



Annual Security Report

October 1, 2023

MESSAGE FROM THE SECURITY DEPARTMENT

We are pleased to present the 2023 Blue Ridge Community and Technical College (BRCTC) 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 illustrate the many ways in which the Security Department strives to keep our college safe.

The 2023 Annual Security Report is prepared by the Blue Ridge CTC Director of Campus Security, and contains information regarding crime prevention programs practiced 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 (2020, 2021, and 2022), and other mandatory policy statements. The document highlights security improvements that were completed since our last report, significant personnel changes, as well as those enhancements planned for the future. 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 document does not include statistics pertaining to on and/or off campus fire reports. Fire Drills are conducted annually at each campus location, and post-drill briefing documents regarding these exercises are available upon request. Each campus is inspected by the West Virginia State Fire Marshal's Office, thus ensuring the college follows all applicable fire codes. If requested, Blue Ridge CTC will participate in accordance with any other agency in a joint effort to locate missing persons, and in the investigation of such cases. Additionally, our Security personnel have attended advanced Active Shooter training, as well as online, classroom and practical training pertaining to a host of safety and security topics. College staff and faculty attended initial active shooter training in January 2020, and advanced refresher classes were held online during 2021 and 2022. This training program is a hybrid approach consisting of classroom and practical learning based in large part on the Run, Hide, and Fight concept. When initially presented, the course was well received and widely attended by Blue Ridge CTC employees. The Security team completed online refresher training during calendar year 2022 and training will be continued on a yearly basis moving forward.

Over the course of the last few years, and in compliance with our 2020 multi-campus Threat Assessments, the Security Team, in coordination with the college's IT and Facilities Department's dramatically upgraded Blue Ridge CTC's physical and technical security posture. These measures included the installation of enhanced interior clarity CCTV video cameras at the Technology Center located at 5550 Winchester Avenue, Martinsburg, WV. Other CCTV enhancements in response to the aforementioned threat assessments included the installation of exterior surveillance cameras at the Pines Opportunity Center, Berkeley Springs, WV, as well as the placement of state-of-the-art interior cameras at strategic locations throughout the main campus. The school's administration remains committed to continuing these security and safety improvements going forward.

As is evident in the crime statistics section of this report (pages 30-31), Blue Ridge CTC remains an exceptionally safe institution. Campus security and safety is the responsibility of all members of the Blue Ridge CTC community and is taken seriously by everyone. 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.

SECURITY DEPARTMENT MISSION

The purpose of the BRCTC Security Department is to provide a safe and secure environment for students, faculty, staff and visitors, and the protection 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 generate an atmosphere of comfort and safety, allowing students to concentrate on academic studies, as well as to foster an environment in which employees may dedicate their time to student services and teaching activities. Students, faculty, and staff know exactly to whom they should report criminal acts, threat intelligence, or suspicious persons. They are also aware that these reports may be forwarded to Security anonymously, and that their Personal Identifiable Information (PII) shall remain strictly confidential. In light of the increased number of school-related shootings, campus security officers maintained a heightened state of situational awareness, without compromising the department's commitment to providing quality customer service to the Blue Ridge CTC community. The Security Department's objective is to provide a remarkably safe environment with an emphasis on officer accessibility through visibility, and exceptional customer service remaining a crucial mission element. By demonstrating to the entire BRCTC community that they are approachable, our security officers, though always vigilant and ready to meet the diverse safety challenges integral to the critical position they hold, primarily focus on crime prevention, conflict de-escalation, as well as obtaining and providing cooperation.

The Security Department employs numerous methods, techniques and strategies in achieving its mission. In addition to performing interior and exterior patrols of all campuses, Security provides escorts for students and staff, manages the vehicle registration program, 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 of all campus locations, and responds to, and initially investigates all emergencies and suspicious or unsafe incidents. Additionally, the Director of Campus Security is often tasked with investigating matters of a sensitive nature that are of special concern to the college administration. During the time frame, October 1, 2022 to the present, members of the Security Team prepared 26 incident reports that focused upon a wide-range of situations, including response to medical scenarios, missing persons, lost, damaged and stolen college property, verbal threats, suspicious persons and activities, and vehicular accidents. Incidents classified as genuine criminal activity, irrespective of their Clery designation, were noted in the Security Department's Daily Crime Log.

Campus Security officers do not have arrest powers but may detain individuals for investigation and further questioning by local police officers, and/or other law enforcement agencies. Students, faculty, staff, and visitors are expected to cooperate with security personnel in providing identification upon request, reporting incidents which might constitute a breach of security or the commission of a crime, and following officer's instructions during emergency situations, including fire and first responder drills. A new SOP supporting the BRCTC Security Team for Requesting Law Enforcement Assistance with Disruptive Individuals was reviewed by legal counsel prior to admittance:

Blue Ridge Community and Technical College Campus Security Procedure:

Requesting Local Law Enforcement Assistance with Disruptive Individuals:

Procedural Statement: The safety and well-being of our students, faculty, staff, and visitors are of utmost importance at Blue Ridge CTC. In an effort to ensure a secure environment conducive to learning and personal growth, this procedure authorizes our campus security guards to request local law enforcement support when encountering a disruptive individual on campus. The

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purpose of this procedure is to establish a framework for collaboration between our security personnel and law enforcement agencies to rapidly address disruptive behavior effectively.

1. **Definition of Disruptive Behavior:** Disruptive behavior refers to any conduct that significantly interferes with the educational or administrative processes, threatens the safety and security of individuals, or disrupts the peaceful functioning of the College community. Examples of disruptive behavior include but are not limited to:
 - a) Threats or acts of violence towards others
 - b) Intentional damage or destruction of property
 - c) Verbal or physical harassment, including yelling, screaming, or using foul language
 - d) Intoxication or substance abuse that poses a danger to self or others
 - e) Refusal to comply with lawful directives from college officials
 - f) Engaging in activities that violate College policies or local, state, or federal laws
2. **Role of Campus Security Guards:** Campus security guards employed by Blue Ridge CTC are responsible for maintaining a safe and secure environment on campus. Their duties include patrolling the premises, responding to incidents, and enforcing school policies and regulations. When confronted with or informed of a disruptive individual on campus, security guards should whenever possible, endeavor to follow the following protocol:
 - a) Assess the situation: Security guards should evaluate the level of disruption and potential threat posed by the individual in question. Security guards are authorized to request local law enforcement assistance based solely upon their initial impression of what they hear, observe, or are told by others, irrespective of whether or not they are on scene of the disturbance.
 - b) Attempt de-escalation: Security guards should make reasonable efforts to de-escalate the situation through communication and conflict resolution techniques so long as such action does not threaten the safety of the security guards or others. Security guards are not required to employ de-escalation efforts prior to requesting law enforcement assistance should de-escalation efforts place involved parties in potential danger.
 - c) Exercise discretion: Security Guards should use their professional judgment to determine the need for additional support, specifically, whether to request local law enforcement involvement.
 - d) Request law enforcement support: If security guards cannot safely resolve the situation, or if the situation poses a possible threat to safety, security guards should promptly contact local law enforcement agencies to request assistance. When considering calling for local law enforcement support, security guards should take into account factors including, but not limited to, the following: whether a crime is occurring, the potential for violence to occur or escalate, and the possibility that the disruptor(s) could be armed.
3. **Procedures for Requesting Law Enforcement Support:** When requesting local law enforcement support, campus security guards should adhere to the following guidelines:
 - a) Contact the designated emergency line: Security guards should utilize the appropriate county emergency dispatch line, specifically, 911, to contact local law enforcement. Responding agencies are the Berkeley County Sheriff's Office for Headquarters and the Technology Center, or the Morgan County Sheriff's Office for the Pines Opportunity Center.
 - b) Provide relevant information: Security guards should provide law enforcement officials with accurate and detailed information regarding the nature of the disruption, the location, and any pertinent details about the individual(s) involved.
 - c) Cooperate with law enforcement: Upon the arrival of law enforcement personnel, security guards should cooperate fully, provide updates, and assist as necessary to ensure a swift resolution to the situation.
 - d) Document the incident: Security guards should prepare a campus security incident report, including any actions taken and observations made in accordance with campus security policies and procedures.
4. **Communication and Collaboration:** The campus security department should establish and maintain a cooperative relationship with local law enforcement agencies. Regular communication, training sessions, and joint active shooter exercises should be conducted to enhance coordination and familiarize both parties with campus-specific procedures.
5. **Reporting and Review:** The campus security department shall thoroughly document and report all incidents involving disruptive individuals, security guard interventions, and law enforcement support in accordance with existing campus security policies. The College's administration will periodically review these incidents and assess the effectiveness of the security procedures to identify areas for improvement.
6. **Education and Awareness:** The College shall promote awareness among the campus community regarding this policy, emphasizing the importance of reporting disruptive behavior promptly and providing information on available support resources.

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7. Non-Retaliation: No employee, student, contractor, vendor, or other member of the campus community may threaten or otherwise discriminate or retaliate against individuals reporting disruptive behavior or seeking assistance from either campus security guards or law enforcement.

Security Officers do not carry firearms; however, in October 2022, all currently employed BRCTC security officers attended recertification pepper spray training. This training was conducted by Vickie Wiles (Director of Campus Security), certified pepper spray instructor thru TJA Use of Force Certification. Security personnel must re-certify every two years, a process that includes attending training and successfully passing an examination and will re-certify in March of 2024. All Security personnel are trained and certified in CPR, administering the AED device, and providing Basic First Aid. They must recertify in all three disciplines every two years, with recertification due in December 2024. Post exposure protocol requires that once an individual is exposed to pepper spray, they be administered appropriate first aid, which includes rinsing their eyes with cold water, providing fresh air, arranging for medical treatment via 911 emergency for transport to an appropriate emergency medical treatment facility.

In an effort to ensure Blue Ridge CTC's security personnel remains in compliance with Constitutional and established protocols pertaining to the use of force, the Director of Campus Security will continue to train security personnel in "De-escalation" training for all assigned officers. This training was initially provided in spring 2021, by the Institute of Police Technology and Management, Jacksonville, FL via that entity's Situational De-escalation course. This continuous training effort is essential due to the necessity that security personnel use only the amount of force required to control an offender.

As the Security Department enters a new era, efforts to strengthen Blue Ridge CTC's relationship with the Morgan County Sheriff's Office will move forward. As the Pines Opportunity Center, our Morgan County campus, continues to expand its academic pursuits, this cooperation will be critical in order to ensure the Security Department's mission effectiveness. As both Berkeley and Morgan Counties sheriff's departments have primary law enforcement jurisdiction on all property operated by Blue Ridge CTC, each county sheriff has pledged to honor all requests by the Director of Campus Security for law enforcement, criminal investigative, and external security assistance.

During this reporting period, the Blue Ridge CTC Security and IT Departments continued their highly productive partnership. The college's IT professionals continue to maintain and upgrade Security's CCTV cameras, as well as the team's Symmetry, the intrusion detection system that alerts personnel of potential break-ins. On the horizon, we anticipate, and continue to advocate for the installation of a lockdown system at the main campus, and potentially at the Pines Opportunity Center, with panic alarms strategically placed throughout each location.

In August 2022, Blue Ridge CTC accepted applications for a pilot Veterinary Technology Program at the Morgan County Campus (Pines). The first cohort was small in number, possibly seven to ten students. Classes for this new program were primarily held mostly at the Morgan County Center, with some general education courses presented at the other two campuses. The initiation of this program brought with it several concerns that required collaboration with Security. One of these issues revolved around the potential of sheltering, and utilizing animals for teaching activities. The program must follow the procedures for animal use as published by the IACUC (International Animal Care and Use Committee). The campus underwent renovation to accommodate the animals. Of immediate concern was the IACUC regulation that forbids the housing of dogs and cats in the same rooms. Thus, extensive renovations were completed to

meet this and other requirements. An additional concern for Security was the fact that the Morgan County Campus must be registered with the WV Board of Pharmacy as a drug storage facility, and thus were required to implement appropriate handling procedures for the storage, handling and dispensing of veterinary medications. Along these same lines, the campus was registered with the DEA, to store regulated pharmaceutical materials on campus under the supervision of our veterinarian of record Dr. Victoria Shamblin, Dr. Erick Hess, and Licensed Registered Technician is Tracy Harris. The pharmaceuticals are contained in a safe with a two key locking system in a secured and locked room, with camera footage.

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. This statute 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 cooperating witnesses from retaliation.

The Clery Act requires colleges and universities to:

- Publish an annual report by October 1st that contains the past three *completed* years of campus crime statistics, along with 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, i.e. *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 school employees with "significant responsibility for student and campus activities." Campus-related crime statistics are also collected from external agencies such as those obtained from the Berkeley County and Morgan County Sheriff's Department.

To learn more about the Clery Act, visit: <https://clerycenter.org/>

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 available to the entire student body, faculty and staff in regard to passing on advice, guidance and instruction on 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.

The following are specific crimes that must be published in the Annual Security Report, and reported to the US Department of Education via the Campus Safety and Security Survey:

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 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. Dating violence, as is the case with any sexual or domestic violence crime is gender neutral, in that the gender of the individuals involved is irrelevant in terms of how the Security Department processes such reports.

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 permanently deprive 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, because of his/her temporary or permanent mental incapacity, or by rendering the victim incapable of rendering consent by introducing drugs or alcohol to that victim.
- ***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.

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- **Domestic Violence** is generally not classified a sex crime; however, as in most cases it is a gender relationship 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,
 - person with whom the victim shares a child in common,
 - person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
 - 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 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

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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. This policy does not apply to sworn federal, state, county and local law enforcement officers who are on campus carrying out official duties associated with their position.

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 it 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 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) Emergency Dispatcher by dialing 911. Secondly, it is required that those knowledgeable of criminal activity contact the campus Security Department to report the incident. Victims or witnesses of a crime may report on a voluntary or confidential basis, and may do so by contacting several entities 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, the following offices are designated places where campus community members should report crimes:

OFFICAL	CAMPUS ADDRESS	PHONE NUMBER
Director of Campus Security	HQ Building Room 1002	Ext 2251/2250

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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. It should be noted that the college is required by Federal law to report such crimes; however, the only information transmitted in the Annual Security Report and the Campus Safety and Security Survey are the number of acts within a specific crime category, i.e., "Thefts – 3," and the year in which the violation occurred. Personal Identifiable Information (PII) is never included in either of the two aforementioned documents.

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 select members of the school's administration, 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 college's administration to activate the 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, psychological, medical or other 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 this system. At the time of enrollment, students are given an option to

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sign up for the E2Campus alerts, and employees will be enrolled in program when they attend Human Resources orientation. 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 promptly 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 or ongoing in and around our campuses. 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 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 community. The system is equipped with pre-recorded announcements relating to weather emergencies, fire events, 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 annually at each of the school's campuses. The results of these drills are maintained in the Security Office at the main campus. Pre-drill invitations and announcements have been curtailed so as to bring a sense of realism to the drills. Comparison charts are used to track the evacuation times, specifically, the amount of time exhausted to exit each facility. Evacuation times are discussed at the school Safety Committee meetings, and the aforementioned charts are maintained by the Director of Public Safety.

STUDENT RESPONSIBILITY

The cooperation, involvement, and personal support of students in maintaining campus security is crucial to the overall safety of the college population. Students must assume

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responsibility for their own personal safety and security and safeguard their personal belongings by taking simple common-sense precautions. The students' situational 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 parked vehicle.
- Walk with others to and from your vehicle whenever possible.
- Upon arrival, or when departing the campus, should you be concerned for your personal safety, contact Security, at 304-260-4380, Ext: 2250/2251 (HQ), 2253/2254 (Tech Center), or 2252 (Pines-Morgan County), and an officer will escort you to and from your vehicle.
- 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.
- 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 if possible the vehicle's 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 CTC 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

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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.

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 may be immediately escorted off the campus.

The President of the college in coordination with the Director of Human Recourses, 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.

As soon as possible after the crime, any person who has been a victim of a sexual assault should:

- Seek medical attention immediately, and advise medical personnel that you have been the victim of sexual violence. This will alert them to preserve evidence.
- 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 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 to the appropriate law enforcement agency, to the Blue Ridge CTC Security Department, or to a Campus Security Authority (CSA) 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, 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, and advises that these crimes should be reported to law enforcement.

Title IX prohibits discrimination based upon an individual's sex. Sex discrimination includes sexual harassment and sexual violence. Students or employees who experience sexual discrimination should report it to the Title IX Coordinator.

In August 2020, the Department of Education published final rules on new regulations in regard Title IX enforcement and adjudicative procedures. The following URL shortcut reveals a fact sheet that summarizes the aforementioned new regulations:

<https://www2.ed.gov/about/offices/list/ocr/docs/titleix-summary.pdf>

For a more comprehensive examination of Title IX, please refer to pages 21 to 29 of this document.

Blue Ridge CTC has the responsibility to promptly investigate complaints of sex discrimination and take appropriate steps to remedy any and all hostile educational environment that are 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 the alleged victim and perpetrator(s) 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:

- Be accompanied by an advisor of your choice during all stages of the process
- Present information, evidence and/or have witnesses speak on your behalf
- Have timely access to information that will be used at a hearing

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- 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 a college employee or a 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, irrespective of 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 provide consent (use of date rape drugs, other forms of chemical incapacitation, including alcohol).

"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 expressed 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.

"Statutory Rape" is defined as the 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

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- 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

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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 information on how to pursue judicially sanctioned restraining orders, as well 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. The Security Department will provide special escort services to and from parking lots to campus buildings upon request. These escorts are provided irrespective of the status of a protective order.

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.

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.

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 educational program or activity receiving Federal financial assistance."

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In August 2020, final regulations dramatically expanded the requirements for Title IX grievance procedures, which will require significant policy and procedure revisions, training, and time to implement. While many schools are focused on planning for the reopening of schools in the fall, they should be sure to keep the new regulations on their radar and take steps to ensure that they are in compliance come August 14, 2020 by updating policies and grievance procedures and providing any necessary training for school staff.

Below are a few of the new changes:

- Narrowing the definition of sexual assault under Title IX
- Limiting the obligation to investigate complaints only to conduct that occurred in the school's program or activity (and not to unrelated off campus conduct)
- Mandatory response obligations of schools (i.e., providing supportive measures)
- A change to the standard for school liability
- More detailed grievance procedures that will alter the way schools process and respond to complaints
- Hearings are optional, written questions required (for K-12 Schools)
- Schools may choose what standard of evidence to use (e.g. preponderance of evidence v. clear and convincing)
- Schools must offer both parties an appeal from a determination regarding responsibility

The following Department of Education shortcut provides a fact sheet summarizing the final rules adopted by US DOE: <https://www2.ed.gov/about/offices/list/ocr/docs/titleix-summary.pdf>

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 at schools, regardless of the location. Title IX protects both males and females from sexual harassment by any school employee, student, and/or a third party non-employee or contractor. 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 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.

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The Title IX Coordinator for Blue Ridge CTC is: Ann Paull, Administrative Assistant, Enrollment Management; 13650 Apple Harvest Drive, Martinsburg WV 25403; (304) 260-4380 Ext. 2107; Email: 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 request that the Director of Public Safety 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 incident 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

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- 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
- 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

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- 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 matters, 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 security 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 on behalf of the victim to the applicable judicial jurisdiction for a legal order of protection, no contact order or restraining order. 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 in concert to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal college investigation of their allegation.

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 (PII) about the victim will be treated as confidential and only shared with persons with a specific need to know, for example those officials that are investigating and 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 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 blame the victim, recognize 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 cash 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.
- 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.

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- 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 or not a complainant chooses to cooperate shall not be a deciding factor as to 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 school'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. The complainant or respondent may appeal the determination by submitting written objections to the Title IX Coordinator within ten (10) calendar days of 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 Sexual Harassment policy 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 personal 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

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Investigations that result in a finding 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 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 sexual crime, or to the alleged perpetrator of a *non-forcible sex offense*, the report on the results of any disciplinary proceeding conducted by that institution. 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. The college should first explore all avenues whereby the accused may be relocated to a different situation.

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. By virtue of federal law, this report is required to be advertised, and must contain required policy statement and appropriate crime statistics. 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' statistics applicable to those criminal acts classified as "Clery crimes." Additionally, these crimes shall have occurred within the confines of "Clery geographical areas," 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.

CAMPUS CRIME STATISTICS TABLE 2021 (including completed years 2018, 2019 & 2020)

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 period are published. These statistics reflect incidents reported to campus security officers and by local law enforcement, and are classified as Clery Crimes, and concern criminal incidents which occurred in areas classified per Clery geography guidelines as having taken place either on campus, public property or on non-campus locations adjacent to the college campus, specifically, contiguous to areas within Berkeley and Morgan counties West Virginia.

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Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/object and Fondling)	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Sex Offenses, Non Forcible (Incest and Statutory)	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Burglary	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Liquor Law Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug Law Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Weapons Law Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Destruction of Property	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Vandalism	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Bodily Injury Crime	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

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Offense	Year	On Campus	Non-Campus	Public Property	Total
Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	2	2
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Domestic Violence	2022	0	0	0	0
	2021	0	0	2	2
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

** There were no hate crimes reported for 2020, 2021, or 2022*