

Mary Baldwin University

2021 Annual Security and Fire Safety Report

This report covers both the Main Campus in Staunton, Virginia
as well as the Murphy Deming College of Health Sciences (MDCHS) in Fishersville, Virginia.
All policy statements contained in this report apply to all campuses unless otherwise indicated

9/23/2021

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OVERVIEW OF THE ANNUAL SECURITY AND FIRE SAFETY REPORT

This report is prepared by the Campus Safety Office at Mary Baldwin University (herein referred to as “MBU,” “Mary Baldwin,” or “the University”) in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (a.k.a. the “Clery Act”) and as mandated by United States Code of Federal Regulations (C.F.R.) Title 34 §§ 668.41 and 668.46. This report contains information regarding campus security and personal safety, including topics such as: crime prevention; public safety authority; crime reporting policies; fire safety; programs to prevent dating violence, domestic violence, sexual assault and stalking; the procedures the University will follow when one of these crimes is reported; and, other matters of importance related to security on campus.

The report also contains information about fire statistics in Mary Baldwin University On Campus Student Housing Facilities as well as crime statistics for the three most recent calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by the University or a recognized student organization; and on public property within, or immediately adjacent to and accessible from, the campus.

This report in its entirety can be found on the University’s website under the Campus Safety page at: <http://www.marybaldwin.edu/safety/annualsecurityreport/> Paper copies of the Annual Security and Fire Safety Report may also be obtained from the Campus Safety Office, located in the Taylor House, 237 Sycamore Street, Staunton, Virginia 24401, or by emailing: safety@marybaldwin.edu or calling 540-887-7000.

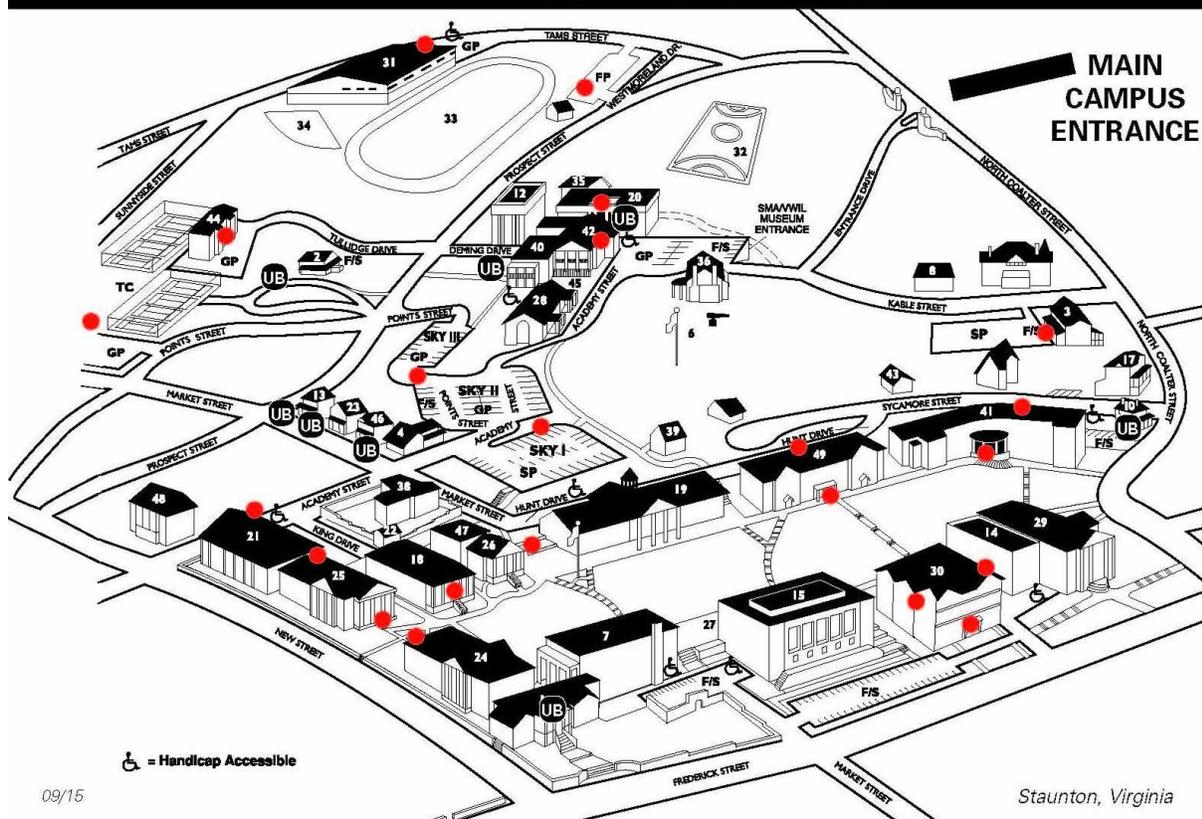
REPORTING CRIMES AND OTHER EMERGENCIES

Crimes and emergencies can be reported by dialing 911 or calling the Campus Safety Office. For all emergencies, dial 911. Immediately calling 911 is critical in emergency situations to ensure that first responders are called to the scene of the emergency as soon as possible. Once emergency personnel have been contacted, the emergency should then be reported to Campus Safety as soon as practicable thereafter.

The Office of Campus Safety is the main answering point for incoming telephone calls to MBU. To reach Campus Safety: dial extension “7000” from any campus phone; or dial 540-887-7000 from any telephone. Persons wishing to report crimes or other emergencies may also make an in-person report at the Campus Safety Office, located in the Taylor House, 237 Sycamore Street, Staunton, Virginia. The Campus Safety Office also maintains a satellite office at the Murphy Deming College of Health Sciences, 100 Baldwin Boulevard, Fishersville, Virginia; Room 146.

The MBU Main Campus also has twenty-one (21) Emergency Call Boxes. You can reach Campus Safety by pressing the red “Emergency Help” button or lift the telephone handset and the phone will automatically dial Campus Safety. On the Main Campus, Emergency Call Boxes are located on each of the Residential Halls and in the area of many parking lots. There are three styles of Emergency Call Boxes on the Main Campus. Please take the time to observe and familiarize yourself with the location and designs of the Emergency Call Boxes.

MARY BALDWIN COLLEGE CAMPUS MAP



MDCHS has three (3) Emergency Call Boxes outside in the parking areas. Campus Safety can be reached by pressing the red button which will then automatically dial Campus Safety and function as an open telephone call.

Members of the MBU community, as well as members of the community-at-large, are encouraged to accurately and promptly report all crimes and other emergencies to the local law enforcement agency with jurisdiction, including when the victim of a crime elects to, or is unable to, make such a report. Crimes and other emergencies should also be reported to MBU's Campus Safety Office, which is not a campus police department but is responsible for providing safety and security services to the MBU community. Members of the campus and at-large communities are helpful when they immediately report crimes or emergencies to the Campus Safety Office for purposes of including such crimes or emergencies in the annual statistical disclosure and assessing them for issuing Timely Warning Notices, when deemed necessary.

RESPONSE TO REPORTS

Campus Safety is available twenty-four (24) hours a day to answer telephone calls. In response to a call, Campus Safety will take the required action, either dispatching an officer or asking the victim/reporting party to proceed to Campus Safety to file an incident report. If assistance is required from local emergency services, Campus Safety will contact the appropriate department to request assistance.

Campus Safety Officers will apprise the reporting party of the option to report the crime(s) to the local police agency with jurisdiction and, if desired, assisted by Campus Safety personnel in making the report. Campus Safety Officers do not typically conduct investigations beyond the preliminary investigation necessary to document the incident. Where appropriate, Campus Safety will ask the reporting party and any witnesses to provide written statements, if necessary. Campus Safety will also inform victims of their rights and available resources based on the nature of the reported incident.

Campus Safety incident reports involving students are typically forwarded to the Office of Student Engagement for review and potential action, as appropriate. Reports involving employees may be forwarded to the Office of Human Resources or to the appropriate supervisor(s), where applicable.

VOLUNTARY, CONFIDENTIAL REPORTING OF CRIMES

If a person is the victim of a crime and does not want to pursue action within the University system or the criminal justice system, he/she may still want to consider making a confidential report with the Campus Safety Office. With permission, a Campus Safety Officer will file a report on the details of the incident without revealing the person's identity (except to the Title IX Coordinator in the event of a reported sex offense, sexual misconduct or sexual harassment). The purpose of a confidential report is to comply with the person's wishes to keep the matter confidential, while taking steps to enhance the future safety of the victim of a crime and others. With such information, MBU can accurately record the number of incidents involving students, employees and visitors; 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 crime statistics for the institution.

To make a confidential report, visit the Campus Safety Office in the Taylor House, located at 237 Sycamore Street, Staunton, Virginia. Telephone contact can also be made by dialing extension "7000" from any campus phone; or dial 540-887-7000 from any telephone.

Information regarding confidentiality in offenses involving Sexual Misconduct can be found in the University's Sexual Misconduct Policies and Procedures, which is available on the Sexual Misconduct Policy and Resources webpage, available at: <http://www.marybaldwin.edu/title-ix/> Furthermore, the Title IX Coordinator is located at 215 E. Frederick St, (Tyson Hall) Room 110, Staunton Virginia, and can be reached by at 540-887-7215.

PASTORAL AND PROFESSIONAL COUNSELORS

The University has pastoral and professional counselors available to provide counseling and support to students. Professional counselors are available in Student Health and Counseling Services, located in the Blakely House Health Center, 201 North Market Street, Staunton, Virginia. The office is staffed from 9:00 a.m. until 5:00 p.m. Monday through Friday during the academic year and is available by phone at 540-887-7095.

The Mary Baldwin University Chaplain is located in Carpenter Academic Building Room 107 on the Staunton Campus and is available by phone at 540-887-7044. Visit the Chaplain's website for more information: <http://www.marybaldwin.edu/chaplain/>.

TIMELY WARNINGS

In the event a crime is reported or a situation arises within the MBU Clery Geography (On Campus, Public Property and Non-campus property), that, in the judgment of the Director of Safety and Security (or designee) and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat to students and employees, a campus wide "Timely Warning" notice will be issued. Timely Warnings will be distributed as soon as pertinent information is available in a manner that withholds the names of victims as confidential and with the goal of aiding in the prevention of similar occurrences.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter.
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger MBU community).
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis).
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Director of Safety and Security, or designee). Cases involving sexual assault are often reported long after the incident occurred and there is no ability to distribute a "Timely Warning" notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson.
- Other Clery crimes as determined necessary by the Director of Safety and Security, or designee in the absence of the Director of Safety and Security.

Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of MBU.

Timely Warning Notices are typically written by the Director of Safety and Security, or designee. In the event the Director of Safety and Security, or designee, is unavailable, Timely Warnings may also be written by the Vice President of Integrated Communications, or designee. Timely Warnings written by the Director of Safety and Security, or designee, may be reviewed by the Vice President for Integrated Communications prior to distribution. The Campus Safety Office has primary responsibility for

disseminating Timely Warnings to all students and employees, although the Office of Integrated Communications also has the authority and ability for disseminating Timely Warnings to all students and employees if Campus Safety is unavailable.

Timely Warning Notices will be issued to the campus community via email communication to all MBU assigned email accounts by using the University's email system. Timely warnings may also be issued using the BAM (Baldwin Alert Messages) System via text, email and voice notifications.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

MBU maintains an Emergency Response Plan that outlines responsibilities of students, faculty, staff and visitors during emergencies. This plan outlines predetermined assembly/shelter areas and identifies the BAM System as the means of communicating with the University community during emergencies.

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as table top exercises and drills and tests of the BAM system. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

Emergency Evacuation Procedures

Students and employees are encouraged to familiarize themselves with the locations of emergency exits in buildings. Campus Safety does not advise building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building(s) being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. Mary Baldwin has a reciprocal agreement with the Virginia School for the Deaf and Blind to provide temporary shelter in case of a disaster. Furthermore, students, faculty, and staff should familiarize themselves with the safest place in each building on campus to take shelter in the event of a severe weather event such as a tornado. These designated locations are available for both the Main Campus as well as the Murphy Deming College of Health Sciences by visiting:

<https://go.marybaldwin.edu/safety/severe-weather-safety/tornado-safety/>

Mary Baldwin University conducts building evacuation drills in residential facilities. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At MBU, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to building. During the drill, occupants "practice" drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

General Evacuation Procedures

At the sound of a fire alarm or if building occupants are instructed to evacuate, they need to leave the building immediately and proceed to the nearest exit. Any person first to recognize a fire situation,

should 1) activate the alarm, 2) evacuate to a safe location using the nearest exit, 3) notify emergency responders by dialing 911 , then 4) contact Campus Safety to report the incident at 540-887-7000.

1. Remain Calm.
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If a physically-impaired person is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Campus Safety or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do NOT re-enter the building until advised by Campus Safety that it is safe to do so.

Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”?

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose persons to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”?

A shelter-in-place notification may come from several sources: Campus Safety, local police or fire officials, or other University officials utilizing the BAM System.

How Do I “Shelter-in-Place”?

No matter where you are, the basic shelter-in-place steps will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - An interior room;
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation system as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call Campus Safety to report the list of names and location of where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

EMERGENCY NOTIFICATIONS (BALDWIN ALERT MESSAGES)

Mary Baldwin University has developed a process to notify the campus community in cases of an emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, Mary Baldwin University will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

If Campus Safety, in conjunction with other University administrators, local first responders and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the MBU Community, the Vice President for Office of Integrated Communications or designee or the Director of Safety and Security or

designee will determine the content of the message and will use some or all of the systems described below to communicate the threat to the MBU Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Mary Baldwin University will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Campus Safety, local police, local fire department and/or emergency medical services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Notification will be made by using some or all of the following methods depending on the type of emergency: the BAM Alert System (which contains email, cell phone text, voice message alert capabilities); fire alarm (where available), the outdoor siren system (Main Campus Only), indoor public address system (Murphy Deming College of Health Sciences only); Web alert function on marybaldwin.edu; and/or via voice message recorded on a public information line [540- 887-7378]. If any of these systems fail or the University deems it appropriate, in-person communication may be used to communicate an emergency.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY					
BAM Alert System (email, text, voice)	Campus Safety or Office of Integrated Communications	Campus Safety or Office of Integrated Communications	N/A	Campus Safety or Office of Integrated Communications	Campus Safety or Office of Integrated Communications
SECONDARY					
Outdoor Siren System (Main Campus Only)	N/A	N/A	N/A	Campus Safety	Campus Safety
Public Address System (MDCHS Only)	Campus Safety or Vice President MDCHS or designee	N/A	N/A	Campus Safety or Vice President MDCHS or designee	Campus Safety or Vice President MDCHS or designee

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/Distributor	Backup Message Sender/Distributor
Web Alert on marybaldwin.edu	Office of Integrated Communications	N/A	N/A	Office of Integrated Communications	N/A

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and direct persons to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm), although normally the BAM Alert System will be utilized for this purpose.

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Mary Baldwin University homepage or by calling the University’s dedicated public information line at 540-887-7378. Although members of the larger community are not able to sign up to receive BAM Alerts, current students and employees have the ability to input the telephone number and/or email address of a parent, spouse, or other family member or friend that the student or employee would like to receive emergency alerts from Mary Baldwin. However, the default Mary Baldwin email address cannot be changed (students and employees cannot opt out of these alerts). Students and employees may update their BAM preferences and contact information at: <http://www.marybaldwin.edu/safety/baldwin-alert-message/>

CAMPUS LAW ENFORCEMENT

All MBU Campus Safety Officers are trained in First Aid, CPR, and AED and are certified through the Virginia Department of Criminal Justice Services (VDCJS) Unarmed Campus Security Officer certification process. VDCJS establishes minimum entry-level training standards mandated for a campus security officer, and regulations related to Campus Security Officers are outlined in Virginia Administrative Code (6VAC20-270) which is available online at: <http://law.lis.virginia.gov/admincodeexpand/title6/agency20/chapter270>

Mary Baldwin uses the job title of Campus Safety Officer instead of “security officer.”

Enforcement Authority, Jurisdiction and Powers of Arrest

Mary Baldwin University employs Campus Safety Officers who are responsible for maintaining peace and order and for ensuring the safety, security and welfare of students, faculty, staff and visitors. Campus Safety Officers also are responsible for the protection of all University assets and property. As non-

sworn campus security officers, the jurisdiction of Campus Safety Officers is limited to any buildings or properties owned or controlled by Mary Baldwin University. However, Campus Safety Officers exercise limited jurisdiction off campus for purposes of issuing University parking tickets to students on adjacent city streets (Sycamore Street, Vine Street, Berkley Place, Coalter Street, North Market Street, and Prospect Street. Campus Safety Officers may also issue parking tickets to students who park in the Woodrow Wilson Birthplace or Saint Francis Church Parking Lots).

Since Campus Safety Officers are not sworn law enforcement officers, they have no authority to make arrests. Additionally, Campus Safety Officers do not have the authority to seize and store evidence or to conduct drug testing on suspected narcotics. Items that will be considered evidence will need to be reported to local law enforcement for seizure and retention as evidence.

Campus Safety Officers are empowered to confront and document violations of University policies or procedures and refer alleged violators to appropriate University personnel (Human Resources or Student Engagement) and/or local law enforcement agencies for appropriate action via the institutional disciplinary process and/or the criminal justice system. Additional services provided by Campus Safety include: response to and documentation/reporting of criminal activity, medical emergencies, fire incidents and vehicle crashes on campus; documentation of University policy and procedure violations; lost and found property services; registration of vehicles and parking enforcement; issuance of identification cards; providing safety escorts on campus, upon request, for students, faculty, staff or visitors; issuance of residence hall keys; assistance in vehicle emergencies; crime and fire prevention programs; inspection of fire equipment; and fire drills.

As needed for large events organized through the Office of Student Engagement, Mary Baldwin University may hire additional event security staff for purposes of providing additional security services, including monitoring access to the event and screening attendees for weapons and other contraband. The contract security personnel's jurisdiction is limited to Mary Baldwin University property, and since they are not sworn law enforcement officers, they do not have arrest authority.

Working Relationship with State and Local Police

Campus Safety maintains a close working relationship with both the Staunton Police Department and the Augusta County Sheriff's Department along with other local emergency service providers. Although the Virginia State Police have jurisdiction at Mary Baldwin University, they rarely exercise that jurisdiction. However, Campus Safety would partner with the agency if needed as an enhancement to the overall safety and security of the University.

Memoranda of Understanding with the Local Police

Mary Baldwin University maintains a Memorandum of Understanding (MOU) with both the Staunton Police Department and the Augusta County Sheriff's Department, pursuant to § 23-234 of the Code of Virginia. The MOUs define and establish procedures and practices for cooperation between these local law enforcement agencies and Mary Baldwin University in the emergency response to, investigation of, and prevention of crimes that occur on property owned or controlled by Mary Baldwin University or on

public property within the campus, or immediately adjacent to and accessible from the campus. The MOUs specifically identify the local police departments as the lead investigative agency for crimes, including but not limited to felony sexual assaults.

Monitoring and Recording of Criminal Activity by Students

Mary Baldwin University does not have any official student organizations that own, lease or control property at any non-campus locations. Therefore, Mary Baldwin University does not use local police to monitor and record criminal activity by students at non-campus locations of student organizations officially recognized by the institution. However, the Staunton Police Department may provide a courtesy notification to MBU Campus Safety if the police department determines an offender they encounter is a MBU student.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

The Main Campus of Mary Baldwin University is located within the City of Staunton and adjacent to the Downtown Business District and nestled within residential areas. The campus is considered an “open campus” as entry to campus grounds can be achieved by walking or by vehicle. Campus grounds and some facilities are freely and frequently accessed by members of the general public attending athletic competitions, presentations, and other events.

During normal business hours, the administrative and academic facilities at MBU are open and accessible to students, staff, faculty and visitors. After normal business hours (or after the conclusion of nighttime classes or events), facilities on the Main Campus are locked by Campus Safety and only accessible to authorized individuals. Campus Safety unlocks these facilities each morning when the campus is open.

Students needing access to academic facilities after hours must contact Campus Safety and will only be admitted to the facility if faculty members have previously notified Campus Safety that the student is permitted access and the student presents their Student Identification Card. However, there are two computer labs which students may contact Campus Safety to obtain access after hours without special permission by a faculty member. These labs are located in Wenger Hall.

The Murphy Deming College of Health Sciences is access controlled 24 hours a day, 7 days a week via proximity card reader system. Current students, faculty and staff are issued an ID card which is programmed for regulated access times to the facility. Visitors must request access to the building by using the intercom system located next to the front exterior door or by requesting that another authorized person allow them access to the facility. (**Student access times have varied due to government mandates related to Covid-19)

Campus Safety Officers conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances. Campus Safety Officers on the Main Campus provide patrol coverage of the campus and residence halls 24 hours a day, 7 days a week. Patrol activity is conducted with a marked Campus Safety vehicle or by foot patrols. At the MDCHS, a

Campus Safety Officer is present during normal business hours and after hour access times. The Officer at MDCHS conducts foot patrols of the inside and outside of the building as well as the external parking lot.

There are no residential facilities at the MDCHS Center, but Campus Safety Officers conduct routine patrols of the interior and exterior of residential facilities on the Main Campus. Resident Advisors in these facilities are also trained to monitor doors to ensure they remain closed and locked at all times. Resident Advisors conduct periodic walk-throughs of these facilities daily to monitor conditions and document any potential violations of University policy.

Residential facilities are to remain locked 24 hours a day, 7 days a week and are only accessible to authorized residents with key access. Residential students are issued two keys: one that will grant them access to the main entrance of the building and another key that will grant them access to their interior room. Residents in these facilities are responsible for signing their guests in and out by recording pertinent information on the Visitor Log (guests include non-Mary Baldwin students or Mary Baldwin commuter students). During break periods, Resident Advisors are responsible for ensuring residents have signed out of the building unless they have received prior authorization to remain in the facility.

It is helpful if residents avoid allowing unknown individuals access to the residential buildings. Housing staff and Campus Safety officers monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

Campus Safety Officers are observant for issues related to safety and security to include unauthorized persons, defective lighting inside and outside of campus buildings, as well as issues with building security such as broken or defective locks and doors. Work orders are completed and submitted to the Physical Plant to correct identified issues in a prompt manner.

SAFETY ON CAMPUS

All students, employees, and campus visitors are encouraged to take responsibility for their own safety and security along with the safety and security of others. The following common-sense practices help protect everyone on campus:

- Walk with a friend, especially at night. There is safety in numbers. If a companion is unavailable or you feel uncomfortable with the prospect of walking across campus at night, call the Campus Safety office at 540- 887-7000 or use one of the Emergency Call Boxes and request an escort.
- Know the people you invite on campus or those you visit on or off campus.
- If you bring a vehicle on campus, keep the windows rolled up and the doors locked at all times. Do not leave valuables where they can be seen by others.

- Close and lock ground floor windows when you are not in your campus residence or office.
- If you are working in an academic building or office after normal business hours when the area is usually locked, notify Campus Safety of your presence in the building so they are aware in case of an emergency.
- Be aware and concerned about use and abuse of alcohol and other drugs. Sexual assaults and other violent acts occur more often when people are under the influence of alcohol or drugs.
- Anyone needing emergency assistance on campus is encouraged to contact local emergency services by dialing 911. It is recommended that immediately after calling 911, contact Campus Safety by dialing extension 7000 from a campus phone or 540-887-7000 from a cell phone.
- Pay attention to safety announcements, security alerts, and other information about crime prevention and enhancing personal safety provided on campus. Knowledge of safety precautions and resources can make a difference in a crisis.

The Mary Baldwin University Campus Safety page provides additional information and links related to safety on campus and services provided by the Campus Safety Office. You can visit this page at:

<http://www.marybaldwin.edu/safety/>

CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Campus Safety annually discusses crime prevention and security awareness at New Student Orientation, which is held during the summer prior to the start of the academic year. Campus Safety also makes crime prevention and security information available via the Campus Safety website and through flyers placed in all residential and academic buildings. Campus Safety also shares crime prevention and security awareness information via the [mbctvchannel2broadcast](#). Campus Safety is available to offer crime prevention and security awareness programs, upon request, to classes, departments, campus clubs and student organizations. All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and involved and advised to call Campus Safety Office to report suspicious behavior. Anyone interested in having a Campus Safety Officer speak to his or her classroom or group should contact the office at 540-887-7000.

Additional crime prevention and security awareness programs are offered by the Office of Student Engagement. For example, at Freshmen Orientation each year in August, the Office of Student Engagement along with the University Title IX Coordinator, present a program specifically related to Sexual Misconduct.

POSSESSION, USE AND SALE OF ALCOHOL AND ILLEGAL DRUGS

Mary Baldwin University makes every attempt to maintain a “Drug Free” campus community. Accordingly, Mary Baldwin University prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs. The Campus Safety Office is responsible for the enforcement of state underage drinking laws and Federal and State drug laws insofar as violations of these laws are also violations of University policy and are subject to University disciplinary action. Campus Safety Officers will document violations of these policies, forward reports to appropriate University officials for imposition of disciplinary action, and/or summon local police for purposes of evidence recovery, narcotics testing and/or criminal charges.

If a Campus Safety Officer identifies state underage drinking violations, or encounters unlawful possession, use or sale of illegal drugs, the officer will write a report and forward it to the appropriate department (typically the Office of Student Engagement for students) to initiate disciplinary action. The “Professional On-Call” for Student Engagement and the law enforcement agency with jurisdiction (the Staunton Police Department for Main Campus) may also be contacted by Campus Safety to respond to the incident to seize and store evidence or to conduct drug testing on suspected narcotics, if applicable. Law enforcement officers may also initiate appropriate criminal proceedings through arrests or issuance of citations/summonses.

The Commonwealth of Virginia prohibits the purchase, possession, or consumption of all alcoholic beverages by persons under the age of 21. It is a violation of State law to purchase alcoholic beverages for, or to serve alcoholic beverages to a person under the age of 21. Public intoxication is against the laws of the Commonwealth and the policies of Mary Baldwin University.

On July 1, 2021 the Commonwealth of Virginia legalized simple possession of marijuana for anyone over age 21. However, under additional State and Federal Laws, it is unlawful to possess, use, manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance. Any person in violation, with respect to Schedule I or II controlled substance, may be subject to fines and imprisonment. It is against Virginia law to possess drug paraphernalia. Drug paraphernalia is defined as all equipment, products, and materials of any kind that which are either designed for use or which are intended by the person charged for the use in planting, propagating, producing, preparing, packaging, storing, concealing, injecting, inhaling, etc.

Mary Baldwin University also addresses the unlawful possession, use and sale of alcohol and illegal drugs involving students through the University Student Conduct code. Student Conduct Proceedings will generally proceed even if the conduct also results in action initiated by federal, state, or local law enforcement officials, or a private party, based on the same conduct, and the resolution of Student Conduct Proceedings will not be delayed or be dependent upon the outcome of any other criminal or civil proceeding.

ALCOHOL AND DRUG ABUSE AWARENESS PROGRAMS

The Office of Student Engagement oversees and advises the student governed Judicial Board that is responsible for creating, educating, and holding students responsible for the Student Code of Conduct. The Code of Conduct governs the possession and use of alcohol and other drugs by students and their guests while on the Mary Baldwin campus.

The code also addresses how students will be held accountable for their behavior through the judicial process. Students who have been found responsible for alcohol and other drug violations are required to submit a reflection paper regarding their use and researching effects of alcohol and other drugs on the body and specifically how it contributed to behaviors during the incident at issue. Additionally, students can be referred to the campus Health Center for educational one on one consultation and/or counseling with a licensed mental health care professional. Such interventions often are mandated depending on the severity of the incident.

All students receive in writing information regarding the Student Code of Conduct policies in relation to Alcohol, Drugs, and Controlled Substances.

The first programming/educational effort comes during Freshmen Orientation in August in the form of *Know the Codes*. *Know the Codes* is a program that introduces first year students to the Code of Conduct and Honor Code with an emphasis on alcohol and drug policies.

Apple Day is on the first Tuesday in October and is a longstanding tradition at Mary Baldwin University. During the event the Sophomore Class Officers partner with the Judicial Board, the Honor Council, and the Student Advocates to provide alcohol education and substance-free activities the evening before Apple Day.

The three groups mentioned in the preceding paragraph organize again in the Spring, in partnership with the Residence Hall Association, to put on an alcohol alternative program. Alcohol and drug prevention programming was also provided to students via the keynote speakers identified in the "Crime Prevention and Security Awareness Programs" portion of this document.

Employees are notified via email annually of the University's Drug Free Workplace Policy by Human Resources. In this notification, employees are reminded that staff members at the Mary Baldwin Health Center and the Counseling and Psychological Services Center can provide additional information about substance abuse concerns. Also, the University has an Employee Assistance Program (EAP), which is available to benefits-eligible employees and members of their households.

MISSING STUDENTS

In accordance with the Higher Education Opportunity Act, MBU must develop and implement certain procedures to be followed when residential students on the Main Campus are determined to be missing for 24 hours (there are no On Campus Student Housing Facilities associated with the Murphy Deming College of Health Sciences campus). Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential missing person contact to be notified by MBU no later than 24 hours after the time the student is determined to be missing by the

designated University officials authorized to make that determination (specifically, Campus Safety, in collaboration with Student Engagement /Residence Life) or the local law enforcement agency in which the student went missing. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information will be accessible only to authorized campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation.

MBU will notify any missing student's confidential contact(s), if provided, within 24 hours of the determination that the student is missing. In the event a student under 18 years of age and not emancipated, MBU must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, MBU will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Suspected missing students must be reported immediately to officials in the Campus Safety and Security Office. If members of the MBU community believe that a student has been missing for 24 hours, it is critical that they report that information to Campus Safety by calling 540-887-7000. A student is determined to be missing when Campus Safety has verified that reported information is credible and circumstances warrant declaring the person missing. Should Campus Safety investigate and determine that a residential student is missing, the Director of Residence Life will initiate contact with the student's missing person contact, if contact information has been provided, within 24 hours of the determination that the student is missing. If the student is under the age of 18 and is not an emancipated individual, the Director of Residence Life or the Director of Safety and Security will notify the student's custodial parent or guardian within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Campus Safety will inform the Staunton Police Department (or the local law enforcement with jurisdiction in the area from which the student went missing) that the student is missing within 24 hours.

SEXUAL MISCONDUCT

Mary Baldwin University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, the University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct as well as to provide information about the educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, Mary Baldwin prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community.

For a complete copy of the University's policy governing sexual misconduct, visit:

A. Definitions

There are numerous terms used by the University in our Sexual Misconduct Policy and procedures. Some of these terms are also defined in the Commonwealth of Virginia's state criminal statutes. Consequently, the relevant terms are defined below by both sets of definitions.

Consent to sexual activity is not defined by the criminal statutes in the Commonwealth of Virginia.

Consent is defined by Mary Baldwin University in its' administrative policy and procedure as informed, freely and actively given and mutually understandable words or actions that indicate a willingness to participate in mutually agreed-upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another. Consent can be withdrawn at any time.

Consent cannot be inferred from: 1) Silence, passivity, or lack of resistance alone; 2) A current or previous dating or sexual relationship alone (or the existence of such a relationship with anyone else); 3) Attire; 4) The buying of dinner or the spending of money on a date; or 5) Consent previously given (i.e., consenting to one sexual act does not imply consent to another sexual act). Consent is not effective if it is obtained through the use of physical force, violence, duress, intimidation, coercion or the threat, expressed or implied, of bodily injury. Whether a party used intimidation or coercion to obtain consent will be determined by reference to the perception of a reasonable person found in the same or similar circumstances. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person. Consent may never be given by: a) Minors, even if the other participant did not know the minor's age; b) Mentally disabled persons, if their disability was reasonable knowable to a sexual partner who is not mentally disabled; or c) Persons who are incapacitated (whether as a result of drugs, alcohol or otherwise), unconscious, asleep or otherwise physically helpless or mentally or physically unable to make informed, rational judgments. The use of alcohol or drugs does not diminish one's responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Misconduct under this Policy. If at any time during a sexual act any confusion or ambiguity is or should reasonably be apparent on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue and capacity to consent. Neither party should make assumptions about the other's willingness to continue. Mary Baldwin utilizes the definition of consent for purposes of assessing responsibility in complaints that come forward alleging a form of sexual misconduct was perpetrated.

The U.S. Department of Education defines sexual assault differently than is defined by Mary Baldwin University. The below definition is being provided to comply with the Clery Act as amended by the Violence Against Women Reauthorization Act of 2013.

At Mary Baldwin, our policies define sex-based offenses that violate our administrative policy as follows:

Sexual Harassment. “Sexual Harassment” is any unwelcome verbal, nonverbal, written, electronic or physical conduct of a sexual nature. Sexual harassment also includes acts of intimidation, bullying, aggression or hostility based on gender or gender-stereotyping, even if the acts do not involve conduct of a sexual nature. Examples of Sexual Harassment include instances in which:

1. Submission or consent to the behavior is reasonably believed to carry consequences for the individual’s education, employment, on-campus living environment, or participation in a University activity. Examples of this type of sexual harassment include:
 - a. pressuring an individual to engage in sexual behavior for some educational or employment benefit, or
 - b. making a real or perceived threat that rejecting sexual behavior will carry a negative educational or employment consequence for the individual.
2. The behavior is so severe or pervasive that it has the effect of substantially interfering with the individual’s work or educational performance by creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a University activity. Examples of this type of sexual harassment include:
 - a. one or more instances of Sexual Assault;
 - b. persistent unwelcome efforts to develop a romantic or sexual relationship;
 - c. unwelcome sexual advances or requests for sexual favors;
 - d. unwelcome commentary about an individual's body or sexual activities;
 - e. repeated and unwelcome sexually-oriented teasing, joking, or flirting; and
 - f. verbal abuse of a sexual nature.

Sexual Violence. “Sexual Violence” shall mean physical sexual acts perpetrated against a person’s will or against a person incapable of giving consent.

Sexual Assault. “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. (For purposes of Mary Baldwin’s policy, these same offenses are defined under the headers of sexual assault, rape and non-forcible sex act. The Federal Clery Act requires that we provide you the definition as defined by the U.S. Department of Education in this document.)

Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

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

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

Sexual Exploitation. "Sexual Exploitation" means any act of taking non-consensual, unjust or abusive sexual advantage of another person for one's own advantage or benefit or to benefit or advantage anyone other than the person being exploited. Sexual Exploitation includes, but is not limited to:

1. Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such person;
2. Prostituting another person (i.e., personally gaining money, privilege or power from the sexual activities of another);
3. Non-Consensual videotaping, photographing, or audio-taping of sexual activity and/or distribution of these materials via media such as, but not limited to, the Internet;
4. Exceeding the boundaries of Consent (e.g., allowing another person to observe Consensual sex without the knowledge of or Consent from all participants);
5. Voyeurism; and
6. Knowingly or recklessly transmitting a sexually transmitted disease (including HIV) to another individual.

Definitions from the University policy may differ from those used by the Commonwealth of Virginia to define sexual assault for the criminal justice system. In some cases, the University's definitions include behaviors that, while not codified as criminal under the Virginia statutes, still violate our institutional Sexual Misconduct Policy to which all University students and employees are held. Conduct may also be both punishable under the criminal statutes and University policy. These processes are separate and distinct from one another, but can run concurrently. The definitions as found in Chapter 4 of § 18 of the criminal statutes of the Commonwealth of Virginia are as follows:

§ 18.2-61. Rape.

A. If any person has sexual intercourse with a complaining witness, whether or not his or her spouse, or causes a complaining witness, whether or not his or her spouse, to engage in sexual intercourse with any other person and such act is accomplished (i) against the complaining witness's will, by force, threat or intimidation of or against the complaining witness or another person; or (ii) through the use of the

complaining witness's mental incapacity or physical helplessness; or (iii) with a child under age 13 as the victim, he or she shall be guilty of rape.

§ 18.2-67.1. Forcible sodomy.

A. An accused shall be guilty of forcible sodomy if he or she engages in cunnilingus, fellatio, anilingus, or anal intercourse with a complaining witness whether or not his or her spouse, or causes a complaining witness, whether or not his or her spouse, to engage in such acts with any other person, and

1. The complaining witness is less than 13 years of age; or
2. The act is accomplished against the will of the complaining witness, by force, threat or intimidation of or against the complaining witness or another person, or through the use of the complaining witness's mental incapacity or physical helplessness.

18.2-67.2. Object sexual penetration; penalty.

A. An accused shall be guilty of inanimate or animate object sexual penetration if he or she penetrates the labia majora or anus of a complaining witness, whether or not his or her spouse, other than for a bona fide medical purpose, or causes such complaining witness to so penetrate his or her own body with an object or causes a complaining witness, whether or not his or her spouse, to engage in such acts with any other person or to penetrate, or to be penetrated by, an animal, and

1. The complaining witness is less than 13 years of age; or
2. The act is accomplished against the will of the complaining witness, by force, threat or intimidation of or against the complaining witness or another person, or through the use of the complaining witness's mental incapacity or physical helplessness.

§ 18.2-67.4. Sexual battery.

A. An accused is guilty of sexual battery if he sexually abuses, as defined in § 18.2-67.10, (i) the complaining witness against the will of the complaining witness, by force, threat, intimidation, or ruse, (ii) within a two-year period, more than one complaining witness or one complaining witness on more than one occasion intentionally and without the consent of the complaining witness

At Mary Baldwin, our policies define intimate partner and associated offenses that violate our administrative policy as follows (which are consistent with how these terms are defined by the U.S. Department of Education under the Federal Clery Act and required to be provided in this document):

Domestic Violence: The term “domestic violence” means

1. Felony or misdemeanor crimes of violence committed—
 - (i) By a current or former spouse or intimate partner of the victim;
 - (ii) By a person with whom the victim shares a child in common;

- (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

2. For the purposes of complying with the requirements of this section and the United States Code of Federal Regulations (C.F.R.) Title 34 §§ 668.41 and 668.46, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The Commonwealth of Virginia defines domestic violence in criminal statute as well:

§ 18.2-57.2. Assault and battery against a family or household member; penalty.

A. Any person who commits an assault and battery against a family or household member is guilty of a Class 1 misdemeanor. "Family or household member" means (i) the person's spouse, whether or not he or she resides in the same home with the person, (ii) the person's former spouse, whether or not he or she resides in the same home with the person, (iii) the person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person, (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person.

Dating Violence as defined by Mary Baldwin University's policy: The term "dating violence" means 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. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

- (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (ii) Dating violence does not include acts covered under the definition of domestic violence.

- (iii) Dating violence is controlling, abusive, and aggressive behavior in a romantic or intimate relationship. The abuse can include verbal, emotional, physical, or sexual abuse, or a combination.

For the purposes of complying with the requirements of this section and United States Code of Federal Regulations 34 C.F.R. §§ 668.41 and 668.46, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The Commonwealth of Virginia does not define dating violence in the criminal statutes of the state law.

Mary Baldwin and the U.S. Department of Education define Stalking as

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) fear for the person’s safety or the safety of others; or
- (ii) suffer substantial emotional distress.

2. For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
- (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- (iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3. For the purposes of complying with the requirements of this section and United States Code of Federal Regulations 34 C.F.R. §§ 668.41 and 668.46, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking is defined by the Commonwealth of Virginia in criminal statutes in state law as:

§ 18.2-60.3. Stalking; penalty.

Any person, except a law-enforcement officer, as defined in § 9.1-101, and acting in the performance of his official duties, and a registered private investigator, as defined in § 9.1-138, who is regulated in accordance with § 9.1-139 and acting in the course of his legitimate business, who on more than one occasion engages in conduct directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member is guilty of a Class 1 misdemeanor.

B. Education and Prevention Programs

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for all students and employees that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Clarified that the Commonwealth of Virginia does not define what consent to sexual activity means in statute but the definition of consent and the purpose for which that definition is utilized by the University (i.e., for the intake and resolution of complaints as well as capturing statistical information for the Federal Clery Act, which can be found in the institutional Sexual Misconduct Policy);
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- e. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; and other educational training and offerings as described below:

The University offered the following **primary prevention and awareness programs for all incoming students in 2020:**

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Sexual Misconduct and Title IX Training – Residence Life Office	8/11/20	King 107	DoV, DaV, SA, S
First-Year Student Orientation – Title IX and Sexual Assault training	August 2020	On-line	DoV, DaV, SA, S

☐ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **primary prevention and awareness programs for all new employees in 2020:**

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
EDURisk through United Educators	August 2020	On-line	DoV, DaV, SA, S

The University offered the following **ongoing awareness and prevention programs for students in 2020:**

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Impressions- Title IX Sexual Assault Training	August 2020	On-Line	DoV, DaV, SA, S
Know Your Limit – Alcohol	August 2020	On-Line	DoV, DaV, SA, S

☐ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **ongoing awareness and prevention programs for employees in 2020:**

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Prevent Discrimination and Harassment Together	August 2020	On-line	DoV, DaV, SA, S
Mosaic: Prevent	August 2020	On-Line	Dov, DaV, SA, S

Sexual Violence Together			
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☒ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

C. Procedures for Reporting a Complaint

Individuals may choose not to report alleged Sexual Misconduct to campus officials. The University respects and supports the individual’s decision with respect to reporting; however, if information about Sexual Misconduct comes to the attention of the University, the University will start an investigation once a formal complaint is submitted from the complainant.

Anyone wishing to file a report with the university under this Policy should contact one of the following individuals, offices or file an anonymous report online. The university will investigate once a formal complaint is filed by the complainant. You may seek a formal or informal resolution. The standard of proof is “a preponderance of the evidence” and sanctions include suspension or job termination.

Interim Title IX Coordinator	Staunton VA Campus	Office Phone	Email
Heidi Bustos	Tyson Hall., Room 110	540-887-7215	hbustos@marybaldwin.edu
Deputy Title IX Coordinators	Staunton VA Campus	Office Phone	Email
Christy Shelton	PAC, Room 117	540-887-7321	cshelton@marybaldwin.edu
Deputy Title IX Coord	MDCHS VA Campus	Office Phone	Email
Crystal Johnson	MDCHS, Room 219	540-887-4323	crhjohnson@marybaldwin.edu

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at the following medical facility:

Augusta Health Regional Hospital (ER and SANE)	78 Medical Center Drive, Fishersville, VA 22939	540-332-4000
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In Virginia, evidence may be collected even if you choose not to make a report to law enforcement.¹ Evidence will be collected and you will be provided with information on how to file a report at a later time if you decide that is how you’d like to proceed. Evidence is not tested by the State Lab without a police report and a desire by the victim to cooperate with a criminal investigation and prosecution, if applicable, nor is evidence held indefinitely. If you would like to report your sexual or physical assault to

¹ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

law enforcement, hospital staff can assist you by making the necessary notification to law enforcement and having them respond to take a report. You have the right to have an advocate with you. You may request that the hospital contact an advocacy service to have an advocate present while you speak to law enforcement.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy (if applicable) and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve other physical evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators or police. Although the University strongly encourages all members of its community to report sexual and intimate partner violence to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The University’s Title IX Coordinator will assist any victim with notifying local police if they so desire. To contact law enforcement, contact the department that corresponds to the jurisdiction in which the assault occurred. If you are uncertain of who to call, simply dial 9-1-1.

Off Campus Law Enforcement		
Staunton Police Department	116 W Beverley Street Staunton, VA 24401	540-332-3842
Augusta County Sheriff’s Office	127 Lee Highway Verona, VA 24482	540-245-5333

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator or Deputy Coordinator by calling, writing or coming into the office to report in person and to local law enforcement (or the Campus Safety and Security Department for assistance) (if the victim so desires.)² The University will provide resources, on campus/off campus or both, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

² The Title IX Coordinator is regarded as a “Responsible Employee” under Title IX and also a “Campus Security Authority” under the Clery Act. Statistical information less the victims identifying information will be provided to campus public safety or whomever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Safety or law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care and safety 2. Institution will assess immediate safety needs of complainant and determine if the three-person panel needs to convene and whether or not the complaint needs to be reported to the Commonwealth’s Attorney 3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties, change in work schedule, change in transportation or other measure as determined by the institution 6. Institution will provide a “No trespass” directive to accused party if deemed appropriate 7. Institution will provide written instructions on how to apply for Protective Order 8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and the outcome of the hearing results 	Preponderance of the Evidence

	<p>including the sanction and appellate process</p> <p>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</p>	
Stalking	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a "No trespass" directive to accused party if deemed appropriate 	Preponderance of the Evidence
Dating Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a "No trespass" directive to accused party if deemed appropriate 	Preponderance of the evidence
Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to 	Preponderance of the evidence.

	<p>complainant on how to preserve evidence</p> <p>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</p> <p>6. Institution will provide a “No trespass” directive to accused party if deemed appropriate</p>	
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D. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Virginia, a victim of domestic violence, dating violence, sexual assault or stalking has a number of rights. If you have been the victim of a crime, it may help to talk with a knowledgeable and understanding person about your feelings. This is difficult, but most victims report that they feel better after freely and confidentially discussing concerns and emotions they are experiencing. Reach out to someone with whom you feel comfortable. The most important step in recovery is to talk to someone you trust. There are programs and services available in your area designed to assist victims, their families, and others in dealing with the victimization, and the complexities of the criminal justice system. You can find out about these services by contacting the office of the local law enforcement agency, commonwealth’s attorney or the victim/witness, sexual assault, domestic violence, or child abuse programs in your area. Telephone numbers for these agencies and programs should be in your local phone book. For information, assistance, and referrals you can also call statewide toll-free numbers including: Virginia Crime Victim Assistance INFO-LINE 1-888-887-3418 and the Virginia Family Violence and Sexual Assault Hotline 1-800-838-8238 (V/TTY).

You also have the right to information and to be informed about the major stages of your case as it progresses through the criminal justice system. To help ensure that crime victims are informed of their rights, the law requires that investigating law enforcement agencies (for example, police departments or sheriffs’ offices) provide victims with written information about their rights, including their right to leave from work to attend court. Victims should be given a telephone number to call in order to receive further information and assistance regarding their rights. They should also be provided with the names, addresses, and telephone numbers of the Commonwealth’s Attorney and the investigating law enforcement agency. Your local law enforcement agency may use this brochure as part of its effort to assist you and to meet this requirement.

Crime victims, and certain witnesses, have the right to request that certain information remain confidential. For example, a crime victim may request that courts, police departments, sheriff’s offices, commonwealth’s attorneys, defense attorneys, and the Department of Corrections not disclose, except among themselves, his or her home address, telephone number, or place of employment. To request confidentiality, the victim must file a Request for Confidentiality by Crime Victim Form (DC-301) with the magistrate, court, commonwealth’s attorney, police department or sheriff’s office in the locality where

the crime occurred. Forms may be obtained from the magistrate or clerk of court. You can consult with the commonwealth's attorney to get a clear idea of what information may be kept confidential in your case. With some exceptions, law enforcement agencies may not disclose information which directly or indirectly identifies victims of sexual assault or sexual abuse. Additionally, victims of sexual assault or sexual abuse may request that any Court of Appeals or Virginia Supreme Court decisions not contain their first and last names.

To protect your rights to receive notices and offer input, it is extremely important that you ensure that the commonwealth's attorney and other agencies have accurate contact information. VINE (Victim Information and Notification Everyday) is an automated system which automatically notifies registered victims about changes in custody status of particular offenders. For more information about the VINE Program see www.vinelink.com or call 1-800-467-4943.

If you would like additional information about your rights under Virginia law as they relate to your status as a crime victim, visit:

<https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/victims/summary-virginias-crime-victim-witness-rights-act.pdf>

Mary Baldwin University complies with Virginia law in recognizing orders of protection. Any person who obtains an order of protection from Virginia or any U.S. state should provide a copy to the Campus Safety and Security Department and the Office of the Title IX Coordinator. A complainant may then meet with the Campus Safety and Security Department to develop a safety plan, which is a plan for the University and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom locations or allowing a student to complete assignments from home/employee to have a change in work location, etc. The University cannot apply for a legal order of protection for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Below are some commonly asked questions regarding orders of protection in Virginia.

What are Protective Orders?

They are legal documents issued by a judge or magistrate to protect the health and safety of a person who is alleged to be a victim of any act involving violence, force or threat that results in bodily injury or places that person in fear of death, sexual assault or bodily injury. In Virginia, there are 3 kinds of Protective Orders that can protect you and others in your family or home:

- Emergency Protective Order (expires at the end of the third day following issuance or the next day court is in session, whichever is later)
- Preliminary Protective Order (lasts 15 days or until a full hearing)
- Protective Order (may last up to 2 years)

How will I know when the Emergency Protective Order ends?

You should look on the order for the date and time it expires. If you need protection for a longer period of time, you must ask the court for a Preliminary Protective Order.

Where do I go to request a Preliminary Protective Order?

If the person from whom you want protection is a family or household member or a juvenile, or if you are a juvenile, you should go to the juvenile and domestic relations district court. Otherwise, you should go to the general district court. You may also contact the magistrate’s office for help or contact Blue Ridge Legal Services for legal assistance.

Juvenile & Domestic Relations Court / Domestic Violence Intake Center (Protective Orders)	Staunton/Augusta Juvenile & Domestic Relations Court 6 E. Johnson St. Staunton, VA 24401	540-245-5306 Additional information: https://www.vacourtformhelp.courts.state.va.us/
Staunton General District Court	Staunton General District Court 113 E. Beverley St. Staunton, VA 24401	540-332-3878
Augusta County General District Court	Augusta County General District Court 1 E Johnson St. Staunton, VA 24401	540-245-5300
Augusta County/ City of Staunton Magistrate	127 Lee Highway Verona, VA 24482	540-245-5015
Legal Assistance	Blue Ridge Legal Services PO Box 551 204 N. High St. Harrisonburg, VA 22803	540-433-1830 800-237-0141 http://www.brls.org/

How do I get a Preliminary Protective Order?

You must fill out court forms. If this matter will be in the juvenile and domestic relations district court, you file the forms with the Court Services Unit. If it will be in the general district court, you file the forms in the general district court clerk’s office. You then may go into a courtroom where a judge may ask you questions to decide whether to give you a Preliminary Protective Order.

How much does it cost to file for a Protective Order?

There is no cost.

What should I bring with me?

You should bring the name, address and identifying information of the person from whom you are seeking protection and a full description of the event that led you to seek a protective order. The

address should be the place where the person can be found and not a P.O. box. You should also bring your copy of the Emergency Protective Order and information about the warrant or petition alleging an act of violence, force or threat, if either was issued.

For more information on orders of protection, visit

http://www.courts.state.va.us/forms/district/info_sheet_protective_order_stalking.pdf

The University may issue an institutional “no contact” directive if deemed appropriate or at the request of the victim or accused party. To the extent of the victim’s cooperation and consent, University offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the University’s Daily Crime Log or online. Victims may request that University directory information on file be removed from public sources by contacting the Registrar office at 540-887-7071 or emailing: registrar@marybaldwin.edu

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

ON CAMPUS RESOURCES—For both campuses in Staunton and Fishersville VA:

<u>Resource</u>	<u>Type of Resource Provided</u>	<u>Address/Location on Campus</u>	<u>Phone Number and website</u>
Student Health and Counseling Center	Health, Mental Health and Counseling	Blakely House Health Center 201 N. Market St. Staunton, VA 24401	540-887-7095 http://www.marybaldwin.edu/student/health-counseling-services/
Spencer Center for Civic and Global Engagement	Visa and Immigration Assistance	Wenger Hall, Rm. 206 110 N. Market St. Staunton, VA 24401	540-887-7111 http://www.marybaldwin.edu/spencer-center/
Legal Assistance/Victim Advocacy	Title IX Coordinator can provide individuals with recommendations	Tyson Hall, Room 110 215 E. Frederick St., Staunton, VA 24401	540-887-7215 http://www.marybaldwin.edu/title-ix/

	for legal counsel upon request and referrals to victim advocacy		
Department of Financial Aid	Financial Aid Information	Administration Bldg., Rm. 113 101 E. Frederick St. Staunton, VA 24401	540-887-7022 https://marybaldwin.edu/financial-aid/undergraduate/
Office of the Title IX Coordinator (Interim)	Oversight Responsibility for Title IX–Related Complaints	Tyson Hall., Room 110 215 E. Frederick St. Staunton, VA 24401	540-887-7215 http://www.marybaldwin.edu/title-ix/
Campus Safety and Security Department	Campus Safety, Security, Fire Prevention, Parking Permits, Identification Cards	237 Sycamore St. Staunton, VA 24401 Murphy Deming College of Health Sciences, Rm. 146 100 Baldwin Blvd. Fishersville, VA 22939	540-887-7000 http://www.marybaldwin.edu/safety/ 540-887-4333
Office of the Chaplain	Spiritual Resource and Counseling	Carpenter Academic Bldg. Rm. 107 115 E. Frederick St. Staunton, VA 24401	540-887-7044 http://www.marybaldwin.edu/chaplain/
Office of Inclusive Excellence	Promotes Cross-Cultural Sharing and Exploration	Kable House, Rm. 217 228 Prospect St., Staunton, VA 24401	540-887-7270 http://www.marybaldwin.edu/inclusive-excellence/
Office of Student Engagement	LGBTQ+ and Cultural Support Programs, Clubs, and Organizations	Kable House, Rm. 217 228 Prospect St. Staunton, VA 24401	540-887-7045 http://www.marybaldwin.edu/student/diversity-advocacy/

OFF CAMPUS RESOURCES

<u>Resource</u>	<u>Type of Resource Provided</u>	<u>Address/Location Off Campus</u>	<u>Phone Number</u>
Staunton Police Department	Law Enforcement	116 W Beverley St. Staunton, VA 24401	540-332-3842
Augusta County Sheriff's Office	Law Enforcement	127 Lee Hwy. Verona, VA 24482	540-245-5333
Augusta Health Regional Hospital	ER and SANE, Counseling and	78 Medical Center Dr. Fishersville, VA 22939	540-332-4000

	Mental Health		
Valley Hope Counseling Center	Counseling	20 Stoneridge Dr., Suite 202 Waynesboro, VA 22980	540-943-9302
New Directions Center	Crisis Center and Shelter, Victim Advocacy	PO Box 3069 Staunton, VA 24402	540-886-6800 or 1-800-56-haven
Shenandoah Valley Gay and Lesbian Association	LGBTQ+ and Cultural Support Programs, Clubs, and Organizations	PO Box 1023 Harrisonburg, VA 22803	SVGLAssociation@gmail.com https://www.svgla.org/
Domestic Violence Intake Center	Protective Orders	Staunton/Augusta Juvenile & Domestic Relations Court 6 E. Johnson St. Staunton, VA 24401	540-245-5306
Augusta County Magistrate		127 Lee Highway Verona, VA 24482	540-245-5015
Augusta County Circuit Court		1 E. Johnson St., Staunton, VA 24401	540-245-5015
Staunton Magistrate		127 Lee Highway Verona, VA 24482	540-245-5015
Staunton Circuit Court		113 E. Beverley St., 2nd Floor Staunton, VA 24401-4390	540-332-3874
Legal Assistance		Blue Ridge Legal Services PO Box 551 204 N. High St. Harrisonburg, VA 22803	540-433-1830 800-237-0141 http://www.brls.org/
Visa & Immigration Assistance	Spiritual, Social, Economic Needs of Immigrants	New Bridges Immigrant Resources 64 W. Water St. Harrisonburg, VA 22801	540-438-8295 http://www.newbridgesirc.org/
Financial Aid	Free Legal Services	Blue Ridge Legal Services PO Box 551 204 N. High St. Harrisonburg, VA 22801	540-433-1830 800-237-0141 http://www.brls.org/

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network
<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

To contact the Department of Education, Office of Civil Rights
400 Maryland Avenue, SW, Washington, DC 20202-1100
TTY#: (800) 877-8339
Email: OCR@ed.gov
WEB: <http://www2.ed.gov/about/offices/list/ocr/index.html>

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”³ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

How to Reduce Risk

The following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.

³ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

- b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

E. Adjudication of Violations

Whether or not criminal charges are filed, a complainant may file a complaint under the institution's Sexual Misconduct Policy. The below information speaks to the steps in the process, identifies the major timeframes in the process, and speaks to the decision-making process in rendering outcomes.

Timing

The University will make every reasonable effort to ensure that the investigation and resolution of a Complaint occurs in as timely and efficient a manner as possible. The University's investigation and resolution of a Complaint (not including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. Throughout the investigation, the Complainant and the Respondent will receive periodic status updates from the Assigned Title IX Coordinator.

Any party may request an extension of any deadline by providing the Assigned Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Assigned Title IX Coordinator may modify any deadline contained in this Policy as necessary and for good cause.

(a) Respondent's Acknowledgement of Responsibility Prior to Hearing.

At any time prior to the date of their designated hearing, the Respondent may elect to acknowledge their actions and take responsibility for the alleged Sexual Misconduct through an informal resolution only if the complainant agrees. If there is not agreement then the formal resolution will proceed.

(b) The Formal Resolution Process.

In the case of formal resolution, a Hearing Panel will conduct a hearing in which it will interview and question the Complainant, the Respondent, and any witnesses or other third parties whose testimony the Hearing Panel deems relevant.

(i) The Hearing Panel. The Title IX Coordinator or Deputy will appoint the members of the "Hearing Panel." The Hearing Panel will include three faculty and/or staff members.

For Complaints involving a faculty or staff Respondent, the Title IX Coordinator or Deputy will designate one faculty/staff member of the Hearing Panel as the Chair of the Hearing Panel. The Title IX Coordinator or Deputy will share the Complaint and the Investigative Report with the Hearing Panel and, if only a portion of the misconduct alleged in the Complaint justifies continuing to the hearing process, the Title IX Coordinator or Deputy will specify which part(s) of the alleged misconduct will be the subject of the hearing. For Title IX specific cases, the whole case will be heard.

(i) Notice of the Composition of the Hearing Panel. Promptly after appointing the members of the Hearing Panel, the Title IX Coordinator or Deputy will provide concurrent written notice to the Complainant and the Respondent, setting forth the names of the individuals selected to serve on and chair the Hearing Panel. If only a portion of the alleged misconduct justifies continuing to the hearing process, the Title IX Coordinator or Deputy will also specify in the notice which part(s) of the alleged misconduct will be the subject of the hearing. For Title IX specific cases, the whole case will be heard.

The parties may challenge the participation of any member of the Hearing Panel by submitting a written objection to the Title IX Coordinator or Deputy within three business days of receipt of the notice of the composition of the Hearing Panel. Such objection must state the specific reason(s) for the objection. The Title IX Coordinator or Deputy will evaluate the objection and determine whether to alter the composition of the Hearing Panel. Failure to submit a timely and proper objection will constitute a waiver of any right of objection to the composition of the Hearing Panel. Any changes in the composition of the Hearing Panel will be provided in writing to both parties prior to the date of the first hearing.

(iii) Hearing Policies and Procedures.

1) Submission of Written Materials by the Parties. Within five days of receipt of the notice of composition of the Hearing Panel, the Complainant and the Respondent may provide the Chair of the Hearing

Panel with (1) a list of witnesses, if any, that they propose that the Hearing Panel call and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute, and (2) a written statement of position with regard to the allegations. The parties will be given 10 days between receipt of the report and the hearing to provide the written statement of position. The Hearing Panel also may call witnesses not suggested by the Complainant or the Respondent.

2) Notice of the Hearing. Not less than five days but not more than ten days after delivery of notice of the composition of the Hearing Panel to the parties, the Hearing Panel will provide a separate notice to each of the Complainant, the Respondent, and any witnesses of other third parties whose testimony the Hearing Panel deems relevant, requesting such individuals to appear before the Hearing Panel. The notice should set forth, as applicable, the date, time, and location of the hearing. In its notices to the Complainant and the Respondent, the Hearing Panel will provide the names of the witnesses or other third parties that the Hearing Panel plans to call.

3) Failure to Appear. If the Complainant or the Respondent fails to appear before the Hearing Panel if requested to do so, and such party was provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Panel will proceed to determine the resolution of the Complaint. If someone does not appear or refuse cross-examination, the hearing panel cannot use any statements made by them about the incident.

4) Special Arrangements and/or Accommodations. In addition to disability- related accommodations, the parties may request special arrangements and/or accommodations (for example, the ability to participate remotely) in connection with the hearing. Any such requests must be submitted in writing to the Title IX Coordinator or Deputy.

5) No Contact Prior to the Hearing. The Complainant and the Respondent may not contact each other outside of the hearing, even to discuss the hearing.

6) Evidentiary Matters. No new information will be allowed at the hearing—the decision-makers will consider questions by the panel or the advisors as relevant only if based on facts presented in the investigative report. Any new information admitted at the hearing is at the discretion of the decision-makers and generally limited to information that was otherwise undiscoverable. The decision-makers may also give lesser weight to information that has not been previously shared. Evidence of the past sexual histories of the Complainant and the Respondent will not be

permitted at the hearing, with the following exceptions:

- a) such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant,
- b) if 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.

7) Conduct of the Hearing.

a) Generally. The Hearing Panel will be responsible for asking questions of the parties and the witnesses and developing evidence through testimony. The Chair of the Hearing Panel will resolve any questions concerning procedure or the admission of evidence or testimony (including the relevancy and reliability of the evidence and testimony). Cross-examination is allowed by both advisors. Members of the University community are expected to provide truthful testimony.

(ii) Outcome.

1) The Decision of the Hearing Panel. Following the conclusion of the hearing, the Hearing Panel will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties' written statements, if any, the evidence presented at the hearing, and the testimony of the parties and witnesses) establishes that it is more likely than not⁴ that the Respondent committed Actionable Sexual Misconduct.

2) Sanctions.

a) Generally. Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for Sexual Misconduct, or both. Sanctions may include, without limitation, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, compensation adjustments, expulsion or suspension from the University, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions deemed appropriate by the Hearing Panel.

The Hearing Panel will determine sanctions, giving consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Hearing Panel will forward its determinations regarding sanctions to the Title IX Coordinator or Deputy.

b) Implementation of Sanctions. Sanctions imposed are not effective until the resolution of any timely appeal pursuant to Section V(b)(v), below.

3) Final Accommodations and Corrective Action. In addition to any sanctions imposed on the Respondent, promptly following the conclusion of the hearing and the Hearing Panel's issuance of a determination of responsibility, the Title IX Coordinator or Deputy will determine the final remedies to be provided to the Complainant, if any, and the Title IX Coordinator or Deputy will communicate such decision to the Complainant and, to the extent that it affects him or her, to the Respondent. Such accommodations may include, but are not limited to those listed in Section IV(b)(i)(8) above.

The Title IX Coordinator or Deputy will also take steps, where necessary, to prevent the further harassment of or Retaliation against the Complainant or third parties, such as informing them about how to report subsequent problems, following up with them to ensure that there are no subsequent problems, providing trainings for the school community, and providing Sexual Misconduct or other counseling for the Respondent. The Title IX Coordinator or Deputy will also, where appropriate, take steps to prevent the harassment of the Respondent.

Furthermore, the Title IX Coordinator or Deputy will take prompt corrective action if the Complainant experiences Retaliation or is subjected to further Sexual Misconduct or if the original sanctions imposed on the Respondent are ineffective to protect the safety and well-being of the Complainant, the complainant, or other members of the University community. In cases involving Sexual Harassment, the Title IX Coordinator or Deputy will also take reasonable steps to eliminate any hostile environment that has been created, such as conducting trainings and disseminating informational materials. In taking the above-outlined steps, the Title IX Coordinator or Deputy will make every reasonable effort to minimize the burden on the Complainant and/or complainant.

4) Final Outcome Letter. Within 2 business days following the conclusion of the hearing, the Title IX Coordinator or Deputy will issue a written decision letter (the "Final Outcome Letter") concurrently to the Respondent and the Complainant.

The written determination will include—

- A. Identification of the allegations potentially constituting sexual harassment as defined in § 106.30;
- B. (B) 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;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the recipient's code of conduct to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- F. The recipient's procedures and permissible bases for the complainant and respondent to appeal.

5) Confidentiality and Disclosure. In order to comply with FERPA, Title IX, and other applicable laws, and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearing (including the Complaint, the Investigative Report, the notice of hearing, and the pre-hearing submissions referenced above); documents, testimony, or other information introduced at the hearing; and the Final Outcome Letter may not be disclosed, except as may be required or authorized by law. This does not apply to the complainant and respondent.

(iii) Appeals. The Complainant or the Respondent may appeal the decision of the Hearing Panel and/or the sanction imposed on the Respondent within 2 business days from the date of the Final Outcome Letter. The decision of the Hearing Panel and the sanction imposed on the Respondent may, if desired, be appealed simultaneously.

1) Appeals of the Decision of the Hearing Panel Regarding Responsibility for Sexual Misconduct. The only permissible grounds for an appeal are

- a) Procedural irregularity that affected the outcome of the matter;
- b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c) The Title IX Coordinator, Deputy, investigator(s), or decision-maker(s) 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.

2) Appeals of the Sanctions. The sanctions imposed on the Respondent may be appealed on grounds that the severity of the sanction imposed is incommensurate to the gravity of the Sexual Misconduct for which the Respondent was found responsible.

Appeals of the decision of the Hearing Panel must be made in writing to the Appropriate Divisional Leader. The Appropriate Divisional Leader will provide a copy of the written appeal to the Title IX Coordinator or Deputy. The Title IX Coordinator or Deputy will promptly inform the other party (i.e., the Complainant or the Respondent) of the filing of the appeal. Both the complainant and respondent will be given the opportunity to submit a written statement in support of, or challenging, the outcome.

The Appropriate Divisional Leader will make a determination (i) that the decision of the Hearing Panel should stand; (ii) that the decision of the Hearing Panel should be overturned; or (iii) that additional evidence should be obtained before making an appellate determination.

In the event that they determine that the decision of the Hearing Panel should be overturned or that additional evidence should be obtained, he or she will specify, after consultation with the Title IX Coordinator and other University administrators, as necessary, the appropriate steps to be taken to come to a final resolution of the Complaint. The Appropriate Divisional Leader will notify the Complainant and the Respondent concurrently of the decision or action describing the result of the appeal and the rationale for the result.

When the Respondent is a University employee (either staff or faculty), the Respondent and/or the Complainant may appeal to the President of the University the Appropriate Divisional Leader's determination with regard to the employee's initial sanction-related appeal. Such appeals must be made in writing to the President of the University, who will provide a copy of the appeal to the Title IX Coordinator or Deputy. The Title IX Coordinator or Deputy will promptly inform the other party of the filing of the second appeal.

The President of the University will, after consulting as necessary with the Title IX Coordinator or Deputy and other University administrators, make a determination (a) that the decision regarding the initial sanction-related appeal should stand, or (b) that the decision of the Appropriate Divisional Leader should be overturned, in which case he or she will determine the appropriate final resolution of the matter. Before making the decision, the President of the University may request additional information from the Complainant, Respondent, or other individuals as he or she sees fit. The decision of the President of the University is final.

(iv) Documentation. The University will retain documentation (including but not

limited to the written Complaint, notifications, the Investigative Report, any written findings of fact, petitions for appeal, and any written communication between the parties), for at least seven years in Maxient. Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

Informal resolution is only appropriate if (i) the Complainant or respondent requests it AND both parties agree to it, (ii) the Complainant and the Respondent are both students or are both employees of the University, and (iii) the Title IX Coordinator or Deputy determines that it is an appropriate mechanism for resolving the Complaint.

Informal resolution may not be selected for less than all of the misconduct alleged in the Complaint (for example, the parties may not choose to resolve a claim of Sexual Assault according to the formal resolution process but mediate all other claims). If the parties agree to informal resolution (and informal resolution is appropriate for all of the claims at issue), then all of the claims must be resolved according to the informal resolution process.

Either party has the right to terminate the informal resolution process at any time and proceed with formal resolution. Furthermore, the Title IX Coordinator or Deputy may, where appropriate, terminate or decline to initiate informal resolution, and proceed with formal resolution instead. In such cases, statements or disclosures made by the parties in the course of the informal resolution process may be considered in the subsequent formal resolution proceedings.

The informal resolution process will not result in a disciplinary record for the Respondent. However the fact and details of the allegation(s) and the outcome of the informal resolution may be considered in connection with the evaluation of any subsequent Sexual Misconduct allegations against, and discipline-related decisions involving, the Respondent.

(a) The Presiding Officer.

When the Complaint is to be resolved according to the informal resolution process, there will be a mediation overseen by a Presiding Officer. The purpose of the mediation is to allow an opportunity for resolution of the Complaint without using the formal resolution process. The Title IX Coordinator or Deputy will appoint the Presiding Officer.

(b) Notice of the Mediation.

Promptly after the Title IX Coordinator or Deputy has appointed the Presiding Officer, the Title IX Coordinator or Deputy will provide concurrent written notice to the Complainant and the Respondent, setting forth (1) the date, time and location of the mediation, and (2) the name of the individual selected to serve as the Presiding Officer. If only a portion of the alleged misconduct justifies continuing to adjudication, the Title IX Coordinator or Deputy will also specify in the notice which part(s) of the alleged misconduct will be the subject of the mediation.

Any party may challenge the participation of the Presiding Officer by submitting a written objection to the Title IX Coordinator or Deputy within three days of receipt of the notice of the

mediation. Such objection must state the specific reason(s) for the objection. The Title IX Coordinator or Deputy will evaluate the objection and determine whether to change the Presiding Officer. Failure to submit a timely and proper objection will constitute a waiver of any right of objection. Any substitution of the party serving as the Presiding Officer will be provided in writing to both parties prior to the date of the mediation.

(c) No Contact Prior to Mediation.

The Complainant and the Respondent may not contact each other outside of the mediation, even to discuss the mediation.

(d) Attendance.

Both the Complainant and the Respondent are expected to attend the mediation. If either party fails to appear at the mediation, and such party was provided proper notice of the mediation as set forth above, then absent extenuating circumstances, the case will follow the formal resolution process.

(e) The Mediation.

(i) Rights of the Parties. During the mediation, the Complainant and the Respondent may:

- 1) confront each other in the presence of, and facilitated by, the Presiding Officer,
- 2) communicate feelings and perceptions regarding the alleged incident and the impact of the alleged incident (either by communicating directly with each other or by communicating indirectly through the Presiding Officer), and/or
- 3) relay wishes and expectations regarding protection in the future.

(ii) Counsel and Advisors.

- 1) Students may have an advisor of their choice through all parts of the resolution process.

(iii) Resolution. During the mediation, the Presiding Officer will attempt to facilitate the parties' resolution of the Complaint. If the mediation results in a resolution between the parties and the Title IX Coordinator or Deputy finds the resolution to be appropriate under the circumstances (giving consideration to the extent to which the resolution will protect the safety of the complainant and the entire school community), the informal disciplinary procedure will be concluded and the Complaint will be closed. If the parties are unable to reach a resolution, the formal resolution process outlined in Article V of this Policy will promptly commence.

(iv) Additional Options. Alternate options will be provided and offered (as applicable) to include one-on-one coaching, restorative justice, training,

counseling, etc.

(f) Privacy and Disclosure.

In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the informal resolution process is not open to the general public. Accordingly, documents prepared in anticipation of the mediation (including the Investigative Report and the notice of the mediation) and other information introduced at the mediation may not be disclosed outside of the mediation, except as may be required or authorized by law. The University will retain any documentation of the mediation for at least seven years.

SEX OFFENDER REGISTRATION

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under

State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteer services or is a student.

In Virginia, convicted sex offenders must register with the Virginia State Police You can link to this information, which appears on the Virginia State Police website, by accessing http://sex-offender.vsp.virginia.gov/sor/policy.html?original_requestUrl=http%3A%2F%2Fsex-offender.vsp.virginia.gov%2Fsor%2FzipSearch.html&original_request_method=GET&original_request_parameters

DAILY CRIME LOG

Campus Safety maintains a combined Daily Crime and Fire Log which is available to the public for review. The log is available at the Campus Safety Office located in Taylor House, 237 Sycamore Street, Staunton, Virginia 24401, from 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays.

CRIME STATISTICS

A. Preparing the Annual Disclosure of Crime Statistics

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the Campus Safety Office, the Staunton Police Department (for the Main Campus), the Augusta County Sheriff's Office (for the Murphy Deming College of Health Sciences), the Virginia State Police, the Office of Student Engagement, the Office of Human Resources and from individual Campus Security Authorities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

All of the statistics are gathered, compiled, and reported to the University community via this report, which is published by Campus Safety Office. Campus Safety submits the annual crime statistics published in this report to the Department of Education (ED). The statistical information gathered by

the Department of Education is available to the public through the Campus Safety and Security Data Analysis Cutting Tool, available online at <http://ope.ed.gov/campussafety/>

B. Crime Definitions

The following definitions are used for reporting the crimes listed in the Clery Act, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program. The definitions for murder/non-negligent manslaughter, manslaughter by negligence, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapons: carrying, possessing, etc., law violations, drug abuse violations, and liquor law violations are from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program. The definitions of fondling, incest, and statutory rape are excerpted from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program. Definitions for crimes of Domestic Violence, Dating Violence, and Stalking are provided in the Department of Education's Clery Act implementing regulations.

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

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

Criminal Homicide—Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide—Murder and Nonnegligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- ii. For the purposes of this definition—
 - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - B) Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and United States Code of Federal Regulations 34 C.F.R. §§ 668.41 and 668.46, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Destruction/Damage/Vandalism of Property

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Domestic Violence

- i. A Felony or misdemeanor crime of violence committed—
 - A) By a current or former spouse or intimate partner of the victim;
 - B) By a person with whom the victim shares a child in common;
 - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- ii. For the purposes of complying with the requirements of this section and United States Code of Federal Regulations 34 C.F.R. §§ 668.41 and 668.46, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Drug Abuse Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Liquor Law Violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- a. Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- b. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- c. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

Simple Assault

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Stalking

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - A) Fear for the person’s safety or the safety of others; or
 - B) Suffer substantial emotional distress.
- ii. For the purposes of this definition—
 - A) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iii. For the purposes of complying with the requirements of this section and United States Code of Federal Regulations 34 C.F.R. §§ 668.41 and 668.46 any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Weapons: Carrying, Possessing, Etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

C. Crime Statistics for the Main Campus

Criminal Offenses – On campus

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	2	1	2
Fondling	2	1	3
Incest	0	0	0
Statutory Rape	0	0	1
Robbery	0	0	1
Aggravated Assault	0	1	1
Burglary	5	0	2
Motor vehicle theft	0	1	0
Arson	0	0	1

Criminal Offenses – On campus Student Housing Facilities

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	1	1	2
Fondling	2	0	3
Incest	0	0	0
Statutory Rape	0	0	1
Robbery	0	0	1
Aggravated Assault	0	1	0
Burglary	5	0	2
Motor vehicle theft	0	0	0
Arson	0	0	1

Criminal Offenses – Public Property

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	1
Burglary	0	0	0
Motor vehicle theft	0	1	0
Arson	0	0	0

Hate Crimes – On campus (2020)

Criminal Offense	2020 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On campus (2019)

Criminal Offense	2019 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0

Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On campus (2018)

Criminal Offense	2018 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	1	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On campus Student Housing Facilities (2020)

Criminal Offense	2020 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0

Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On campus Student Housing Facilities (2019)

Criminal Offense	2019 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On campus Student Housing Facilities (2018)

Criminal Offense	2018 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0

Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	1	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property (2020)

Criminal Offense	2020 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property (2019)

Criminal Offense	2019 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property (2018)

Criminal Offense	2018 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

VAWA Offenses – On Campus

Crime	2018	2019	2020
Domestic Violence	0	4	0
Dating violence	3	1	1
Stalking	0	0	1

VAWA Offenses – On Campus Student Housing Facilities

Crime	2018	2019	2020
Domestic Violence	0	1	0
Dating violence	2	1	1
Stalking	0	0	0

VAWA Offenses – Public Property

Crime	2018	2019	2020
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Domestic Violence	0	3	0
Dating violence	0	0	0
Stalking	0	0	0

Arrests – On campus

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	2	0

Arrests – On campus Student Housing Facilities

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	2	0

Arrests – Public Property

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Disciplinary Actions –On Campus

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	2	1	0
Drug abuse violations	6	8	13
Liquor law violations	10	24	0

Disciplinary Actions –On campus Student Housing facilities

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	2	1	0
Drug abuse violations	6	8	13
Liquor law violations	9	24	0

Disciplinary Actions – Public Property

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Unfounded Crimes

If a crime is reported as occurring On Campus, in On-campus Residential Facilities, in or on Noncampus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Institutions must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

The total number of unfounded crimes for the 2020 calendar year is 0 (zero).

The total number of unfounded crimes for the 2019 calendar year is 1 (one).

The total number of unfounded crimes for the 2018 calendar year is 1 (one).

D. Crime Statistics for the Murphy Deming College of Health Sciences

Criminal Offenses – On campus

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Criminal Offenses – Public Property

Criminal Offense	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0

Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Hate Crimes – On campus (2020)

Criminal Offense	2020 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On campus (2019)

Criminal Offense	2019 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0

Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On campus (2018)

Criminal Offense	2018 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property (2020)

Criminal Offense	2020 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0

Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property (2019)

Criminal Offense	2019 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property (2018)

Criminal Offense	2018 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/vandalism of property	0	0	0	0	0	0	0	0	0

VAWA Offenses – On Campus

Crime	2018	2019	2020
Domestic Violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

VAWA Offenses – Public Property

Crime	2018	2019	2020
Domestic Violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

Arrests – On campus

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Arrests – Public Property

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Disciplinary Actions –On Campus

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Disciplinary Actions –Public Property

Crime	2018	2019	2020
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Unfounded Crimes

If a crime is reported as occurring On Campus, in On-campus Residential Facilities, in or on Non-campus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Institutions must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

The total number of unfounded crimes for the 2020 calendar year is 0 (zero).

The total number of unfounded crimes for the 2019 calendar year is 0 (zero).

The total number of unfounded crimes for the 2018 calendar year is 0 (zero).

ANNUAL FIRE SAFETY REPORT

In compliance with the Higher Education Opportunity Act, Mary Baldwin University publishes this fire safety report containing current policies, procedures, practices and rules related to fire safety in residential facilities as well as the three most recent years of fire statistics in these facilities.

A. Reporting Fires

Per federal law, Mary Baldwin University is required to annually disclose statistical data on all fires that occur in On Campus Student Housing Facilities (a.k.a. "Residential Facilities"). Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911 . Once the emergency has passed, you should notify Campus Safety at (540) 887-7000 to investigate and document the incident for disclosure in the University's annual fire statistics.

If a member of the MBU community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, the community member should immediately notify Campus Safety at (540) 887-7000 to investigate and document the incident for disclosure in the University's annual fire statistics.

B. Fire Safety Education

At the beginning of the academic year, the MBU Safety Compliance Officer trains all Resident Advisors, in fire safety education. The Resident Advisors then provide the same training to all residents living in the Residential Advisor's assigned housing areas. Training includes how to operate pull stations and fire

extinguishers, and the procedures that students and employees should follow in the event of a fire are also reviewed. Below is an overview of the course.

1. General Code

a. Exits

Furniture or anything that will keep people from getting to an exit in normal lighting, darkness, or smoky conditions must never obstruct exit access, even temporarily.

b. Fire Drills

Dormitories are required to have four (4) fire drills annually with the first to be conducted within the first 10 days of the start of classes with one during hours after sunset or before sunrise. Records of drills must be maintained.

c. Storage

All storage must be 24 inches below ceilings or 18” below the horizontal plane of the sprinkler deflectors in sprinkled areas. If your dormitory has an automatic sprinkler system, residents must never hang clothing, decorations, or anything else from the sprinkler heads and /or piping.

24 inch clearance (Non-Sprinkled Building)	18 inch clearance (Sprinkled Building)
Spencer	King
Woodson	Tyson
Hilltop	McClung
Memorial	
Woodrow Terrace Apartments	
Kable	
Tullidge	
Carriage House	
Hawpe House	
Coalter Street House	
Scott House	
Crone House	
ADP House	

d. Furniture

Furnishings should be arranged in dorm rooms to not obstruct the clear path of egress from the dorm room.

e. Decorations

Decorations such as burlap, fish netting, parachutes and flags hanging from the ceiling are not permitted in dorm rooms. Decorative materials attached to dorm room walls are limited to up to 50% of the aggregate wall area in buildings with an approved automatic sprinkler system and 20% when provided with an approved smoke alarms system. Decorations in corridors are limited to 10% of the wall area in such buildings.

20% Decorative Max (Non-Sprinkled Building)	50% Decorative Max (Sprinkled Building)
Spencer	King
Woodson	Tyson
Hilltop	McClung
Memorial	
Woodrow Terrace Apartments	
Kable	
Tullidge	
Carriage House	
Hawpe House	
Coalter Street House	
Scott House	
Crone House	
ADP House	

f. Open fires

All open fires/bon fires require a burn permit from the city fire marshal. Sky lantern releases are not permitted by fire code.

g. Fire Lanes

Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles.

3. Fire Prevention Measures

a. Cooking

Do not leave unattended even microwaves, use low heat as much as possible, fans if available. No hot plates or toasters in rooms.

b. Extension cords

i. No extension cords permitted.

ii. One surge protector per outlet.

- iii. Do not plug large appliances such as a micro refrigerator into surge protectors.
 - iv. Holiday Lights are classified as extension cords. These are not permitted in the dorm room.
- c. Hair
- Open a window, or do hair in the bathroom.
- d. Timely evacuation
- i. Should take no more than 2 minutes for occupants to completely evacuate building.
 - ii. Keep shoes and coat by door for the ability to grab and go.
 - iii. Assemble in the pre-designated assembly point area. This area has been designated for the safety of the occupants as well as responding personnel. This is important since in most cases the last location you were seen was inside the building. Emergency personnel need to know everyone is accounted for in the case of search and rescue mission.
- e. Electronic Devices
- Turn off devices before you leave for class, or go to bed. Do not keep laptops or cell phones in the bed as they will overheat and may cause a fire.
- f. Fire Extinguishers
- Most Extinguishers at MBC are ABC type, which will put out your general fire (paper, wood, grease, electrical). Do not attempt to put out a fire if you have not been trained to use an extinguisher, the fire is too large, and/or you do not have a clear path of escape. Remember PASS- Pull, Aim, Squeeze, Sweep.

C. Procedures for Student Housing Evacuation in the Event of a Fire

All fire evacuation plans are posted in residential halls as well as individual rooms. The plans include assembly areas. Fire evacuation routes and assembly areas for all campus buildings, including residential facilities, may be viewed at <http://www.marybaldwin.edu/safety/fire-safety/>

In the Event of a Fire Alarm

1. Upon hearing the fire alarm, assume there may be a fire, and evacuate immediately, take only the essential items i.e. shoes and a coat.

2. Assemble in the pre-designated assembly point, which is posted on all fire evacuation plans.
3. Do not re-enter the building until given clearance from Campus Safety Officer(s) on scene or the Fire Department.

In the Event of a Fire

1. If it is too large to extinguish with a fire extinguisher, evacuate immediately, assemble in the pre-designated assembly point. If the direction of the wind has smoke blowing in your direction back away further.
 - a. If you are not able to evacuate, go to a room away from the fire. Close the door and place clothing or any type of material around the door to seal the cracks from smoke. If there is a window, open it and signal to anyone outside that you are trapped. Stay as low as possible. Try to stay calm.
2. Alert anyone you see on your way out.
3. If the fire alarm is not already sounding activate it by pulling the closest pull station.
4. Call 911 from a cell phone, once you are out of the building. Provide as much information as possible.
5. When Campus Safety arrives alert them that there is a confirmed fire in the building. Do not go back into the building until the fire department or the Campus Safety Officer(s) on scene have given permission.

D. Policies on Portable Electrical Appliances, Smoking and Open Flames

The On-Campus Housing Contract identifies the following relevant fire safety policies:

The Office of Campus Safety, The Office of Residence Life, and Facilities Management may at times need to enter residence hall rooms. Per the housing agreement, staff may enter residence hall rooms for the following but not limited to reasons; routine maintenance, repairs, inspections, and emergencies. If a staff member identifies a fire/health safety violation while in a room they are required to report it to the Office of Residence Life and/or Campus Safety. Any item in violation and is a potential immediate danger to the community will be confiscated. The item will be turned over to the Office of Residence Life or Campus Safety. Mary Baldwin University observes the Virginia Statewide Fire Prevention Code. This code is enforced by the City of Staunton. It can be found electronically at [SFPC 2015](#). A copy of the code can also be obtained from the City of Staunton Fire Marshal's Office located at 302 Grubert Avenue, Staunton, VA 24401. Health and Safety Inspections will be conducted throughout the year by the Office of Residence Life and the Office of Campus Safety. The City of Staunton Fire Marshal's Office also inspects the Mary Baldwin University campus to ensure compliance.

Below are commonly found violations & explanations of them. Found violations are subject to one or all of the following; warning and correction of violation, confiscation, and/or disciplinary action.

1) Decorative Materials

- a. Decorations on doors to residence hall rooms may not exceed 8.5 inches by 22 inches. Decorative materials include but not limited to, paper products, laminate material, white boards, chalk boards, etc. Materials hanging from the top of the door frame such as paper streamers are strictly prohibited and will be removed by MBU staff immediately.
- b. Decorative materials inside residence hall rooms may not exceed 20% of the entire room. ***Essentially if a student completely filled one wall with decorations and all other walls were bare, that would be the maximum amount of material permitted.***
- c. No items may hang from the ceiling. Items found hanging from ceilings will be removed immediately by the student if present or by MBU staff if the student is not present.

2) Extension Cords

- a. Extension cords and multiplug/cube adapters are not permitted in residence hall rooms.
 - i. Only UL rated surge protector/power strips, with a 15 amp circuit breaker are permitted.
 - 1. Surge protectors/power strips, must be plugged directly to a wall outlet. Surge protectors/power strips may not be plugged one into another (piggy back).

3) Space Heaters

- a. Only space heaters with a ceramic element, auto tip over shut off, and a maximum of 500 watts are permitted. All others will be confiscated until the student is able to take it home.
 - i. Space heaters must be plugged directly to a wall outlet, without passing through a surge protector.
 - ii. A three foot clearance must be maintained at all time the space heater is plugged in.
 - iii. Failure to comply with space heater regulations will result in confiscation.

4) Kitchen Appliances

- a. Possession of unauthorized cooking equipment is not permitted. Unauthorized equipment include; ovens/toaster ovens, hot plates or cooking units, electric grills/skillets, fryers, toasters, and microwaves that are not part of a micro-refrigerator combination. (see number 2 below)
 - i. Permitted appliances are:
 - 1. Two mini refrigerators per room (must be UL listed and no greater than 4.3 cubic feet)
 - 2. Two rental micro-refrigerators per room (must be rented from MBU recognized rental company)
 - a. All other microwaves are prohibited.
 - 3. Coffee pots/makers
 - 4. Blenders
 - 5. Rice cookers
 - 6. Crock pots

5) Candles

- a. Candles are not permitted and will be confiscated.
 - i. Wax warmers are permitted.

6) Furniture

- a. Items to include furniture must be kept four inches from residence hall heating units.
- b. Electronics such as laptops, tablets, cell phones, hair dryers, flat irons, should not be left on beds unattended. These items have been found to overheat.
 - i. Cords should not be wrapped around bed frames or posts. These have been found to overheat.

7) Flammable/Hazardous Materials

- a. Flammable and Hazardous Materials are strictly prohibited in residence halls. This includes materials needed for course work. Hazardous materials required for course work must be kept in the academic learning space, where the Safety Data Sheet(s) and spill kits are kept. Any flammable or hazardous material found will result in confiscation and disciplinary action.
 - i. Personal hygiene products are excluded.

8) Smoking

- a. All residential facilities (individual rooms and public areas) are smoke free. This includes the use of “vaping” and electronic cigarette type devices. Students may smoke on the Mary Baldwin campus in designated smoking areas only.

9) Cleanliness of Rooms

- a. Rooms must be kept clean, free of trash, dirty dishes, etc.

10) Means of Egress

- a. The path of egress must be maintained for every residence hall room, for emergency exit. A 36 inch clearance must be maintained from the entry door to the opposite side of the room.
- b. No storage of personal items is permitted in corridors.

11) Evacuation

- a. Evacuation of campus buildings during fire alarm activations is required. Failure to evacuate will result in disciplinary action, and may also result in charges by the City of Staunton Fire Marshal’s Office.
 - i. Evacuation of a building should take no more than two minutes. The average flashover of a room on fire is two minutes.

12) Alterations and/or Tampering with Life Safety Equipment

- a. Altering and/or tampering with any Life Safety Equipment is prohibited, will result in disciplinary action, and may also result in charges by the City of Staunton Fire Marshal’s Office. Life Safety Equipment includes but not limited to:
 - i. Smoke detectors
 - ii. Sprinkler heads and piping
 - iii. Fire extinguishers
 - iv. Manual fire alarm pull stations
 - v. Evacuation signs
 - vi. Signs identifying life safety equipment

E. Fire Safety Systems in Residential Facilities

All fire protection systems in residential halls at Mary Baldwin University are hardwired to report alarms to the Campus Safety Office, as well as Simplex’s monitoring station which automatically dispatches the fire department upon receipt of a fire alarm signal.

All campus fire protection systems are inspected at a minimum annually, by a contracted, licensed, and insured company. All campus residential halls have fire extinguishers throughout. Fire extinguishers are inspected monthly by Campus Safety Officers, and annually by an outside contractor. Every six years, fire extinguishers undergo service and maintenance.

The following chart shows the fire protection systems in residential halls. Please note that in the column “Sprinkler System,” Full means there are sprinkler heads in individual rooms. Partial means that there are only sprinkler heads in certain areas of higher risk.

Building	Address	Manual Pull Stations	Smoke Detectors	Heat Detectors	Duct Detectors	Audio/Visual (horns, bells, strobes)	Sprinkler System	Evacuation Plans/Placards	# of Fire Drills each year
ADP House	224 Point St	YES	YES	YES	NO	YES	NO	YES	4
Crone House	245 Sycamore St	NO	YES	YES	NO	YES	Partial	YES	4
McClung	121 N New St	YES	YES	YES	NO	YES	Full	YES	4
Carriage House	219 Kable St	NO	YES	YES	NO	YES	NO	NO	4
Coalter Street House	138 & 140 N Coalter St	YES	YES	YES	NO	YES	Partial	YES	4
Hilltop	108 King Drive	YES	YES	YES	NO	YES	Partial	YES	4
Kable Hall	315 Deming Dr	YES	YES	YES	NO	YES	NO	YES	4
King	221 N New St	YES	YES	YES	YES	YES	Full	YES	4
Memorial	209 N New St	YES	YES	YES	YES	YES	Partial	YES	4
Tyson	215 E Frederick St	YES	YES	YES	YES	YES	Full	YES	4
Scott House	249 Sycamore	NO	YES	YES	NO	YES	Partial	YES	4

	St								
Spencer	242 Sycamore St	YES	YES	YES	NO	YES	NO	YES	4
Tullidge	100 Tullidge Dr	YES	YES	YES	NO	YES	NO	YES	4
Woodson	234 Hunt Dr	YES	YES	YES	NO	YES	NO	YES	4
Woodrow Terrace	303 N New St	YES	YES	YES	NO	YES	NO	YES	4

F. Main Campus Residential Facility Fire Safety Systems

Procedures Students and Employees Should Follow in the Event of a Fire

If you see fire or smell smoke in a building do the following:

1. Evacuate the building.
2. Pull the fire alarm while evacuating (there is normally a pull station at every exit).
3. Report to the building assembly point area.
4. Dial 911 from a cell phone and let the dispatcher know the location and any details you can give about the incident.
5. When personnel arrive on scene let them know what you know, and if you know of anyone who may be trapped or missing. DO NOT re-enter the building until given clearance from the Fire Department or a Campus Safety Officer on scene.

G. Plans for Improvements in Fire Safety

Mary Baldwin University is continuously improving its fire protection processes and systems. The Facilities Management department works closely with Campus Safety to identify enhancements to operational processes and fire protection systems. These proposed improvements are vetted and, if deemed prudent and feasible, are implemented as soon as reasonably practicable.

In 2020-2021, the University replaced aged smoke detectors, heat detectors, pull stations, and notification devices in ADP House, Carpenter Academic, Coalter House, Hawpe House, HillTop Residence Hall, Kable Residence Hall, Memorial Residence Hall, Murphy Deming College of Health Sciences, Pearce Science Center, Spencer Residence Hall, Student Activity Center, and Tullidge Residence Hall. Mary Baldwin will continue to evaluate options to upgrade or enhance the fire safety systems in residential facilities during the upcoming year as part of potential renovations and upgrades to such facilities.

We also hosted the Staunton Fire Department on the main campus with their new ladder truck to verify access to buildings. As a result of this visit, we improved the fire lane and signage around our Physical Activity Center including stenciling the fire lane markings. Additionally, we improved training for employees and students not to park in fire lanes even if unloading and loading.

Mary Baldwin will continue to evaluate options to upgrade or enhance the fire safety systems in facilities during the upcoming year for potential renovations and upgrades.

H. On Campus Student Housing Facility Fire Statistics

2020

Building Name	Building Address	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
ADP House	224 Point St	0	0	N/A	N/A	N/A	N/A
McClung	121 N New St	0	0	N/A	N/A	N/A	N/A
Carriage House	219 Kable St	0	0	N/A	N/A	N/A	N/A
Coalter Street House	138 & 140 N Coalter St	0	0	N/A	N/A	N/A	N/A
Crone House	245 Sycamore St	0	0	N/A	N/A	N/A	N/A
Hilltop	108 King Drive	0	0	N/A	N/A	N/A	N/A
Kable Hall	315 Deming Dr	0	0	N/A	N/A	N/A	N/A
King	221 N New St	0	0	N/A	N/A	N/A	N/A
Memorial	209 N New St	0	0	N/A	N/A	N/A	N/A
PEG	215 E Frederick St	0	0	N/A	N/A	N/A	N/A
Scott House	249 Sycamore St	0	0	N/A	N/A	N/A	N/A
Spencer	242 Sycamore St	0	0	N/A	N/A	N/A	N/A
Tullidge	100 Tullidge Dr	1	1	Intentional burning of paper door displays	0	0	Less than \$100
Woodson	234 Hunt Dr	0	0	N/A	N/A	N/A	N/A
WTA	303 N New St	0	0	N/A	N/A	N/A	N/A

2019

Building Name	Building Address	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
ADP House	224 Point St	0	0	N/A	N/A	N/A	N/A
McClung	121 N New St	0	0	N/A	N/A	N/A	N/A
Carriage House	219 Kable St	0	0	N/A	N/A	N/A	N/A
Coalter Street	138 & 140 N	0	0	N/A	N/A	N/A	N/A

House	Coalter St						
Hilltop	108 King Drive	0	0	N/A	N/A	N/A	N/A
Kable Hall	315 Deming Dr	0	0	N/A	N/A	N/A	N/A
King	221 N New St	0	0	N/A	N/A	N/A	N/A
Memorial	209 N New St	0	0	N/A	N/A	N/A	N/A
PEG	215 E Frederick St	1	1	Unintentional Grease accumulation on aluminum foil inside oven caught fire	Smoke inhalation by one occupant however treatment not sought	0	Less than \$100
Spencer	242 Sycamore St	0	0	N/A	N/A	N/A	N/A
Tullidge	100 Tullidge Dr	0	0	N/A	N/A	N/A	N/A
Woodson	234 Hunt Dr	0	0	N/A	N/A	N/A	N/A
WTA	303 N New St	0	0	N/A	N/A	N/A	N/A

2018

Building Name	Building Address	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
McClung	121 N New St	0	0	N/A	N/A	N/A	N/A
Carriage House	219 Kable St	0	0	N/A	N/A	N/A	N/A
Coalter Street House	138 & 140 N Coalter St	0	0	N/A	N/A	N/A	N/A
Hilltop	108 King Drive	1	1	Unintentional – Electric short - radiator	0	0	\$100-\$999
Kable Hall	315 Deming Dr	0	0	N/A	N/A	N/A	N/A
King	221 N New St	0	0	N/A	N/A	N/A	N/A
Memorial	209 N New St	0	0	N/A	N/A	N/A	N/A
PEG	215 E Frederick St	0	0	N/A	N/A	N/A	N/A
Spencer	242 Sycamore St	1	1	Unintentional – Arcing receptacle	0	0	Less than \$100
Tullidge	100 Tullidge Dr	2	2	1.)Unintentional – grease fire due to cooking 2.)unintentional-	1.) 0 2.) 0	0 0	1.) Less than \$100 2.) \$100 - \$900

				speaker electrical			
Woodson	234 Hunt Dr	0	0	N/A	N/A	N/A	N/A
WTA	303 N New St	0	0	N/A	N/A	N/A	N/A