

Bluefield University-VCOM Blacksburg Campus

Annual Security Report

September 27, 2024

The Office of Campus Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at <https://www.bluefield.edu/about-bluefield-university/campus-safety/>. You will also be able to connect to our site via the Bluefield University Homepage at www.bluefield.edu. This report is prepared in cooperation with the Virginia Tech Police Department that responds to the separate campus located at 1691 Innovation Drive, Blacksburg, VA classroom 1100 and the Main VCOM Administration Building located at 2265 Kraft Drive, Blacksburg, VA. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Each year, notification of and access to this report is given to all enrolled students, faculty, and staff by email which contains the exact URL for the report. Copies of this report may also be obtained at the Office of Campus Safety, the Office of Student Development, and the Office of Human Resources. A link to the URL containing this report will be shown on all employment applications and all prospective employees may obtain a copy at the Office of Human Resources.

RamAlert

What is RamAlert?

Bluefield University's RamAlert is a wireless emergency notification system created in an effort to enhance communication to students, parents, faculty and staff during times of crisis on campus. Through RamAlert, trained and authorized Bluefield University administrators are able to warn the campus community of an impending emergency and provide timely information to minimize disruption and potentially prevent harm or protect lives. In the case of an emergency, RamAlert subscribers will receive a text and/or e-mail message with details of the crisis and any necessary action plan. All Bluefield University faculty, staff, and students are automatically placed into the system to receive alerts and must opt-out to be removed from the system. Messages sent through a secure web portal are received via cell phone (text) or e-mail.



How do I subscribe?

To subscribe to RamAlert, visit MyBU, the intranet portal for Bluefield University students, faculty, staff and alumni. You must log in to MyBU with your username (Jenzabar ID) and password. Once in, follow the path below to find the RamAlert registration page:

Students

- Click the "Student Life" tab at the top of the main page for MyBU.
- Next, under the "Student Life" header in the left column panel, find and click the "RamAlert" link.

- Under the “RamAlert Information” header and “How do I subscribe?” subheading, click the provided sign-up link: <https://bluefield.omnilert.net/>
- Click the “Sign Up” button at the top right of the page.
- Create a username, input your first and last name, and create a password. Check the box beside “I agree to terms of use,” complete the reCAPTCHA verification, and click “Create account.”
- Input your cell phone number and select your cell carrier and/or input your email address. Click “Add new,” input the verification code texted or emailed to you, and click “Validate.”

Faculty and Staff

- Click the “Intranet” tab at the top of the main page for MyBU.
- Next, click “Communication Resources.”
- Under the “RamAlert Information” header and “Subscribe to RamAlert” subheading, click the provided sign-up link: <https://bluefield.omnilert.net/>
- Click the “Sign Up” button at the top right of the page.
- Create a username, input your first and last name, and create a password. Check the box beside “I agree to terms of use,” complete the reCAPTCHA verification, and click “Create account.”
- Input your cell phone number and select your cell carrier and/or input your email address. Click “Add new,” input the verification code texted or emailed to you, and click “Validate.”

During the registration process, you will need to provide your name, a username, a password, a mobile phone number, and an e-mail address. While RamAlert is designed for members of the campus community, accounts for parents of students or spouses of employees may be created simply by using your MyBU username and password and registering a different mobile phone number and separate e-mail address.

**Please note that you should be automatically enrolled if you are a member of our faculty, staff, or a current student.*

When can students, faculty and staff sign up?

Now. The RamAlert system is in place, and members of the BU family may subscribe through MyBU at any time.

Can my parents sign up for RamAlert?

Yes, but you must sign them up by using your MyBU username and password. While parents of students and spouses of employees are not allowed to sign up directly for RamAlert because they do not have a MyBU username and password, students and employees are permitted to enter additional e-mail or mobile phone numbers for their parents and spouses. There is not a sign-up form available that can be accessed by the public (i.e. parents).

What kind of messages will I receive?

Via text message or e-mail (depending on your preference), subscribers will receive electronic notices regarding emergencies or crises on campus. The notices may include warnings, details of the crisis, emergency protective measures, and any other necessary action plans, along with post-incident information. Users will also receive important messages about class delays and/or cancellations, particularly during times of inclement weather.

What constitutes an emergency or crisis?

Emergencies may include, but are not limited to, an accident or serious injury to a student or employee, a facility emergency such as a fire or flood, loss of utilities, a public health issue, severe weather, a bomb threat, an intruder, a hazardous waste spill, evacuation, confinement, or a civil disturbance. While class delays and/or cancellations may not constitute an emergency, RamAlert is also used to notify students, faculty and staff about such occurrences.

Will I get the alert messages even if I don't want them?

The system is an opt-out system, which means individuals may choose to stop receiving alerts.

Will RamAlert replace BU's other forms of communication during times of crisis?

No. RamAlert is simply an additional method of crisis communication. While certainly offered as a method to enhance communication during times of emergency, it is not intended to replace, nor be the sole approach to crisis communication. Considering text messaging is dependent on the availability of a wireless signal, we encourage students, faculty and staff to also depend on e-mail and other BU forms of crisis communication.

Are all offices associated with Bluefield University using the RamAlert system?

The RamAlert system is designed for the BU family on the main campus in Bluefield, Virginia, and not for regional offices located in Roanoke and Richmond, Virginia.

Will I automatically be deleted from RamAlert when I leave or graduate from BU?

Our IST department frequently updates our list of faculty, staff, and students to keep things current. However, if there are unanticipated delays in the updating process, you may manually opt-out of the system.

How do I find out more information about RamAlert?

If all of your questions have not been answered or you need more information about RamAlert, feel free to contact the BU Office of Public Relations at bunews@bluefield.edu.

How to Report a Criminal Offense

Contact Virginia Tech Police Department 540-382-4343 (non-emergencies), 911 (emergencies). Any suspicious activity or person seen in the parking lots or loitering around vehicles, or inside buildings should be reported to the Virginia Tech Police Department. In addition, you should also report the crime to one of the following persons:

Name	Email	Phone Number(s)
Calvin Price Supervising Administrator Directing Facility Safety & Quality	cprice@vcom.edu	540-230-6729
Brian Hill Director of MABS and OMABS Programs	bhill@bluefield.edu	540-231-5107

John Wassel	jwassel@vcom.edu	540-231-4025
Vice President For Facilities and Campus Operations		
Gary Ruth	gruth@bluefield.edu	276-326-4313
Campus Safety Director		
Dr. Emily Lambert	elambert@bluefield.edu	276-326-4292
Dean of the College of Science		
Jean Herndon	jherndon@bluefield.edu	540.231.5090
Title IX Deputy Coordinator MABS Program – VCOM Campus		

If you are the victim of a crime and do not want to pursue action within the university or the criminal justice system, you may still want to consider making a confidential report. With your permission, one of the persons listed above can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Security and Access

During business hours, the VCOM main building where the library and study spaces are located will be open to students, parents, employees, contractors, guests, and invitees. Business hours for this building are Monday through Thursday 7:00 am to 12:00 am; Friday 7:00 am to 8:00 pm; closed Saturday and Sunday. The classroom building is accessible Monday through Thursday 7:00 am to 12:00 am; Friday 7:00 am to 8:00 pm; Saturday 10:00 am to 8:00 pm; and Sunday 12:00 pm to 12:00 am. In the case of periods of extended closing, the University will admit only those with prior approval to all facilities.

Campus Safety

All requests for calls for assistance and at The Bluefield University-VCOM campus are responded to by The Virginia Tech Police Department. The Virginia Tech Police Department also randomly patrols these areas.

Counselors and Confidential Crime Reporting

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority, and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a Pastoral Counselor.

Pastoral counseling is provided FREE to all traditional undergraduate students in accordance and coordination with Professional Counselor personnel in the Department of Student Development.

Pastoral counseling needs are also worked through on a case-by-case basis in collaboration with Professional Counselors on campus.

Students can submit pastoral counseling requests through verbal expression to Professional Counselors on campus as well as email to the Director of Campus Ministries office (mwest@bluefield.edu).

Counseling Services

Professional counseling services are provided free to all traditional undergraduate students enrolled full-time at Bluefield University through BU Counseling & Wellness Center as part of the Division of Student Development. Licensed Professional Counselors and supervised graduate student interns provide supportive individual and group counseling designed to assist students in their ability to be more effective and successful in their academic and personal lives.

Appointments can be arranged by emailing counseling@bluefield.edu. Students will provide a name, phone number, and email address for further contact and follow-up. They will receive a confirmation email and calendar reminder of the appointment once the process is completed. The first appointment will be scheduled as an intake session to assess the nature and severity of student concerns. Emailing is not for emergency or crisis situations. For emergencies, students should contact 911.

Faculty and staff may recommend students for individual or group counseling by email (counseling@bluefield.edu). Counselors will contact those referred in a timely manner. Self-referrals from students and referrals from parents are welcome and can be accomplished through email, phone contact, or personal contact with the counseling staff.

Security Awareness Programs for Students and Employees

Crime Prevention Programs on personal safety and Spatial Awareness are sponsored by various campus organizations throughout the year, and are open to students, faculty, and staff. Campus Safety facilitates programs for student, parents, faculty, and new employee orientations, student organizations, and community organizations, providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes. Title IX training for all students, faculty and staff has been ongoing since Fall, 2018.

Criminal Activity Off-Campus

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Assistant Vice President of Student Development and Dean of Students for any action or follow-up that may be required. See [Student Handbook](#) on page 25.

Possession, Use, and Distribution of Alcoholic Beverages

It is a violation of the university's expectations for a student to drink, possess, or be impaired by drinking alcoholic beverages. See [Student Handbook](#) on page 25.

Possession, Use and Sale of Illegal Drugs and Enforcement of Federal and State Drug Laws

It is a violation of the university's expectations for a student to possess, use, or be under the influence of illegal drugs. See [Student Handbook](#) on page 26.

Drug and Alcohol Abuse Education Programs (Training and Counseling Resources) The University makes continuous efforts to keep students, faculty, and staff aware of the on-campus and off-campus programs which provide information and professional services on matters related to the abuse of alcohol, illegal drugs, and tobacco products.

Students are encouraged to contact the Office of Student Development for information and appropriate referral. See [Student Handbook](#) on page 52.

Sex Offender Registration

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Bluefield University Campus Safety Department is providing a link to the Virginia State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the Commonwealth of Virginia, convicted sex offenders must register with the Sex Offender and Crimes Against Minors Registry maintained by the Department of State Police. **Searchable sex offender database:** <http://sex-offender.vsp.virginia.gov/sor/>.

Crisis: Evacuation and Relocation

Recommended Actions:

Please note: Evacuation is appropriate when conditions require students, faculty and/or staff to evacuate their offices, classrooms, campus residence space, or other facilities on campus. Evacuation differs from a campus closure, which occurs because of a specific event that makes normal campus operations impossible or unsafe (e.g., weather closing). An evacuation occurs when it is essential to clear a building, multiple buildings, or the entire campus as quickly as possible. Evacuation may be for a short period of time or for an extended period of time, until conditions allow for return to the specific facilities or to campus. The type of emergency will dictate the response by first responders and University officials. A single type of evacuation is not appropriate for all emergencies and as a result, deviation from the established procedure may be necessary for the overall safety and wellbeing of the campus community. Any deviation or modification to evacuation procedures during an emergency will rest with the Virginia Tech Police Department.

1. In any case of an emergency that might prove injurious to building occupants, occupants should evacuate the building immediately and call 9-911. If possible, evacuees should wear

sturdy shoes and clothing (long pants, coats, hats, gloves, etc.). Occupants also should contact one of the following: Mr. Calvin Price, Mr. Brian Hill, Mr. John Wassel, Dr. Emily Lambert, or Campus Safety Director Gary Ruth to explain the nature of the situation.

2. In the case of building evacuation, elevators should not be used.
3. Evacuees should maintain an awareness of persons with disabilities involved in an evacuation, account for them as soon as possible, and provide assistance as requested or required by these individuals.
4. Evacuees should not return to an evacuated building unless told to do so by an authorized public safety or fire department official or by a member of the Crisis Management Team.
5. The Vice President for Operations, Director of MABS and OMABS Programs, and Supervising Administrator Directing Facility Safety and Quality, will meet then, using the advice of local emergency authorities, determine how much of campus should be evacuated and will assess for how long the evacuation might be necessary.
6. Throughout the evacuation, relocation, and upon returning to campus, the President will determine which members/spokespersons of the Crisis Management Team should inform appropriate constituents and/or address inquiries from respective constituents (e.g., the President may inform trustees and donors, the Vice President for Academic Affairs may inform the faculty, the Director of Public Relations may inform media, public and staff, the Assistant Vice President of Student Development may inform current students and parents, the Director of Alumni Relations may inform alumni, and the Director of Admissions may inform prospective students).
7. The Supervising Administrator Directing Facility Safety and Quality should serve as the liaison between local emergency authorities and other members of the Crisis Management Team in the case of building or campus evacuation and relocation. The Vice President for Operations, Supervising Administrator Directing Facility Safety and Quality, and Director of MABS and OMABS Programs will determine if an EOC (Emergency Operations Center) needs to be put in place and determine the location for the EOC. If the entire campus is evacuated, the Supervising Administrator Directing Facility Safety and Quality will work with local emergency authorities to establish an off-campus EOC.
8. The Supervising Administrator Directing Facility Safety and Quality should turn off electricity, gas, and water supplies to affected buildings or at main campus switches and valves and secure the buildings being evacuated by closing and locking all windows and doors, unless the emergency prevents such or emergency services workers direct otherwise.
9. Students and employees should remain away from the evacuation area or campus, listening to local media broadcasts and monitoring University email and the RAM Alert system, for updated information about the emergency and additional advice for the evacuation process, until local authorities indicate it is okay to return.
10. In the event of a power or other utility outage, an injury, death or other crisis, please refer to the appropriate section within the Crisis Management Plan for specific responses to those emergencies. See the Table of Contents for a list of potential crises.
11. The Vice President for Operations should file all related documentation and reports with appropriate u offices.
12. Ensure that ALL buildings have evacuation maps posted.
13. Ensure that all exits are clearly marked with appropriate, working exit signs.
14. Rather than the front parking lot, consider identifying specific evacuation sites among buildings on campus.

Crisis: A Missing Student (Missing Student Notification)

Recommended Actions. The following protocol will be followed regardless of the 24-hour rule:

1. The Vice President for Operations and Supervising Administrator Directing Facility Safety and Quality should contact family, friends, resident advisors, and roommates to gather any details on the whereabouts of the student and/or to confirm an actual crisis.
2. The Supervising Administrator Directing Facility Safety and Quality will contact the Virginia Tech Police Department, who can check hospital admissions and municipal records for possible police and emergency information that might relate to the missing student.
3. The Vice President for Operations and Director of MABS and OMABS Programs should conduct an investigation with the student's class list and respective professors to determine when the person was last seen in class and to provide any other relevant information.
4. Notify the Bluefield University President and Bluefield University Director of Public Relations.
5. Vice President for Operations or Director of MABS and OMABS Programs will notify the student's contact person or persons if the student is not satisfactorily located within a reasonable amount of time -- preferably no later than 24 hours after the first report of disappearance.
6. The Director of MABS and OMABS Programs and Vice President for Operations should ensure that a missing persons report is filed with the proper authorities if the student has not been located within 24 hours. If there are suspicious or unusual circumstances involved in the disappearance, this notification needs to be done as soon as possible.
7. The Director of MABS and OMABS Programs should develop a network to offer appropriate support to the student's family and to students. The Director of MABS and OMABS Programs should inform the student's roommate(s) and close friends.
8. The Director of MABS and OMABS Programs, Vice President for Operations, and Supervising Administrator Directing Facility Safety and Quality should inform all appropriate Bluefield University constituents and/or address all inquiries from respective constituents (i.e. President informs trustees and donors, Vice President for Academic

Affairs informs the faculty, Director of Public Relations informs media, public and staff, Assistant Vice President of Student Development informs current students and parents, Director of Alumni Relations informs alumni, and the Director of Admissions informs prospective students).

9. The Bluefield University Director of Public Relations should address all media inquiries and coordinate the dissemination of all press releases and other public reports.
10. The Supervising Administrator Directing Facility Safety and Quality should continue to follow-up with the Virginia Tech Police Department on the progress of any investigations and communicate the details of findings to the Bluefield University Campus Safety Director and to the university community.
11. Documentation and reports should be filed with appropriate university offices by the Director of MABS and OMABS Programs, Vice President for Operations, and Supervising Administrator Directing Facility Safety and Quality.
12. Should the student be found; Director of MABS and OMABS Programs, Vice President for Operations, and Supervising Administrator Directing Facility Safety and Quality should inform all appropriate Bluefield University constituents.

** See also "Emergency Response Procedures for Study Abroad," Crisis Management Plan Appendix A*

Crisis: Sexual Assault

Recommended Actions (student, employee, or visitor as victim):

1. The appropriate secondary agent and the Dean for Graduate Biomedical of Education Program or Bluefield University Campus Safety Director (location dependent) should talk to the initial informant to obtain necessary information and facts about the alleged crime. Determine the identity and whereabouts of the victim(s) and alleged perpetrator(s).
2. The appropriate secondary agent and the Dean for Graduate Biomedical of Education Program or Bluefield University Campus Safety Director (location dependent) should provide immediate in-person support for the victim, and encourage the victim to see a sexual assault counselor. Advise the victim of the need for medical attention and the procedure to follow to preserve evidence.
3. The appropriate secondary agent should arrange for the victim to be transported to a local hospital emergency room and ensure that proper medical attention is received.

4. Notify the Bluefield University President and Bluefield University Director of Public Relations. The President will determine whether to convene the Crisis Management Team.
5. The appropriate secondary agent and the Director of MABS and OMABS Programs or Bluefield University Campus Safety Director (location dependent) should encourage the victim to report the offense to the Virginia Tech Police. Reporting needs to be as soon as possible after the assault. If the victim is willing to report the alleged misconduct, then the Dean for Graduate Biomedical Education or Bluefield University Director of Campus Safety (location dependent) should notify the jurisdictional law enforcement authority
6. The appropriate secondary agent and Director of MABS and OMABS Programs or Bluefield University Director of Campus Safety (location dependent) should continue the initial investigation, including interviewing witnesses, gathering facts, and identifying the persons involved. If a suspect is identified as a student or employee and accusations are substantiated, disciplinary action will be considered in accordance to established campus policy. The victim should be kept aware of the proceedings.
7. The Director of MABS and OMABS Programs or Bluefield University Director of Campus Safety should continue to work with the jurisdictional law enforcement authority, to conduct investigations and provide any helpful details obtained from on-campus investigations.
8. The Bluefield University Director of Public Relations should prepare a statement, if needed, and address media inquiries.
9. Only if knowledge of the alleged crime is widespread, members/spokespersons of the Crisis Management Team should inform all appropriate constituents and/or address all inquiries from respective constituents (i.e. President informs trustees and donors, Vice President for Academic Affairs informs the faculty, Vice President for Finance & Administration informs the staff, Director of Public Relations informs media and public, Assistant Vice President of Student Development informs current students and parents, Director of Alumni Relations informs alumni, and the Director of Admissions informs prospective students). The statement from the Office of Public Relations should be used to address inquiries or to offer information to constituents.
10. The appropriate secondary agent should coordinate efforts with other Crisis Management Team members to arrange for any special changes or needs for the victim concerning his or her return to campus: change in residence status, providing escort services, or change in class scheduling.
11. Documentation and reports should be filed with appropriate university offices by the appropriate secondary agent and the Director of MABS and OMABS Programs or Bluefield University Director of Campus Safety (location dependent).

* See also *“Bluefield University Programs to prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking,” Crisis Management Plan Appendix*

Title IX

Bluefield University Title IX Policy can be found at the following Bluefield University website link:

[Title IX Policy](#)

Comprehensive Grievance Procedure for Title IX Compliance

Bluefield University [also referred to as “the University”] maintains the following policy on sex discrimination and sexual harassment in compliance with Title IX of the Education Amendments of 1972 and the Title IX regulations in 34 CFR Part 106. The University provides notice of this policy to applicants for admission and employment, students, and employees to the extent required by law.

DISCRIMINATION ON THE BASIS OF SEX

The University does not unlawfully discriminate in its programs and activities on the basis of sex and complies with state and federal laws prohibiting sex discrimination. The requirement not to discriminate on the basis of sex applies to admissions, except undergraduate admissions as provided by Title IX.

As a non-profit Christian institute of higher learning, the University exercises its rights under state and federal law to use religion as a factor in making employment decisions. Some regulations issued under Title IX relating to discrimination on the basis of sex are not consistent with the University’s religious tenets and do not apply to the University (34 CFR § 106.12(a)).

Questions or inquiries about the application of Title IX and the Title IX regulations to the University’s programs and activities may be addressed to the University’s Title IX Coordinator, to the Assistant Secretary of the Department of Education, or both.

REPORTING SEXUAL HARASSMENT, SEXUAL ASSAULT OR OTHER SEX DISCRIMINATION

Title IX Coordinator. The University has designated and authorized the following employee(s) to coordinate its efforts to comply with its policies to prevent sexual harassment and discrimination:

Title IX Coordinator:

Emily Coppola
Rish Hall Room # 08
276-326-4341
cdixon@bluefield.edu

Deputy Coordinator:

Jean Herndon
Bluefield – VCOM Campus
540.231.5095
jerndon@bluefield.edu

Campus Safety:

Gary Ruth

276-326-4313

Mobile: 304.887.1795

gruth@bluefield.edu

Emergency Report. If you witness or experience any emergency involving sexual assault or any other crime of violence, or if you have immediate safety concerns, first call 911, then call the Virginia Tech Police Department at 540 – 382 - 4343.

How to Report. Any person may report a grievance relating to sex discrimination, including Sexual Harassment, whether or not the person reporting is the person who may be the victim of conduct being reported. A report may be made:

- in person during normal business hours;
- at any time during or outside of normal business hours by mail, telephone, or [Online](#); or
- at any time using any other means that results in the Title IX Coordinator receiving the verbal or written report.

DEFINITIONS

The following words in this policy, when capitalized, mean the following:

Complainant: An individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Consent: **Consent is best understood as the “affirmative, conscious, and voluntary agreement to engage in sexual activity.”** It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. Individuals who are asleep or unconscious, incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity, or are otherwise unable to communicate due to a mental or physical condition cannot give consent. Furthermore, individuals under the age of 18 are not legally able to give consent to adults in the Commonwealth of Virginia.

Dating Violence: Violence committed by a person:

- (1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (a) The length of the relationship.
 - (b) The type of relationship.
 - (c) The frequency of interaction between the persons involved in the relationship.

Decision-maker: The person or persons designated by the University to conduct the Hearing and make a determination on the allegations in a Formal Complaint. No Decision-maker will be a Title IX Coordinator or the Investigator.

Document: A document or electronic submission through the online portal that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

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

Education Program or Activity: A location, event, or circumstance over which the University exercises (or, during the relevant time, exercised) substantial control over both the Respondent and the context in which the Sexual Harassment occurs, including any building owned or controlled by a student organization that is officially recognized by the University.

Facilitator: A person who serves to facilitate an informal resolution of a Formal Complaint through mediation, arbitration, restorative justice, or a similar process.

Formal Complaint: a document which:

- (1) is filed by a Complainant or signed by the Title IX Coordinator; and
- (2) if filed by the Complainant, he or she is participating in or attempting to participate in the University's education program; and
- (3) alleges Sexual Harassment against a Respondent; and
- (4) Requests that the University investigate.

Hearing: The live hearing before a Decision-maker for the purpose of presenting evidence regarding the allegations in a Formal Complaint and allowing for questioning and cross-examination of Parties and witnesses by the Parties' advisors, all in order that the Decision-maker can determine responsibility.

Investigative Report: The written report created by the Investigator that fairly summarizes all relevant evidence obtained during the investigation of a Formal Complaint.

Investigator: The person designated by the University to investigate a Formal Complaint. If more than one person is designated, this term refers to all of the investigators.

Party: Either the Complainant or the Respondent.

Parties: All Complainants and all Respondents with respect to a complaint of Sexual Harassment or with respect to multiple Formal Complaints which have been consolidated.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Sexual Assault: An offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, including forcible or statutory rape, forcible sodomy, sexual assault with an object, forcible fondling, and incest.

Sexual Harassment: Conduct on the basis of sex that satisfies one or more of the following:

- (1) A University employee conditioning the provision of a University aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- (3) Sexual Assault, Dating Violence, Domestic Violence, or Stalking.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- (1) fear for his or her safety or the safety of others; or
- (2) suffer substantial emotional distress.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered to the Complainant or the Respondent (or one who may become a Respondent) before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

RESPONSE TO SEXUAL HARASSMENT (WITH OR WITHOUT A FORMAL COMPLAINT)

If the University has actual knowledge of Sexual Harassment in an Education Program or Activity, the Title IX Coordinator is responsible for coordinating a University response that is prompt and reasonable in light of the known circumstances and includes at least the following:

- (1) Treating Complainants and Respondents equitably;
- (2) Promptly contacting the Complainant to discuss the availability of Supportive Measures;
- (3) Offering Supportive Measures to the Complainant whether or not the Complainant files a Formal Complaint;
- (4) Considering the Complainant's wishes with respect to Supportive Measures;
- (5) Explaining to the Complainant the process for filing a Formal Complaint; and
- (6) Following the University's grievance procedure before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Respondent.

The University will provide students or employees who report being victims of Dating Violence, Domestic Violence, Sexual Assault or Stalking with a written explanation of their rights and options, regardless of whether the offense occurred on campus. The explanation will include written notification of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims (within the University and in the community), and the availability of changes to academic, living, transportation, and working situations, or Supportive Measures regardless of whether the student or employee files a Formal Complaint or makes a report to law enforcement.

SUPPORTIVE MEASURES

The University will offer Supportive Measures as appropriate, as reasonably available, and without fee or charge to the Complainant, the Respondent, or a person who may become a Respondent before or after the filing of a Formal Complaint, including where no Formal Complaint has been filed. Supportive Measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the University's educational environment, or deter sexual harassment.

The following are examples of Supportive Measures the University may make available, but other similar measures may also be provided:

- (1) Additional excused absences from classes or *leaves of absence*
- (2) *Extensions of deadlines or other course-related adjustments*
- (3) Academic support services, such as free tutoring
- (4) *Providing an escort to move safely between classes and activities*
- (5) Providing parking closer to residence or classes
- (6) *Modifications of work or class schedules*
- (7) *Mutual no-contact orders* (prohibiting contact with another Party in person or by phone, email, text message, social network, or other means, including a third person)
- (8) Adjustments to campus housing assignments
- (9) Adjustments to campus work assignments
- (10) *Counseling services.*
- (11) *Increased security and monitoring of certain areas of the campus*

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

Confidentiality

The University will maintain as confidential any Supportive Measures provided to the Complainant or Respondent to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures.

EMERGENCY REMOVAL FROM THE UNIVERSITY

The University may place a non-student employee Respondent on administrative leave during the pendency of the grievance procedure. The University may remove any Respondent from the University's Education Program or Activity on an emergency basis if:

- (1) The University's Threat Assessment Team conducts an individualized safety and risk analysis.
- (2) As a result of the analysis, the University determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal of the Respondent.
- (3) The University provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision for administrative leave or emergency removal does not modify any of the Respondent's rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with

Disabilities Act.

PROCESS FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT

General Provisions

The University will:

- (1) Treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent.
- (2) Presume that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance procedure.
- (3) Follow this grievance procedure before the imposition against the Respondent of any disciplinary sanctions or other actions that are not Supportive Measures.
- (4) Provide any Party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Party to prepare to participate.
- (5) Design remedies to restore or preserve equal access to the University's Education Program or Activity. Remedies may include the same individualized services described as Supportive Measures, however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.
- (6) Require all persons who serve as the Title IX Coordinator, Investigator, Decision-maker, Appeal Decision-maker, or Facilitator not to have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
- (7) Ensure that Title IX Coordinators, investigators, decision-makers, and facilitators receive appropriate training. Part of the training will include how to serve impartially and avoid prejudgment of the facts, conflicts of interest, and bias.
- (8) Apply the preponderance of the evidence standard in making determinations with respect to all Formal Complaints, whether against students, faculty, or non-faculty employees.

Notice of Allegations

Upon receiving a Formal Complaint, the University will provide all known parties written notice that includes at least the following:

- (1) The University's grievance procedure, including any informal resolution process.
- (2) All allegations which may constitute Sexual Harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known.
- (3) A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance procedure.
- (4) A statement that the Parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- (5) A statement that the Parties may inspect and review evidence.

(6) A statement that the University's code of conduct prohibits any student or employee knowingly making false statements or knowingly submitting false information during the grievance procedure.

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice, the University will provide notice of the additional allegations to Parties whose identities are known.

Dismissing a Formal Complaint

If the conduct alleged in the Formal Complaint 1) would not constitute Sexual Harassment even if proved, 2) did not occur in an Education Program or Activity, or 3) did not occur against a person in the United States, then the University must dismiss the Formal Complaint as a complaint of Sexual Harassment under Title IX or this grievance procedure. However, the University may separately prosecute allegations of conduct which would violate other provisions of the University's code of conduct.

The University may dismiss all or part of a Formal Complaint if at any time during the investigation or hearing:

- (1) a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations in it;
- (2) the Respondent is no longer enrolled or employed by the University; or
- (3) specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations in it.

If all or part of a Formal Complaint is dismissed, the University must promptly and simultaneously send written notice of the dismissal and reason(s) for it to the Parties.

Consolidating Formal Complaints

The University may consolidate Formal Complaints:

- (1) as to allegations of Sexual Harassment against more than one Respondent; or
- (2) by more than one Complainant against one or more Respondents; or
- (3) by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance procedure involves more than one Complainant or more than one Respondent, singular references to "Party," "Complainant," or "Respondent" include the plural, as applicable.

ADVISORS

Designated Advisors and University-Appointed Advisors

A Party may designate an advisor of his or her choice, and the advisor may be an attorney. The University will not limit the choice or presence of an advisor for either a Complainant or a Respondent in any meeting or grievance proceeding.

The University will appoint an advisor for any Party who does not have one present in the Hearing. University-appointed advisors serve at no cost to a Party. However, advisors appointed by the University serve for the limited purpose of conducting cross-examination at the Hearing. University-appointed advisors are not required to be attorneys or have a level of competency comparable to that of another Party's designated advisor. An advisor is not required to perform any function beyond relaying a Party's desired questions to the other Party and witnesses.

A Party may find that having an advisor is helpful throughout the grievance procedure and not just at the Hearing. Both Parties are encouraged to designate an advisor.

Because the University is required to provide certain information to a Party's advisor, each Party must notify the Title IX Coordinator in writing if he or she has designated an advisor. A Party may obtain an advisor or change the identity of the Party's advisor at any time.

Rules for Advisors

Except during a Hearing, the role of the advisor is limited to providing support, guidance, or advice to the Complainant or Respondent throughout the grievance procedure. The following rules apply to all advisors, including advisors appointed by the University:

- (1) Advisors are not to answer questions posed directly to any Party or witness, nor otherwise interfere with questioning by the Investigator. An advisor may request reasonable opportunities to confer with the Party being advised.
- (2) During meetings, a Party and the advisor may talk quietly with each other.
- (3) Advisors do not have the right to question witnesses except in a Hearing.
- (4) Advisors may not present opening statements, closing statements, or arguments.
- (5) Advisors cannot disclose to other persons any confidential student information which is disclosed to the advisor in the course of the grievance procedure.
- (6) Advisors must act in a respectful manner at all times; bullying, yelling, and abusive conduct are never permitted.
- (7) Parties and advisors must not disturb the Hearing or any other proceeding by loudly conferring with one another.
- (8) Advisors must comply with the decisions and directions of the Decision-maker.

If a Party's advisor (whether designated by the Party or appointed by the University) refuses to comply with these rules, including rules relating to decorum, the University may require the Party to designate a different advisor or, if no other advisor is designated, to accept an advisor appointed by the University to conduct cross-examination on behalf of the Party. The University may remove from any proceeding advisors who become disruptive or who do not abide by the restrictions on their participation.

INFORMAL RESOLUTION

At any time after a Formal Complaint has been filed but before reaching a determination regarding responsibility, the University may facilitate an informal resolution process, such as mediation or restorative justice, that does not involve a full investigation and adjudication.

Before the University and the Parties can proceed with an informal resolution the University must notify the Parties in writing disclosing

- (1) the allegations;
- (2) the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations;
- (3) that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance procedure with respect to the Formal Complaint; and
- (4) any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The University must obtain the Parties' voluntary, written consent to proceed with an informal resolution process. The formal procedures for resolving a Formal Complaint will normally be suspended during the informal resolution process. If the informal process produces a resolution that is agreed upon by the Parties in writing, the grievance procedure shall end, and no investigation or Hearing shall occur.

The University:

- (1) may not require any person to waive the right to an investigation and adjudication of a Formal Complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right;
- (2) may not require the Parties to participate in an informal resolution process;
- (3) may not offer an informal resolution process unless a Formal Complaint has been filed; and
- (4) may not offer or facilitate an informal resolution process to resolve allegations that an employee engaged in Sexual Harassment against a student.

INVESTIGATING FORMAL COMPLAINTS

The University's Responsibilities

The University will designate one or more investigators to investigate the allegations in the Formal Complaint. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the Parties. The University shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived it. If the Investigator makes any determinations regarding credibility, those determinations may not be based on a person's status as a Complainant, Respondent, or witness.

The University may restrict who can be present during any meeting or proceeding related to the grievance procedure, including meetings or interviews conducted by the Investigator. However, both the Complainant and the Respondent will have the same opportunities to have others present during any grievance proceeding.

Equal Opportunity to Present and Review Evidence

In the course of the investigation, all Parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The University does not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

Before completing the Investigative Report, the Investigator will send to each Party and the Party's advisor, if any, all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including

- (1) evidence upon which the University does not intend to rely in reaching a determination regarding responsibility; and
- (2) inculpatory or exculpatory evidence, whether obtained from a Party or another source.

The evidence will be subject to inspection and review by both Parties and may be provided in an electronic format, a hard copy, or a mixture of both. Each Party will have at least ten [10] days to submit a written response to the evidence. This written response shall be the Party's final opportunity to identify and present witnesses and other inculpatory and exculpatory evidence.

If the Investigator finds that Party has provided new evidence (including witnesses) directly related to the allegations, the Investigator will provide the new evidence to both Parties, and permit an additional ten [10] days for each Party to respond to the new evidence. The Investigator will consider the Parties' written responses to the evidence before completing the Investigative Report.

Medical and Treatment Records

In gathering evidence, except with the Party's voluntary, written consent the University cannot access, consider, disclose, or otherwise use a Party's records that are:

- (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity; and
- (2) made and maintained in connection with the provision of treatment to the Party.

The Investigation Report

After the time for a Party's written response to the evidence has expired, the Investigator will create an Investigative Report that fairly summarizes all of the relevant evidence gathered in the course of the investigation.

At least ten [10] days prior to the Hearing, the Investigator will send each Party and each Party's advisor a copy of the Investigative Report in an electronic format or a hard copy. A Party or a Party's advisor may make a written response to the Investigative Report by providing a copy to the Investigator and the Title IX Coordinator no later than noon of the last business day before the day of the Hearing. The Title IX Coordinator will provide a Party's written response, if any, to the other Party. A copy of the Investigative Report and all written responses by the Parties will

be provided to the Decision-maker prior to the Hearing.

PRE-HEARING PROCEDURES

When Hearings Are Required

A live hearing must be held with respect to a Formal Complaint unless:

- (1) the Formal Complaint has been dismissed;
- (2) the facts alleged in a Formal Complaint are not contested;
- (3) the respondent has admitted, or wishes to admit responsibility; or
- (4) the Parties want to resolve the case through an informal resolution process without a completed investigation or adjudication.

The Parties cannot waive a hearing except by agreement to use the University's informal resolution process.

Preparing for the Hearing

At least ten [10] business days before the Hearing, the University will notify each Party and advisor in writing of the date, time, location, and participants for the Hearing, including the name of each witness whom the University will request to appear at the Hearing (in person or virtually) for the purpose of providing evidence. The Hearing may be conducted with all participants physically present in the same location or, at the University's discretion, any or all Parties, witnesses, and other participants may appear virtually, with technology enabling participants simultaneously to see and hear each other.

Requesting Separate Rooms

At the request of either Party, the University will provide for the Hearing to occur with the Parties located in separate rooms using technology enabling the Decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions. *In order to have sufficient time to make the appropriate arrangements, a Party's request to be in a separate room must be made in writing to the Title IX Coordinator at least five [5] business days before the Hearing.*

Attendance by Advisors

If a Party does not have an advisor present at the Hearing, the University must provide the Party an advisor of the University's choice without fee or charge to that Party. Unless the University grants a delay for good cause shown, the University shall appoint an advisor for a Party whose designated advisor is absent from the Hearing. The advisor is not required to be an attorney, and shall be responsible to conduct cross-examination on behalf of that Party.

Attendance of Parties and Witnesses; Delay for Absent Witness

The University is prohibited by law from requiring any Party or witness to appear at the Hearing, or from engaging in any act that would intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or

participated or refused to participate in any manner in an investigation, grievance proceeding, or Hearing.

For these reasons, the University is not responsible if a Party or witness fails to appear at the Hearing, and the Hearing may proceed in the absence of the Party or witness. The University may grant a Party's reasonable request to delay the Hearing if that Party or an important witness is unable to attend the Hearing. A request for a delay should be made *as soon as possible* in the manner described below in the section of this grievance procedure entitled Temporary Delays or Extensions. The hearing cannot proceed if a Party's advisor is not present.

HEARING

Convening the Hearing

The Decision-maker shall convene the Hearing at the appointed time. In order to maintain students' privacy as much as possible, witnesses will not be in the Hearing room or attending by technological means except when providing evidence or being cross-examined. Parties and witnesses will not be "sworn in," but may be reminded that providing false information in connection with the Hearing is a violation of the University's code of conduct for students or expectations for employees.

Questioning Parties and Witnesses

Each Party's advisor will be given an opportunity to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the Party's advisor, and never by a Party personally.

Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-maker may ask both advisors to provide reasons why a question should or should not be considered relevant. The Decision-maker will instruct all Parties and witnesses not to answer any question until the Decision-maker has allowed the question.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

- (1) such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
- (2) the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The Decision-maker shall not permit any questions, nor the introduction of any evidence, that would involve the disclosure of information protected under a legally-recognized privilege under state law unless the person holding the privilege has waived it.

Because the University's grievance procedure is not a civil proceeding or state action, there is no right against self-incrimination. However, the Decision-maker cannot draw an inference regarding responsibility based solely on a Party's or witness's absence from the Hearing or refusal to answer cross-examination or other questions.

Availability of Evidence

The University will make all of the evidence that was subject to inspection and review by the Parties in connection with the preparation of the Investigative Report available at the Hearing to give each Party equal opportunity to refer to such evidence during the Hearing, including for purposes of cross-examination. Parties must notify the Title IX Coordinator at least 48 hours prior to the Hearing regarding any physical evidence, transcripts, recordings, or other items requested to be physically available at the Hearing.

Conducting the Hearing

The Hearing will be conducted substantially as provided below. The Decision-maker may recess the Hearing for appropriate and reasonable rest and meal breaks. Any Hearing participant may request a break.

1. The Investigator, Title IX Coordinator, or Deputy Coordinator will serve as the moderator for the Hearing. The function of the moderator is to move the proceeding forward in an unbiased manner and to give the Parties and witnesses an opportunity to get their evidence before the Decision-maker.
2. The moderator will review the Complainant's allegations and review the evidence provided by the Complainant and summarized in the Investigative Report. The moderator will ask the Complainant whether he or she wishes to affirm the allegations and evidence as reviewed, and whether he or she would like to make any additional statements.
3. The Respondent's advisor will be given an opportunity to question the Complainant.
4. The moderator will review the Respondent's response to the allegations and review the evidence provided by the Respondent and summarized in the Investigative Report. The moderator will ask the Respondent whether he or she wishes to affirm the response and evidence as reviewed, and whether he or she would like to make any additional statements.
5. The Complainant's advisor will be given an opportunity to question the Respondent.
6. The moderator will bring each witness before the Decision-maker, either in person or through appropriate technology. The moderator will review any evidence provided by the witness and summarized in the Investigative Report. The moderator will ask the witness whether he or she wishes to affirm the evidence as reviewed.
7. The Complainant's advisor will be given an opportunity to question the witness.
8. The Respondent's advisor will be given an opportunity to question the witness.
9. If the University has provided any relevant evidence summarized in the Investigative Report, an appropriate representative or representatives of the University will review such evidence.
10. The Complainant's advisor will be given an opportunity to question the University's

representative(s).

11. The Respondent's advisor will be given an opportunity to question the University's representative(s).

12. The Decision-maker may ask questions of any Party, witness, or University representative during the time that person is presenting evidence or being questioned.

13. After confirming with the moderator that there is no additional evidence or other matters to be addressed, the Decision-maker will adjourn the Hearing.

Record of the Hearing

The University will create an audio or audiovisual recording, or transcript, of the Hearing and make it available to the Parties and to the Decision-maker for inspection and review.

DETERMINATION OF THE ALLEGATIONS

Letter of Determination

The Decision-maker shall determine whether the Respondent is responsible for each of the allegations in the Formal Complaint that could constitute Sexual Harassment. The Decision-maker shall reach these decisions by applying the preponderance of the evidence standard. In making the determination, the Decision-maker:

- (1) must make an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.
- (2) must not make credibility determinations based on a person's status as a Complainant, Respondent, or witness.
- (3) must not rely on any statement of a Party or witness who does not submit to cross-examination at the Hearing.
- (4) cannot draw an inference about responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- (5) cannot rely upon evidence or information protected under a legally recognized privilege unless the person holding the privilege has waived it.

The Decision-maker shall issue a written determination stating the Respondent's responsibility for the alleged misconduct. The written determination must include:

- (1) Identification of the allegations potentially constituting Sexual Harassment;
- (2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- (3) Findings of fact supporting the determination;
- (4) Conclusions regarding the application of the University's code of conduct to the facts;
- (5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the University's

education program or activity will be provided by the University to the complainant; and
(6) The University's procedures and permissible bases for the complainant and respondent to appeal.

The Decision-maker shall exercise independent and unbiased judgment with respect to:

- (1) findings of fact which support the determination(s);
- (2) conclusions regarding the application of the University's code of conduct to the facts;
- (3) the determination regarding responsibility as to each allegation; and
- (4) the sanction is perceived to be disproportionate to the offense.

The Decision-maker may consult with University officials for information with respect to the procedural steps taken, the University's normal practices relating to appropriate sanctions, and the University's procedures and permissible bases for appeals.

Effective Date of Determination

The University will provide the written determination regarding responsibility to the Parties simultaneously. If neither Party appeals, the determination becomes final on the date on which an appeal would no longer be considered timely.

If a Party appeals the determination, the determination becomes effective on the date the University provides the Parties with the written determination of the result of the appeal, unless the appeal decision requires further proceedings.

The Title IX Coordinator, in conjunction with the Office of Student Development, is responsible for effective implementation of any sanctions or remedies.

SANCTIONS

The University can impose a range of disciplinary sanctions and remedies with respect to any misconduct for which a Respondent has been determined to be responsible. Possible disciplinary sanctions and remedies may include but are not limited to:

1. Imposing, continuing, or modifying any Supportive Measures.
2. Warning: A reminder to the respondent about relevant University rules, regulations, or policies and the potential consequences for violating them.
3. No contact order: A directive to initiate no contact with the Complainant, including contact in person or by phone, email, text message, social network, or any other means, either directly or through a third party.
4. Reprimand: Written notice that University rules, regulations, or policies have been violated and that continuation or repetition of misconduct may result in a more severe sanction.
5. Fines: A monetary fine assessed for a disciplinary violation.
6. Probation: Written notice explaining the serious nature of misconduct and outlining the terms of probation. The terms of probation may prohibit a student from participating in co-curricular activities and provide for expulsion for violating the terms of probation.

7. Restitution: Reimbursement or other compensation for damage or loss of property.
8. Eviction: Probation or removal from campus housing.
9. Suspension: Termination of student status at the University for a specified period of time.
10. Expulsion: Termination of student status at the University permanently or for an indefinite period of time.

APPEALS

Right of Appeal

Both Parties may appeal from a determination regarding responsibility, or from the University's dismissal of all or any part of a Formal Complaint. The appeal procedures shall apply equally to both Parties.

Any of the following is an appropriate basis for appeal:

- (1) Procedural irregularity that affected the outcome of the matter;
- (2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made; or
- (3) The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.
- (4) The sanction is perceived to be disproportionate to the offense.

Filing an Appeal

In order to appeal, a Party must file a written Notice of Appeal challenging the initial outcome that is received by the Title IX Coordinator within five [5] business days after the written Letter of Determination was issued. The Notice of Appeal must state, at a minimum:

- (1) every basis for the appeal;
- (2) a complete statement of the facts and evidence that support each basis for the appeal; and
- (3) the relief requested as a result of the appeal.

Consideration of an Appeal

The University will promptly notify both Parties in writing that an appeal has been filed and provide a copy of the Notice of Appeal to the other Party. The non-appealing Party shall have three [3] business days from the date of such notice to submit to the Title IX Coordinator a written statement in support of the initial outcome or in opposition to the appeal. A copy of any such written statement shall be provided to the appealing Party.

The appeal shall be considered and decided by an Appeal Decision-maker who is not the same person as the Investigator, the Title IX Coordinator, or the Decision-maker that reached the determination regarding responsibility or dismissal. The Appeal Decision-maker shall review the Notice of Appeal, the response of the non-appealing Party, and may review the record of the Hearing as necessary to reach a conclusion on the appeal. The Appeal Decision-maker shall be bound by the same rules and considerations which apply to a Decision-maker, as described in

this grievance procedure.

Decision on Appeal

The Appeal Decision-maker shall issue a written decision describing the result of the appeal and the rationale for the result. The written decision shall, insofar as applicable, provide the same type of information required to be included in the initial written determination issued in connection with the Hearing.

The decision on appeal shall be appropriate to the basis or bases for appeal, and may adopt one or more of the following holdings, regardless of which Party filed the appeal:

- (1) Affirm the initial written determination;
- (2) Change any part of the written determination, including a change to find responsibility or to find no responsibility;
- (3) Increase or decrease the sanctions;
- (4) Require additional investigation (particularly in the case of new evidence that is material, not merely cumulative, and if presented in the Hearing could reasonably have resulted in a different determination); or
- (5) Order a new Hearing.

The written decision on the appeal shall be provided simultaneously to both Parties.

SCHEDULED TIME FRAMES FOR THE GRIEVANCE PROCEDURE

Normal Time Frames

The University will conclude this grievance procedure in a reasonably prompt manner and in accordance with the following time frames:

- (1) The University will generally issue the written Hearing determination within thirty [30] business days after the filing of the Formal Complaint.
- (2) The University will generally issue the written appeal determination within ten [10] business days after the filing of the Notice of Appeal.
- (3) The University will generally conclude any informal resolution process within ten [10] business days after the Parties agree to an informal resolution.

Temporary Delays or Extensions

The University may direct a temporary delay in the grievance procedure or the limited extension of the normal time frames for good cause. The University will notify the Complainant and the Respondent in writing of any temporary delay or limited extension and the reasons for the action.

The Complainant or Respondent may request a temporary delay or limited extension in writing to the Title IX Coordinator. The written request must state the reason for the delay or extension and the length of the delay or extension being requested.

Some examples of situations which may constitute good cause for a delay or extension include:

the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

The University will attempt to accommodate the schedules of Parties and witnesses throughout the grievance procedure in order to provide Parties with a meaningful opportunity to exercise their lawful rights. However, the University will not delay the grievance procedure indefinitely because a Party, witness, or advisor is refusing to cooperate. In order to resolve complaints within reasonable time frames, the grievance procedure can proceed to conclusion even in the absence of a Party or witness.

RETALIATION PROHIBITED

Retaliation Defined

Retaliation shall include the following:

- (1) Conduct intended to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 CFR Part 106, or this grievance procedure.
- (2) Bringing disciplinary charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint, for the purpose of interfering with any right or privilege secured by Title IX, 34 CFR Part 106, or this grievance procedure.

No Retaliation

Neither the University nor any other person may engage in retaliation against an individual because the individual has made a report or complaint or testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or Hearing under this grievance procedure.

Any person who believes that he or she has experienced retaliation which is prohibited by this grievance procedure may file a complaint or Formal Complaint with the Title IX Coordinator.

Confidentiality

The University must keep confidential the identity of:

- (1) any individual who has made a report or complaint of sex discrimination;
 - (2) any individual who has made a report or filed a Formal Complaint of Sexual Harassment;
 - (3) any Complainant;
 - (4) any individual who has been reported to be the perpetrator of sex discrimination;
 - (5) any Respondent; and
 - (6) any witness;
- except as may be permitted by law or as necessary to carry out this grievance procedure.
-

Disciplinary Process

Note: The Bluefield – VCOM Campus does not have residence halls. Disregard disciplinary action pertaining to residence halls.

The disciplinary process at Bluefield University is designed to hold students accountable in a manner that is respectful, developmental, and redemptive. Therefore, all alleged violations of community standards are reviewed through “discipline meetings” with students, and not through efforts intended in any way to mimic court legal proceedings. Decisions made regarding an alleged violation are ultimately based upon what the University considers to be a “reasonable belief” of what occurred, and not upon “rules of evidence” similar to that of a court legal system.

The disciplinary process at Bluefield University consists of three components: 1) investigation; 2) hearing, if necessary; and 3) the imposing of any applicable sanctions, if found responsible for an offense. At times, the investigation and hearing can occur simultaneously. The Title IX Coordinator reviews all initial complaints that may constitute a possible Title IX violation and, if determined that misconduct may have occurred, forwards the case for investigation. The Dean of Students, Director of Residence Life & Director of Campus Safety, under the supervision of the Vice President of Student Development, conduct all investigations. The Dean of Students will conduct hearings for all alleged violations that would not typically result in suspension from the University. Accusations that could result in suspension are heard by the Student Conduct Committee, a representative body composed of faculty, staff, and students.

Students going through the discipline process are permitted to have an advisor of their choosing. The person may accompany the student at any stage of the student conduct process, including their hearing, but may not actively participate in the investigation or hearing (posing questions, speaking on behalf of accused, etc.). The hearing officer or body reserves the right to dismiss the advisor from the process at any time and reschedule the meeting, if necessary.

The Vice President of Student Development serves as the chief student conduct officer for the University, working with the Dean of Students, Director of Residence Life, Director of Campus Safety, Title IX Coordinator, and all hearing and appellate officers and bodies to resolve all disciplinary matters.

Attendance at Hearings

Any accused person may choose not to attend her/his hearing. If the accused does not attend, the hearing will be held in her/his absence. Failure to appear will not be construed as an admission of responsibility for the violation. Rather, a decision will be made based on the available information. Discipline proceedings will occur even if a student has withdrawn from the institution. If the student is found responsible for a violation, sanctions will still be assessed. A hold will be placed on the student’s account and sanctions must be completed before the student can be eligible for reenrollment or receive academic transcripts.

Standard of Proof

Student conduct hearings at institutions of higher education do not follow the same processes as

a criminal or civil court. While criminal courts must prove responsibility beyond a reasonable doubt, universities typically use a simple preponderance of the available evidence. Students will be held responsible for a violation if the hearing officer or hearing body, based on their professional judgment, believes that it is more likely than not that a violation has occurred.

Imposing of Sanctions

The purpose of sanctions is to help students understand their actions in the context of the University and Christian community and to encourage appropriate behavior in the future. Disciplinary personnel are encouraged to decide sanctions that are commensurate with the misconduct and are, when appropriate, developmental and redemptive in nature. Some sanctions may need to be more punitive due to the seriousness of the offense. As a Christian higher education institution, the practices of repentance and forgiveness are essential and necessary to living out our values, particularly as a grace-based community. The student conduct system, by design, recognizes the importance of these values in the reconciliation process. Therefore, two students can experience different resolutions for similar violations, by virtue of their attitude and response throughout the disciplinary process, as determined by the wisdom and professional judgment of the adjudicating person or committee. The following sanctions, or combination of sanctions, may be imposed upon any student found to have violated the Code of Conduct (not listed in prescribed order):

Warning: verbal or written warning to the student that s/he has violated the Code of Conduct.

Loss of privileges: denial of specific privileges (including leadership positions) for a designated period of time.

Fines: financial penalty imposed. In most but not all cases, specific fine amounts are published. Fines that are not published are assessed at the discretion of the hearing officer/body.

Restitution: compensation for damages, loss and/or injuries. This may take the form of appropriate service and/or monetary or material replacement.

Community Service: an assignment of appropriate community service that is both beneficial to the community and likely to assist the individual in understanding the harm caused by his or her misconduct.

Parent/Guardian Notification: notification of parents or guardians in certain cases of alcohol or drug policy violations, abuse or injury to self.

Discretionary Sanctions: participation in classes or assignments designed to address decision-making and consequences of behavioral choices within a Christian educational community; mandatory drug or alcohol assessments, or other related discretionary assignments.

Disciplinary Probation: designated for a specific period of time and includes the probability of suspension or expulsion if the student is found to be in violation of any university policies during the probationary period.

Campus Removal/Non-Suspension: when a student has demonstrated that they cannot, or will not, abide by campus policies, the student can be removed from the campus environment. Such a loss of campus privileges includes being present on campus, on property owned or controlled by the university, and at official university events. Every effort will be made to help ensure the student can complete courses via distance; however, in the event that a student cannot complete a course via distance, the student will be subject to applicable policies for withdrawing from a course and may incur a financial penalty and loss of academic credit. Per the discretion of the Student Conduct Committee and the Office of Academic Affairs, the student may be permitted to continue in online courses after the completion of the semester.

Disciplinary Suspension: complete separation of the student from the University for a specified period of time (conditions for readmission may be required), including from all coursework.

Provisional suspension: imposed immediately when the seriousness of the offense is such that the members of the community, including the accused student, may be threatened by his/her continued presence (this suspension will be for a stated period of time and followed by a student hearing). Every effort will be made to assist the student in continuing her or his studies as possible during the course of a provisional suspension.

Expulsion: permanent separation of the student from the University.

Withholding or Revocation of Degree: withholding conferral of a degree typically occurs when a student has not completed all requirements for graduation, including the completion of disciplinary sanctions. Revocation of a degree can occur when misrepresentation or fraud was used to complete requirements for graduation from a course of study.

Definitions

Disciplinary Probation- Students typically may not represent the University in an official capacity while serving on disciplinary probation, including (but not limited to) participation in intercollegiate athletics, music teams and ensembles, student leadership positions, student employment, etc. Students may elect to disclose their probationary status to their immediate supervisor(s) and seek permission to continue in their role. Students who choose to exercise this option agree that their supervisor(s) may contact the Office of Student Development for additional information about the nature of the violation. If approved, the student will be conditionally eligible to continue in their role, provided they remain in good standing during their probationary period.

Disciplinary Suspension & Expulsion- Students who have been removed or suspended from the University are not permitted to access University property, including the main campus and any sites under direct control of the University, or attend official University events and functions, without the expressed, written permission of the Vice President of Student Development. In some cases, exceptions may be granted on a case-by-case basis that allow students to access particular buildings or offices for specific reasons under limited conditions. Accessing the campus or attending official campus events without permission will be considered criminal trespassing and may be subject to additional sanctions and/or criminal prosecution. A hearing

officer or body, such as the Student Conduct Committee, will often recommend different conditions that a student must meet in order to be considered for re-admittance to the traditional on-campus program. In such cases, fulfillment of all conditions are necessary but do not automatically guarantee re-admittance. The Student Conduct Committee reserves the right to approve or deny reenrollment, on a case-by-case basis, based on their professional judgment.

Interim Suspension- Whenever there is evidence to support the reasonable belief that 1) a student's behavior poses a threat to the health, safety, and welfare of any part of the campus community, 2) a student's behavior poses a threat of disruption or interference with the normal operations of the University, or 3) the student's own physical or emotional safety or wellbeing is at serious risk, the student may be placed on interim suspension until a hearing can be arranged. The Vice President of Student Development will chair an ad-hoc committee to review the available information and determine if a student should be placed on interim suspension. A student placed on this interim suspension will be restricted from all University locations and events unless given specific prior approval by the Vice President of Student Development. An interim suspension does not replace the regular investigation and hearing process. Reasonable accommodations will be made for a student placed on interim suspension to fully participate in the investigation and hearing process, as outlined in this handbook. A student may appeal an interim suspension at any time by submitting a letter outlining the reasons for rescinding an interim suspension, and any supporting information, to the Vice President of Student Development.

Failure to Complete Sanctions- Sanctions become a part of the student's record that is maintained in the Office of the Residence Life. Although transcripts of permanent education records are normally issued to students upon request, they may be withheld when there are unpaid financial obligations or other outstanding sanctions. The Vice President of Student Development, or her/his designee, may impose additional sanctions for failure to complete assigned sanctions by the prescribed deadline.

Non-Disciplinary Resolution- Students are encouraged to seek help from all appropriate offices, including the Office of Student Development, for behavior that may constitute a violation of the Code of Conduct without fear of reprisal. Students who seek help on their own volition before an incident is discovered will generally be supported through a non-disciplinary process of support and accountability, except when prohibited by federal or state law. Often referred to as "amnesty," nondisciplinary resolution does not mean that a student will avoid any consequences for their behavior, but the approach taken in cases of non-disciplinary resolution is intended to be more flexible in design, educative, and restorative, rather than strictly punitive in nature.

Sanctions– Appellate Process Students wishing to appeal a disciplinary decision or sanctions from a sanctioning body must do so in writing within two class days of the date of the decision. Students may appeal for one or more of the following reasons:

1. To determine whether all hearing processes were conducted in conformity with prescribed procedures, or that deviations from the prescribed procedures did not significantly alter the outcome of the case,
2. To consider new information, not available at the time of the original

hearing, sufficient to alter a decision, or 3. To determine if sanctions assessed were appropriate or disproportionate to the violation. Student conduct cases are not dismissed due to procedural errors. Rather, students may request an appeal if they believe a procedural error substantially altered the outcome of their case.

Appeal requests should be submitted in writing to the Vice President of Student Development, describing the reason for requesting the appeal and outlining any information supporting the request. The Vice President for Enrollment Management & Student Development hears all appeal requests and may choose to either uphold, modify, or overturn a decision by a hearing officer/body.

Student Conduct Records

Bluefield University has the right to disclose any information from the educational records without prior written consent to a parent of students who are dependents for federal income tax purposes (proof of dependency is required prior to release of records). In addition, the University may disclose to the parents of a student his or her violation of any federal, state, or local law or any University rule governing the possession or use of alcohol or a controlled substance if the student is under age 21. Bluefield University may disclose information from the educational records of a student to his or her parents in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. Additionally, Virginia state law requires all colleges and universities within the Commonwealth to record suspensions related to violations of Title IX policies on the student's academic transcript.

Rationale for Community Life

Bluefield University is committed to developing servant leaders who understand their life calling and transform the world. We celebrate and pursue this mission in all we do, both inside and outside the classroom. Our community exists to uncover, study, share, and practice what is true. We strive to understand the world in light of the life, death, and resurrection of Jesus Christ.

As a community, we choose to pursue biblical qualities and habits of the heart that should mark the lives of all believers, such as love that is genuine, abstaining from evil, pursuing good, being fervent in spirit and constant in prayer, hospitality, patience, kindness, living in harmony with one another, humility, and compassion (Romans 12:9-21). We also reject those practices that the Bible teaches are destructive, such as anger, malice, slander, profanity, dishonesty, greed, drunkenness, and sexual impurity (Col. 3:5-8, 1 Cor. 6:9-10).

Relationships are an integral part of our expression of the wisdom and truth contained within the gospel message. Jesus commands us to love God with all of our heart, soul, and mind and to love our neighbors as ourselves (Matthew 22:37-40). We are also commanded to consider the needs of others before our own (Phil. 2:3). These are essential practices of our common life together.

While we live, learn, work, and play together at Bluefield University, we promise to honor a specific set of values and expectations designed to help everyone thrive and succeed. While informed by Scriptures, our Code of Conduct also includes practices that have been adopted by our community because we believe they contribute to the flourishing of all students.

We recognize that Christians may hold divergent views regarding these expectations. However, we believe these values are essential to our time together at Bluefield University. Therefore, all students are responsible for abiding by the Code of Conduct for the entire duration of their enrollment.

Life in community is a worthy, but challenging endeavor. No one does it perfectly. Part of our commitment to students is to walk alongside them through a process of grace-infused accountability. As a community of Christ followers, we understand that the gift of forgiveness and the offer of a second chance are important realities in the growth process. When a student makes a behavioral choice that does not align with our community values, the student is encouraged to confess and seek assistance and support through the Offices of Student Development and Residence Life.

Definitions

To make the process as clear as possible for all involved, a glossary of terms is provided: “University” refers to Bluefield University. “Student” includes all persons taking courses at the University, both full- and part-time. “Faculty member” means any person hired by the University to conduct classroom activity. “University official” includes any person employed by the University. “University premises” refers to all land, buildings, facilities, and other property in the possession of or owned, leased, used, or controlled by the University. “Policy” is defined as the written regulations of the University found in, but not limited to, the student handbook and University catalogs. “Violation” refers to any behavior that is unacceptable as described in the Code of Conduct. “Guests” applies to all guests of BU community members whose hosts may be held accountable for the conduct of said guests. “Educational records” refers to all records regarding a student’s status at the University, including but not limited to a student’s transcripts and disciplinary file.

Disciplinary Process

The disciplinary process at Bluefield University is designed to hold students accountable in a manner that is respectful, developmental, and redemptive. Therefore, all alleged violations of community standards are reviewed through “discipline meetings” with students, and not through efforts intended in any way to mimic court legal proceedings. Decisions made regarding an alleged violation are ultimately based upon what the University considers to be a “reasonable belief” of what occurred, and not upon “rules of evidence” similar to that of a court legal system.

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threatened by his/her continued presence (this suspension will be for a stated period of time and followed by a student hearing). Every effort will be made to assist the student in continuing her or his studies as much as possible during the course of a provisional suspension.

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A hearing officer or body, such as the Student Conduct Committee, will often recommend different conditions that a student must meet in order to be considered for re-admittance to the traditional on-campus program. In such cases, fulfillment of all conditions are necessary but does not automatically guarantee re-admittance. The Student Conduct Committee reserves the right to approve or deny reenrollment, on a case-by-case basis, based on their professional judgment.

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arranged. The Dean of Students will chair an ad-hoc committee to review the available information and determine if a student should be placed on interim suspension. A student placed on this interim suspension will be restricted from all University locations and events unless given specific prior approval by the Dean of Students. An interim suspension does not replace the regular investigation and hearing process.

Reasonable accommodations will be made for a student placed on interim suspension to fully participate in the investigation and hearing process, as outlined in this handbook. A student may appeal an interim suspension at any time by submitting a letter outlining the reasons for rescinding an interim suspension, and any supporting information, to the Dean of Students.

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Sanctions become a part of the student's record that is maintained in the Office of Residence Life. Although transcripts of permanent education records are normally issued to students upon request, they may be withheld when there are unpaid financial obligations or other outstanding sanctions. The Dean of Students, or her/his designee, may impose additional sanctions for failure to complete assigned sanctions by the prescribed deadline.

Non-Disciplinary Resolution

Students are encouraged to seek help from all appropriate offices, including the Office of Student Development, for behavior that may constitute a violation of the Code of Conduct without fear of reprisal. Students who seek help on their own volition before an incident is discovered will generally be supported through a non-disciplinary process of support and accountability, except when prohibited by federal or state law. Often referred to as "amnesty," non-disciplinary resolution does not mean that a student will avoid any consequences for their behavior, but the approach taken in cases of non-disciplinary resolution is intended to be more flexible in design, educative, and restorative, rather than strictly punitive in nature.

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2. To consider new information, not available at the time of the original hearing, sufficient to alter a decision, or
3. To determine if sanctions assessed were appropriate or disproportionate to the violation. Student conduct cases are not dismissed due to procedural errors. Rather, students may request an appeal if they believe a procedural error substantially altered the outcome of their case.

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Bluefield University has the right to disclose any information from the educational records without prior written consent to a parent of students who are dependents for federal income tax purposes (proof of dependency is required prior to release of records). In addition, the University may disclose to the parents of a student his or her violation of any federal, state, or local law or any University rule governing the possession or use of alcohol or a controlled substance if the student is under age 21. Bluefield University may disclose information from the educational records of a student to his or her parents in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Additionally, Virginia state law requires all Universities and universities within the Commonwealth to record suspensions related to violations of Title IX policies on the student's academic transcript.

Bluefield University exists as a voluntary community for the purposes of preparing students to be servant leaders who will transform the world. Students, by virtue of their membership in this community, agree to uphold all regulations of the University outlined in this handbook. All students represent Bluefield University wherever they are, and are expected to abide by community standards, both on- and off-campus, when school is in session and during breaks, from the moment a student is accepted as a student and remains continuously enrolled at the University.

Community standards are in place for the purpose of moving students toward Christian maturity and creating an environment that is conducive to academic learning and personal growth and development. Although specific examples of misconduct are set out below, students are expected to refrain from any conduct which is not consistent with the University's Christian tenets and mission.

Abuse of Campus Processes

Students whose behaviors, active or passive, impede any campus process (including the disciplinary process, admissions process, etc.) will be subject to disciplinary action. Such behaviors may include: Failure to obey the summons of a University official. Failure to fully disclose all information to a University official (especially during an investigation or the disciplinary process). Falsification, lying, hiding, distorting or misrepresentation of information to any staff or faculty member. Attempts to influence the testimony of another. Attempts to disrupt an individual's participation in the disciplinary process. Forgery, alteration or misuse of campus documents, records, or identification.

Alcohol

Students are not permitted to possess, use/consume or distribute alcohol or alcohol paraphernalia in the residence halls, or on University-owned or controlled property and

official University events. This includes being in the presence of alcohol or alcohol paraphernalia. Students who are under 21 are not permitted to possess or use alcohol at any time (including all semester breaks), whether on- or off-campus.

Breaking the Law

Students who break the law, either on- or off-campus, will be subject to investigation and disciplinary action. The University will cooperate fully with law enforcement agencies in the enforcement of the law. Students charged with a crime while continuously enrolled at Bluefield University must report this information to the Dean of Students and, if a student-athlete, to the Director of Athletics within the first two class days of being charged.

Depending on the severity of the offense, students may be placed on an interim suspension pending a formal investigation.

Cohabitation

Students are generally not allowed to live with or engage in overnight stays with members of the opposite sex in the same living arrangements (e.g. same house, apartment, hotel room, etc.). Exceptions may include related students living in the home, international students living with a host family, etc.

Failure to comply with directives of a University official

Students are expected to comply with directives from any University official acting in accordance with their assigned responsibilities.

Fighting, Violence and Endangerment

Any behavior or conduct which threatens or endangers the health or physical and/or emotional safety of an individual, including oneself, will result in disciplinary action. This includes any threatening or intimidating actions and/or language, whether or not acted upon.

Harassment

Harassment or intimidation of a community member or the threat of physical or emotional harm in any communicated form will never be tolerated. Any harassment should be reported to a Resident Advisor, Director of Residence Life, Dean of Students, or Title IX coordinator (see section on sexual harassment).

Hazing

Any form of hazing and initiation is illegal, whether voluntary or involuntary, and will result in disciplinary action. The University takes any alleged forms of hazing very seriously. The following are some (but certainly not all) forms of hazing:

- All forms of physical activity deemed dangerous or harmful.
- The application of foreign substances to the body.
- Depriving students of sleep.
- Forcing, pressuring, requiring or coercing students to consume alcohol or foreign or unusual amounts of substances.
- Nudity or forcing students to dress in a degrading manner.
- Psychological hazing: any act which is likely to compromise the dignity of a

student; cause shame to a student; cause a student to be the object of ridicule or malicious amusement; or inflict psychological or emotional harm.

Hosting Disruptive Gatherings

No student living on- or off-campus may host any disruptive party, gathering or event which disturbs or impacts the peace of another. This includes, but is not limited to, disturbing the peace of others, excessive noise, violent, offensive, disorderly behavior, or quarrelsome conduct. Any host or student who participates in such an activity will be subject to disciplinary action. If alcohol or other intoxicants are involved in such parties, gatherings or events, suspension or expulsion from the University may occur.

Illegal Drugs

Illegal drugs or drug paraphernalia; synthetic forms of drugs, including cannabidiol (CBD) products; prescription drugs for which the student does not have a valid prescription; or any other form of controlled substance at any time while enrolled at Bluefield University (including all semester breaks), both on and off-campus, irrespective of laws that may permit certain drug use in their home states.

Students are not permitted to possess or consume medicinal marijuana, even with a valid prescription or authorization card. Students are not permitted to use cannabidiol (CBD) products, even if legally purchased. Please refer to information on Bluefield University's Substance Abuse Policy & federal compliance with the Drug Free Workplace Act as well as a more thorough explanation of the policy. Students who provide alcohol or drugs to other students, particularly minor students, may be subject to more severe disciplinary action and possible criminal prosecution.

Inappropriate Computer

Usage The University monitors inappropriate computer and online usage. Activities that are prohibited include viewing pornography, gambling, and piracy. Bluefield University does not condone or tolerate the unauthorized copying of licensed computer software and other media, which is considered a theft and a violation of federal law. Anyone who violates this policy may be subject to disciplinary action and could face additional costly civil or criminal liability.

Inappropriate Dating or Sexual Conduct

Bluefield University is committed to an orthodox, traditional view of biblical marriage and sexuality. Dating and relationship practices should be in line with our Christian view of human sexuality. Students should only engage in sexual contact with a person who is their spouse.

Inappropriate, Lewd, Indecent, or Obscene Behavior or Language

Inappropriate, lewd, indecent, or obscene behavior, language, music, or dress will not be tolerated. This includes, but is not limited to, the possession or display of sexually suggestive material, and derogatory, sexist, or racist/xenophobic material in any form on University-owned or leased premises, including computers.

Knowing/Presence Contribution

Community accountability is of the utmost importance at Bluefield University. Students are always encouraged to speak directly with a person who they know is involved in activities that are in violation of the Code of Conduct. If resolve cannot be reached, they are expected to speak with an appropriate staff or faculty member. Students who do not report known violations may be held responsible for participation in the violation (such as being present in a residence hall room as alcohol is being consumed).

Misrepresentation

Students who misrepresent themselves to be an agent of the University or who misrepresent their organization to be an agent of the University will be subject to disciplinary action.

Non-compliance

Students are required to comply with the request of a University official, law enforcement officer, campus safety official, or a Residence Life staff member acting in accordance with their duties.

Pornography

Possession, display, or distribution of pornographic materials or images is prohibited.

Pranks

Participation in any activity, on- or off-campus, that results in damage, endangerment of an individual's well-being, or a general disregard for University or private property, or involves a violation of University policy, is prohibited.

Recording without permission

Any unauthorized use of electronic or other devices to make an audio or video record of a person without his or her prior knowledge or consent when such a recording is likely to cause injury or distress.

Safety Equipment

The illegal use, possession of, or tampering with safety equipment, such as fire alarms, smoke detectors, fire doors, door locks, latches, etc., on University premises, is prohibited and may result in criminal prosecution and a mandatory fine. Related actions such as the propping of locked doors and permitting unauthorized access to another person is also prohibited.

Sexual Assault

Acts of nonconsensual sexual contact, or any attempted acts, are prohibited.

Sexual Harassment

The University is committed to fostering a positive learning, working, and living environment. Any type of behavior by staff, faculty or students that constitutes sexual harassment is prohibited.

Skating

Students are not allowed to participate in activities such as skateboarding, roller-skating, or rollerblading anywhere on campus property.

Theft

The taking of property of another without his or her consent is prohibited. This includes the digital or intellectual property of others.

Throwing Objects from Structures

Students are prohibited from unauthorized throwing, propelling, dropping, or otherwise causing objects or substances to fall, from balconies, windows, or rooftops.

Tobacco

The possession of or use of tobacco products including, but not limited to, cigarettes, cigars, hookah, chew, snuff or smoking substitutes (such as clove cigarettes, e-cigarettes, or vaping), and smoking paraphernalia are prohibited on campus, on property owned or controlled by the University, and at all official University activities and events. Virginia state law prohibits non- military individuals under the age of 21 from using or possessing tobacco products.

Unauthorized and/or Misuse of University Property

Unauthorized entry into, unauthorized use of, or misuse of University property or property belonging to a member of the University community, regardless of the purpose or intent, is prohibited.

Unauthorized Motorized Vehicles

No unauthorized motorized recreational vehicles are permitted anywhere on campus grounds. Such vehicles include, but are not limited to, go-carts, mopeds, mini-bikes, or any motorized vehicle or bike not licensed for use on public streets.

Vandalism

Unauthorized alteration of any public or private property is prohibited.

Weapons

The possession of firearms, fireworks, and other weapons are prohibited on campus, University- controlled properties, or at University-sponsored events. This includes, but is not limited to, conventional firearms and ammunition, air or spring-powered weapons, stun guns, combustible materials, dangerous chemicals (with no legitimate academic or common household purpose), hunting bows and arrows, knives with blades longer than 4 inches, martial arts weapons, clubs, or knuckles designed or converted for the purposes of causing injury, etc. Students found in possession of any of the above will be subject to disciplinary action, which may include expulsion.

Crime Stats for the VCOM – Bluefield University Campus are listed below.

Criminal Offenses - On campus

For each of the following criminal offenses, enter the number reported to have occurred On Campus.

Criminal offense	Total occurrences On campus		
	2021	2022	2023
a. <u>Murder/Non-negligent manslaughter</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
b. <u>Manslaughter by Negligence</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
c. <u>Rape</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
d. <u>Fondling</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
e. <u>Incest</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
f. <u>Statutory rape</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
g. <u>Robbery</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
h. <u>Aggravated assault</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
i. <u>Burglary</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
j. <u>Motor vehicle theft</u> (Do not include theft <i>from</i> a motor vehicle)	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
k. <u>Arson</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Criminal Offenses - Public Property

For each of the following criminal offenses, enter the number reported to have occurred on Public Property.

Criminal offense	Total occurrences on Public Property		
	2021	2022	2023
a. <u>Murder/Non-negligent manslaughter</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
b. <u>Manslaughter by Negligence</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
c. <u>Rape</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
d. <u>Fondling</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
e. <u>Incest</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
f. <u>Statutory rape</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
g. <u>Robbery</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
h. <u>Aggravated assault</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
i. <u>Burglary</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property.</u>	0	0	0	0	0	0	0	0	0

YEAR 2021

Criminal offense

Total

Occurrences of Hate crimes (Category of Bias for crimes)

Race Religion Sexual orientation Gender Gender Identity Disability Ethnicity National Origin

a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

f. Statutory rape

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

g. Robbery

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

h. Aggravated assault

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

i. Burglary

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

j. Motor vehicle theft

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

k. Arson

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

l. Simple assault

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

m. Larceny-theft

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

n. Intimidation

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

o.
Destruction/damage/
vandalism of property.

0	0	0	0	0	0	0	0	0
---	---	---	---	---	---	---	---	---

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

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VAWA Offenses - On Campus

For each of the following crimes, enter the number reported to have occurred On Campus.

Crime	Total occurrences On Campus		
	2021	2022	2023
a. <u>Domestic violence</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
b. <u>Dating violence</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
c. <u>Stalking</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

VAWA Offenses - Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

Crime	Total occurrences on Public Property		
	2021	2022	2023
a. <u>Domestic violence</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
b. <u>Dating violence</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
c. <u>Stalking</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Arrests - On campus

Enter the number of Arrests for each of the following crimes that occurred On Campus.

Crime	Number of Arrests		
	2021	2022	2023
a. <u>Weapons: carrying, possessing, etc.</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
b. <u>Drug abuse violations</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
c. <u>Liquor law violations</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

Please Note: Do NOT include drunkenness or driving under the influence in liquor law violations.

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Arrests - Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.

Crime	Number of Arrests		
	2021	2022	2023
a. <u>Weapons: carrying, possessing, etc.</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
b. <u>Drug abuse violations</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
c. <u>Liquor law violations</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

Please Note: Do NOT include drunkenness or driving under the influence in liquor law violations.

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Disciplinary Actions - On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Crime	Number of persons referred for Disciplinary Action		
	2021	2022	2023
a. <u>Weapons: carrying, possessing, etc.</u>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

b. Drug abuse violations

0	0	0
---	---	---

c. Liquor law violations

0	0	0
---	---	---

Please Note: Do NOT include drunkenness or driving under the influence in liquor law violations.

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Disciplinary Actions - Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Crime	Number of persons referred for Disciplinary Action		
	2021	2022	2023
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Please Note: Do NOT include drunkenness or driving under the influence in liquor law violations.

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Unfounded Crimes

Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

The total number of unfounded crimes should include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Arrests and disciplinary actions cannot be unfounded.

	Number		
	2021	2022	2023
a. <u>Total unfounded crimes</u>	0	0	0

Please Note: If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded." Only sworn or commissioned law enforcement personnel may unfind a crime.

Count unfounded crimes in the year in which they were originally reported.

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."