	0
	2011	0	0	0	0
Vandalism	2013	0	1	0	1
	2012	0	0	0	0
	2011	0	0	0	0
Bodily Injury Crime	2013	0	0	4	4
	2012	0	0	0	0
	2011	0	0	0	0

CAMPUS CRIME STATISTICS TABLE 2013 (cont.)

Offense	Year	On Campus	Non-Campus	Public Property	Total	
Arson	2013	0	0	0	0	
	2012	0	0	0	0	
	2011	0	0	0	0	
Domestic Violence*	2013	0	0	0	0	
	2012	0	0	0	0	
	2011	-	-	-	-	
Dating Violence*	2013	0	0	0	0	
	2012	0	0	0	0	
	2011	-	-	-	-	
Stalking*	2013	0	0	0	0	
	2012	0	0	0	0	
	2011	-	-	-	-	

There was no hate crimes reported for 2011, 2012, or 2013.

* These categories are new for the 2013 reporting period and were not required to be reported in this manner in 2011 or 2012. Statistics for 2012 have been provided for your information.