



# **Annual Security Report**

**October 1, 2019**

## **ANNUAL SECURITY REPORT - 2019**

### **MESSAGE FROM THE SECURITY DEPARTMENT**

We are pleased to present the 2019 Blue Ridge Community and Technical College (BRCTC) Security Department's Annual Security Report. This report is prepared to disseminate important information to the college community, as well as other interested parties, including the US Department of Education. With this publication, it is our intent to communicate not only mandatory information such as crime statistics and required security policies but also to provide insight into the many ways in which we continue to strive to keep our campus locations safe.

The 2019 Annual Security Report, which is prepared by the BRCTC Director of Public Safety, contains information regarding crime prevention programs offered at the college, helpful tips on personal safety, instruction on reporting crimes and emergencies, Blue Ridge CTC crime statistics for the previous three completed calendar years, other security-related mandatory policies and statements, and security improvements that are planned, or were implemented this year. Blue Ridge CTC does not have college residential halls or off-campus housing, nor does the institution participate in athletic programs. Therefore, per statute, this report does not include on or off campus fire reports. Fire Drills are conducted once a semester at each campus location, and post-drill briefing documents are available upon request. If requested, Blue Ridge CTC will participate with any agency in a joint effort to locate missing persons, and in the investigation of such a case. Additionally, our Security personnel have attended Active Shooter training, as well as ongoing online, classroom and practical training pertaining to a host of safety and security topics. Expansion of Active Shooter training to staff and faculty is being coordinated at this time, and will be announced in the coming weeks. Attendant threat assessments and security surveys at each of Blue Ridge CTC's three campus locations are imminent.

As is evident in the crime statistics section of this report, Blue Ridge CTC remains an exceptionally safe institution of higher education. Campus security and safety is the responsibility of all members of the Blue Ridge CTC community. Accordingly, we depend on every member of our college family to report suspicious persons and situations immediately to the Security Department, to make prudent decisions in this regard, and to use good judgment in an effort to keep themselves and others safe.

The Security Department employs numerous strategies in its mission to maintain a safe and secure environment for students, employees and visitors. In addition to performing interior and exterior patrols of our three campuses, Security provides escorts for students and staff, manages vehicle registration, controls building access using state-of-the-art technology, monitors campus traffic and parking, issues identification cards to students, staff, faculty and vendors, conducts monthly safety inspections, and responds to and investigates all emergencies and suspicious or unsafe situations. Additionally, the Director of Public Safety may be tasked to initiate investigations into areas of special concern to the college administration. During the time frame, October 1, 2018 to the present, members of the Security Team prepared 42 Incident Reports which focused upon medical-related emergencies and non-emergency situations, missing personal and college property, verbal threats, suspicious activities, and vehicular accidents, two of which involved leaving the scene of damaged property (hit and run in nature). All criminal activity, irrespective as to their Clery designation, were noted in the Department's Daily Crime Log.

Campus Security officers do not have arrest powers but may detain individuals for further questioning by local police and other law enforcement agencies. Students, faculty, staff, and visitors are expected to cooperate with Campus Security in providing identification upon request, reporting incidents which might constitute a breach of security or the commission of a crime, and following their instructions during emergency situations and first responder drills. Additionally, BRCTC Security Officers do not carry firearms; however, since 2016, the cadre has completed a pepper spray training program administered by the Berkeley County Sheriff's Office resulting in the issuance of pepper spray to each officer certified to carry this defensive weapon. All currently employed BRCTC security officers successfully completed pepper spray recertification training in April 2018, and must re-certify by April 2020.

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The Director of Public Safety has an excellent working relationship with the Berkeley County, West Virginia, Sheriff, as well as with that agency's Commander, Criminal Investigation Division (CID). The Sheriff and Director meet throughout the year, and communicate via telephone and email. These discussions are incidental in nature, for example, whenever the sheriff's department is queried for crime statistics, or when the college's parking areas, or other property require increased preventative patrols. For the second consecutive year, the sheriff graciously supported the school's May 2019 commencement ceremonies held at the Airborne Church in Martinsburg, posting deputies to direct traffic at that venue's primary intersection. This assistance resulted in an orderly arrival and egress of graduation attendees. Furthermore, the Sheriff continued to authorize the aforementioned CID Commander to train, certify and re-certify security personnel in the use and deployment of pepper spray, and to teach courses within the BRCTC Criminal Justice program. There is no written mutual aid agreement in place between BRCTC Security and the Berkeley or Morgan County Sheriff's Offices; however, those departments have primary law enforcement jurisdiction on all property in which BRCTC operates, and each county sheriff has pledged to honor all requests by the BRCTC Security Department for law enforcement, criminal investigative, and external security assistance.

This past year saw significant improvements to the college's physical and technical security program at each of the school's campus locations. The enhancement in security was commensurate with the school's continued growth, especially in regard student population and increased leased space. As BRCTC acquired additional space at the Technology Center campus, the need for increased electronic and physical security also grew. Additional interior and exterior cameras were installed at that site's Areas I, J/K and Q/R, along with the purchase and installation of new computers and larger monitors so that assigned security officers would enjoy enhanced capability in terms of observing the newly acquired space with greater clarity.

The Main Campus saw similar upgrades, including those to the four Code Blue Emergency poles, which are located in each quadrant of the HQ's parking lots. Each pole is now equipped with multi-lens cameras that provide security personnel with a comprehensive 100% prospect of all parking areas, and several views of that site's main gate. Indeed, the camera system's efficacy was recently put to the test when the gate was struck by a tractor trailer. The hit and run collision left the gate's arm mangled and inoperable. Thanks to the CCTV enhancement, Security easily identified the trucking firm, and other critically important details necessary to recoup entitled damages, or in preparation for subsequent litigation. Not only do these devices prove invaluable during post incident investigations, they remain a vital lifeline between a potential crime victim and first responders. The Code Blue systems are tested monthly by Security, with an emergency 911 call placed to the county dispatcher (when the caller pushes the button on the call box, he or she is placed in touch with the Berkeley County Emergency Dispatch Center). During these tests, the blue light atop each pole is checked to ensure it pulsates, remaining an effective signaling device to responding law enforcement personnel upon arriving on campus to assist potential victims.

The purchase and deployment of two security vehicles, each affixed with emergency light bars, have proved to be of paramount importance in enhancing officer's campus patrols. Not only are officers able to cover more ground in a rapid fashion, the sight of flashing lights atop a parked or moving security vehicle acts as both a deterrent to criminal activity, as well as a balm to soothe those concerned for their safety and well-being. One security vehicle is assigned to the Main Campus and the other to the Tech Center facility. From the most recent employee newsletter, the following was highlighted in regard the Security Department's heightened.

The Security Department's mission priority has always been to advance a comprehensive, effective safe learning and working environment for the Blue Ridge CTC community. The most recent reorganization, and the attendant increases in security personnel resulted in heightened officer presence and visibility. The utilization of security vehicles providing officers with the option to conduct mobile patrols and parking lot surveillance duties has contributed greatly to the deterrence of criminal activity, as well as security response capability. Students and staff walking to their parked vehicles should feel at ease as they observe the activated lights atop a security truck on parking lot patrol. In coordination with the Information Technology department, allowing security and law enforcement to obtain high quality footage that can be used in post incident investigations. The pole's communication systems are designed so that in the case of an urgent need for 911 assistance, one only need press the button on the device to be connected to a

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Berkeley County emergency dispatcher. Upon activation, the pole's blue light will pulsate thus alerting campus security to the call for help, as well as identifying the caller's location to responding law enforcement personnel. Security inspects the system monthly, including establishing direct contact with the 911 dispatcher during these tests.

When fall 2019 students and staff report to the Main Campus security office to retrieve their ID badge and parking permit, they will depart with an additional safety gift. This device, a "Whistle for Life," with the accompanying "See something, say something" information card, may appear simplistic or rudimentary in nature; however, the whistle is capable of sending out a loud shrieking alert that will draw the attention of anyone within reasonable proximity to its user. The whistle serves as both a deterrent to criminal attack, as well as an effective method to alert bystanders and security to respond and assist a victim.

Furthermore, additional interior and exterior CCTV cameras have been added at each campus location. These new video systems are contemporary state of the art cameras that not only provide greater clarity, but ensure that a vast majority of campus property is now under video surveillance. Mirroring the acquisition of these cameras has come the hiring of enough personnel so that officers are available to maintain vigilant observation over each campus location, but can simultaneously patrol and respond when called. This dual capability assures our school's safety and security at all times. Additional improvements to Security's technical security program, including enhancing the team's communication network, are planned and will be installed strategically throughout Blue Ridge CTC.

As outlined above, this past year saw substantial and real growth to the Blue Ridge CTC security program. The department played a pivotal role during special college events, such as providing traffic and parking control at graduation, assisting with orientations and open houses, and liaison with local enforcement authorities. Recently, three college security officers were part of a BRCTC contingent that assisted West Virginia state and county law enforcement officers, federal agents and other volunteers in a search for a missing Berkeley Springs teenager.

In terms of the future investment in the college security program, efforts are underway to set a date to inaugurate the newly charged Safety and Security Committee. The committee will have greater representation from faculty, key academic programs, and appointees from the two non-HQ campuses. This reorganization of the committee will bring more focused attention to safety, and lead to the identification of potential safety and security vulnerabilities. Security is in the process of organizing a threat assessment and security survey that will test, identify and lead to the mitigation of observed risks in BRCTC's overall security posture. Previously designated concerns, such as improved lighting, migration of the Code Blue systems to the Tech Center and Pines campuses, and strategically placed interior and exterior cameras, have been slated for action. In conjunction with security surveys and threat assessments, staff and faculty will be provided practical active shooter training, instruction that will offer employees proven techniques to effectively counter an armed assailant.

### **SECURITY DEPARTMENT MISSION**

The stated purpose of the BRCTC 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. The Department's approach is to involve the entire college family in the process of maintaining a safe campus. Security strives to create an atmosphere of comfort and safety, thus allowing students to concentrate on academic studies, as well as to foster an environment in which employees may devote their time to student services and learning activities. Students know exactly to whom they may report criminal acts or threat intelligence, and that if necessary, their Personal Identifiable Information (PII) will not be shared and will remain strictly confidential. College security officers maintain a heightened state of situational awareness, and remain acutely in tune with BRCTC's culture. The Security Department's credo is accessibility through visibility, with exceptional customer service being front and center. By demonstrating to the entire BRCTC community that they are approachable, our security officers, though

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always ready to meet the challenges inherent in the critical position they hold, place a greater emphasis on prevention, de-escalation, and cooperation.

### 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, requires colleges and universities across the United States to disclose information pertaining to crime on and around their campuses. The law was amended in 2000 requiring schools from 2003 forward, to notify the campus community about where "Megan's Law" information concerning registered sex offenders on campus may be obtained. In 2008, amendments also added a provision to protect crime victims, "whistleblowers", and others from retaliation.

The Clery Act requires colleges and universities to:

- Publish an annual report by October 1st that contains the past three complete years of campus crime statistics and specifically required 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 annotating "any crime that occurred on campus, or within the patrol jurisdiction of the campus security department, and is reported to the security department;"
- Maintain a public fire log, or other document that contains the amount of time used to evacuate campus structures (*post fire drill briefs-fire drill comparison chart*);
- Enact policies and procedures to handle reports of missing students.

The BRCTC Security Department is responsible for preparing and distributing this report annually. 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-related crime statistics are also collected from external agencies such as the Berkeley County and Morgan County Sheriff's Department.

To learn more about the Clery Act, visit: <http://clerycenter.org/jeanne-clery-act>

### 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 when defining and classifying crimes, it does not require Clery Act crime reporting to meet all UCR standards.

The campus Security Department is open to the entire student body and staff in regard to passing on advice, guidance and instruction as it relates to how best to avoid being a victim of sex crimes, stalking, dating violence, date rape drugs, domestic violence, violence against women and other criminal activity of this kind.

**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 is usually accompanied by the use of a weapon or by means

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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 and its derivatives (Morphine, Heroin, Codeine); Marijuana; synthetic narcotics (Demerol, Methadone); Cocaine, to include "Crack" or other forms of this illegal drug; and dangerous non-narcotic drugs (Barbiturates, Amphetamines).

**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. Criminal acts classified under this category would include all Clery Crimes; Larceny-theft; Simple Assault; Intimidation; destruction/damage or vandalism of property based upon a perpetrator(s)' bias toward the victim's race, gender, gender identity, religion, 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 of 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 (e.g. sister, brother, mother, father, etc.).
- **Statutory rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Domestic Violence** is generally not classified a sex crime; however, as in most cases it is a gender related crime, it can be placed in the sex crime category. This crime can be a felony or misdemeanor crime of violence committed by 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 a 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 personal safety or the safety of others; or as a result of this targeted activity, suffer substantial emotional distress.

**Medical Attention and Post-Sex Crime Counseling** will be made available to anyone who informs the Security Department they have been the victim of a sex crime. These actions will be handled with the utmost sensitivity and confidentiality, as well as being covered by the provisions of the Health Insurance Portability and Protection Act (HIPPA). Efforts should be made by medical, security and law enforcement personnel to preserve evidence, such as DNA and other material that could potentially identify the perpetrator of the crime.

**Bystander Intervention** is encouraged, at least to the extent of contacting the Security Department, and calling the 911 emergency notification system. No student or faculty member is encouraged to take physical action that could result in them being seriously injured; however, if a Good Samaritan believes they can save a victim from being harmed then the Security Department would view this action as a positive adjunct to efforts undertaken

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by their officers, and local, county or state law enforcement officers.

**Confidential Reporting** is always an option made available to victims, and witnesses of these types of crimes. The Security Department encourages victims to come forward with the reporting process, cooperate with law enforcement and prosecutorial officials, and to testify against the perpetrator of these criminal violations.

**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 to or the possession of deadly weapons by minors; criminals, illegal aliens, and the mentally ill. Security encourages the college community to report all attempts to commit any of the aforementioned acts. Blue Ridge CTC is designated by the college President as a GUN FREE ZONE, a right provided that official by the State of West Virginia. This policy is strictly enforced by Security.

### ***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 contiguous in nature, and traverse, or are within the campus property, or immediately adjacent to the school, and is accessible from the campus.

### ***Non-Campus BRCTC Organizations***

Blue Ridge CTC does not sponsor, or is affiliated with any off-campus organizations such as fraternities or Greek societies.

## **CRIME REPORTING OPTIONS and CAMPUS SECURITY AUTHORITIES**

It is the policy of Blue Ridge CTC Security Department to encourage the accurate and prompt reporting of all crimes to the Security Department and/or the appropriate law enforcement agency. Crimes and suspicious activities that are bona fide emergencies should first be reported to the Berkeley County (or Morgan County in the case of the Pines Opportunity Campus) Dispatcher 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 officers as CSAs. The act defines these individuals as "officials of an institution who have significant responsibility for student and campus activities, including but not limited to, student discipline, campus safety and security, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

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

OFFICIAL	CAMPUS ADDRESS	PHONE NUMBER
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Security Department	HQ Building Room 1002	Ext 2250/2251
College President	HQ Building Room 2300	Ext 2403
Vice President of EM	HQ Building Room 2300	Ext 2107
Assoc. Dean of Students	HQ Building Room 1300	Ext 2109

As previously noted, information concerning crimes may be reported on a voluntary and confidential basis to the Security Department directly. In cases in which these reported offenses meet the definition of being Clery crimes committed on designated Clery geography, the Director of Public Safety may also include these violations as part of the Annual Security Report's crime statistics. Counselors who learn of a crime from a counselee should inform the counselee that the crime may be reported on a voluntary and confidential basis to the Security Department for the appropriate action, or exclusively for inclusion in the college's crime statistics.

### **CRIME PREVENTION**

Blue Ridge CTC encourages anyone with questions or concerns regarding crime prevention to contact Berkeley County Sheriff's Department (304) 267-7000/7600 and/or the BRCTC Security Department at 304-260-4380, extension 2250/2251.

### **TIMELY WARNINGS**

Upon receipt of information of the commission of, or threat of a Clery classified crime committed within or at a location designated as Clery geography, the Director of Public Safety, in coordination with the Director of Facilities, will issue a Timely Warning alerting the college community of the crime and/or threat of criminal activity; request appropriate local law enforcement assistance if deemed appropriate; and activate E2Campus, the BRCTC emergency notification system. The purpose of the timely warning is to inform students and staff of the criminal act or threat, and the degree of danger posed by the perpetrator(s). Additionally, the timely warning should help to prevent similar crimes from happening in the future by heightening the awareness of potential victims. It will be the coordinated decision of the Director of Public Safety and the Director of Facilities to activate the college's public address system as part of the timely warning process. If a victim(s) has been identified, that individual's personal information will be kept confidential to students, staff and faculty. Crimes reported to a pastoral or professional counselor, or information protected by Constitutional, or other accepted legal privilege, such as matters discussed via doctor/patient and attorney/client privileges, will be exempt from the reporting provisions of this policy, and provided the appropriate degree of protection from disclosure.

### **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.

As previously stated, it is the policy of Blue Ridge CTC to issue Timely Warnings using the E2Campus system in an effort to notify the college community about certain crimes occurring or those criminal activities that may be imminent in and around our campuses in a timely manner. For the purposes of the Emergency Notification policy, upon receipt of an imminent threat or danger to the college's students and staff, the BRCTC President, or his or her duly appointed representative, will, without delay, and taking into account the safety of the school's population, issue an Emergency Notification. Upon notice and confirmation by college administrators, via Federal, State, County or local emergency management agencies, e.g. FEMA, West Virginia State Police, or Berkeley County Department of Homeland Security, the campus community

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will be immediately notified of any significant emergency, including those that are weather related, situations of terrorism, an active shooter event, an environmental or natural disaster or an immediate threat to the health or safety of students or staff. Notifications may only be withheld if they would compromise efforts to contain the emergency, or provide assistance to a victim, e.g. certain active shooter situations may mandate more discrete notification methods. 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 a public health threat. The system is equipped to segment the emergency notification process, allowing for the notification of only those locations or campus sites affected by the impending threat.

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

The Security Department may also utilize the public address system to alert the main campus. The system is equipped with pre-recorded announcements relating to weather emergencies, fire alarms and verbal commands instructing staff and students to evacuate, take cover, or to follow specific precautions based upon the danger at hand.

For more information on how to sign up for E2Campus, please visit the College's Safety and Security website at: <http://www.blueridgectc.edu/about-blue-ridge/safety-security/>

### **DRILLS AND TESTS**

The Blue Ridge CTC Security Department supervises and conducts fire drills twice annually at each of the school's campuses. The results of these drills are maintained in a folder entitled Fire Drills in the Security section of the schools public IT drive. Pre-drill invitations and announcements have been curtailed so as to bring a sense of realism to the drills. Comparison charts track the evacuation times, specifically, the amount of time exhausted to exit each facility. Evacuation times are discussed at the school Safety and Security Committee meetings, and the aforementioned charts are maintained by the Director of Public Safety, and are located for review in the Fire Drill folder.

### **STUDENT RESPONSIBILITY**

The cooperation, involvement, and personal support of students in campus security is crucial to the overall safety of the college population. Students must assume responsibility for their own personal safety and security and safeguard 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 populated location before stopping to assess your damage.

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- Never pick up hitchhikers.
- While driving, if you notice that you are being followed drive to the nearest open store, service station, police station, fire 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 is strictly 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.

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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 President of the college in coordination with 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 five hours of drug and alcohol counseling before being able to participate in the classroom again.

Help and referrals are available to students and employees. Services are confidential. A listing of some available community resources can be found in the Human Resources and Enrollment Management offices. There are many resources available for those students and staff seeking treatment for an alcohol or drug problem.

## **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 or termination of employment.

Sexual harassment, includes unwelcomed sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct in a manner that denigrates or shows hostility or aversion toward an individual because of his/her race, color, national origin, gender, disability or age. Harassment in general is conduct toward a person 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. Providing an individual with "Date Rape Drugs" in an effort to sexually assault that person could result in additional charges against the perpetrator.

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 and actions regarding the assault including the date, time and chronology of the attack. If there are witnesses or people who have information about the

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assault, write down their names in your journal. Preserve any harassing letters, messages or e-mails received from the perpetrator as evidence.

Individuals who have been subjected to harassment, sexual harassment or sexual assault should file a written complaint immediately in accordance with the Complaint/Grievance Procedure 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 and expulsion from the college.

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, or in its recruitment, hiring and promotion activities. Sexual harassment, sexual assault, sexual violence, dating violence, domestic violence, stalking, and sexual misconduct are forms of sex-based discrimination and are prohibited. As required by federal law, BRCTC 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. BRCTC 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 Faculty and Staff Handbooks.

## DEFINITIONS - 2014 WEST VIRGINIA CRIMINAL CODE CHAPTER 61

Blue Ridge CTC prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. The school is committed to ending these forms of violence against women, sexual partners, and those engaged in dating or committed relationships, despite gender differentiations.

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 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.

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**"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.

**"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:
  - o the length of the relationship;
  - o the type of relationship; and
  - o 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
- Sustained and 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.

It is highly encouraged that students who are sexually victimized report the crime to Security and/or local authorities. Blue Ridge CTC will arrange for the victim to receive medical attention, as well as receive counseling. Of course, the school will not force any victim to report their victimization.

## EDUCATION AND PREVENTION PROGRAMS

The college has implemented a program that is comprehensive in nature containing initiatives intended to curb dating violence, domestic violence, sexual assault and stalking that:

- Is 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 by both the Department of Education as well as state law as to 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 to 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 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 *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.

The college's Security Department and Title IX Coordinator will assist victims of domestic and dating violence, and/or stalking in obtaining No Contact Orders, Restraining Orders or other lawful directives issued by a criminal, civil, tribal court, or by Blue Ridge CTC.

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 decision to involve law enforcement in sexual assault cases is an option that may only be exercised by the victim.* 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.

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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) irrespective of whether or not you file a report with the police or sheriff. The Title IX Coordinator for Blue Ridge CTC is: Ann Paull, Assistant to the Vice President of Enrollment Management; 13650 Apple Harvest Drive, Martinsburg WV 25403; (304) 260-4380 Ext. 2107; Email: [apaull@blueridgectc.edu](mailto:apaull@blueridgectc.edu).

### 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: Ann Paull, Assistant to the Vice President of Enrollment Management; 13650 Apple Harvest Drive, Martinsburg WV 25403; (304) 260-4380 Ext. 2107; Email: [apaull@blueridgectc.edu](mailto:apaull@blueridgectc.edu).

If you do not wish to contact the College's Title IX Coordinator 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) at the U.S. Department of Education. For further information concerning 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 is also a "Campus Security Authority" under the Clery Act. Statistical information, leaving out the victim's identifying information, will be provided to the person responsible for compiling the annual crime statistics even if the victim chooses not to alert campus safety personally. The Title IX Coordinator may direct the Director of

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Public Safety to initiate an investigation into alleged Title IX violations. The Title IX Coordinator and the Director of Public Safety have been trained in the investigation of Title IX cases.

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 an appropriate college official 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 the appropriate 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 the complainant shall be provided with the 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, and “No Contact” directives 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 is the outcome of the hearing
- Institution will enforce the anti-retaliation policy and take immediate action 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 provide complainant with the contact information for local police department

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- Institution will provide instructions on how to apply for a Protective Order
- Institution will provide information to complainant on how to preserve evidence, i.e. how to preserve digitally transmitted messages
- 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 if the complainant requests, and the complainant will be 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, i.e. photos of injuries sustained by complainant
- 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 the local police if complainant requests, and the 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, i.e. photos of injuries sustained by complainant
- 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

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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 Department's Daily Crime Log. Students may request that directory information on file be removed from public sources by submitting a request to do so 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. 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 intervene. Below is a list of some ways to be an active bystander:

- 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 seduce, “hit on,” and try to “make out” with, or have sex with people who are incapacitated. If you feel uncomfortable taking this action, contact Security, or 911 if appropriate.
- 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 campus or community based 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 (information obtained from the Rape, Abuse, & Incest National Network):

- Be aware of your surroundings, and be certain that you trust the people with whom you associate.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with a 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 accessible, charged and that you have cab money should you need transportation.
- 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 to the point that you cannot hear what is going on around you, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check on each other throughout the evening, and leave together. Knowing where you are and who is around may help you to find a way out of a bad situation.

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- If you see something suspicious, contact Security, and/or law enforcement immediately by calling extension 2250 or 911- "*See something say something.*"
- 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 much 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 have been drugged, contact law enforcement immediately (local authorities can be reached by calling 911), and ensure the dispatcher knows you suspect you have been drugged. Be explicit with doctors so they can give you the correct tests (you will need a urine and/or blood tests, and possibly others to determine if you have been drugged).
- 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: you need to take care of a friend or family member, not feeling well, have somewhere else where 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? Always maintain maximum situational awareness!
- 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, or Code of Conduct.

Reports of all domestic violence, dating violence, sexual assault and stalking shall be made to the Title IX Coordinator for investigation regardless of whether or not 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:

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- 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 of 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 at or 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 results of any disciplinary proceeding, as well as any changes to those results 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 results prior to the time that it becomes final and of the final results 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. Despite the fact that the college must maintain records of criminal activity of this kind, a victim's confidentiality will be respected and maintained. Any protective measures or orders in effect will also be kept confidential. Under the Clery Act, statistical information must be maintained; however, this does not include identifiable data on victims.

### *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

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- 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 measures 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 mandates sex offenders already required to register in a State to provide notice, as outlined 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. The report contains the past three completed years' worth of statistics, and 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 via on line at:

<http://www.blueridgectc.edu/about-blue-ridge/safety-security/>. You may also request a paper copy from the Security Office.

## **ANNUAL SECURITY REPORT - 2019**

### **CAMPUS CRIME STATISTICS TABLE 2018 (including 2016, 2017 & 2018)**

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 completed three-year periods are published. These statistics reflect incidents reported to Campus Security Officers, and by local law enforcement, and are classified as Clery Crimes, and involve incidents occurring in areas classified within the confines of Clery Geography, occurring on campus, public property and non-campus, adjacent to the college campus, specifically, contiguous to areas within Berkeley and Morgan counties West Virginia.

**ANNUAL SECURITY REPORT - 2019**

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- Campus</b>	<b>Public Property</b>	<b>Total</b>
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Sex Offenses, Forceable (Rape, Sodomy, Sexual Assault w/object and Fondling)	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Sex Offenses, Non Forceable (Incest and Statutory)	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Robbery	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	1	0	0	1
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Destruction of Property	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Vandalism	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Bodily Injury Crime	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

**ANNUAL SECURITY REPORT - 2019**

Offense	Year	On Campus	Non-Campus	Public Property	Total
Arrests	2018	1	0	0	1
	2017	0	0	0	0
	2016	1	0	0	1
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

\*There were no hate crimes reported for 2016, 2017, or 2018.