



Ferrum College

Annual Security & Fire Safety Report

2023

## **Message from the Chief**

The Ferrum College Police Department and its members take the issue of campus security seriously. Although the department is composed of dedicated and committed employees, we realize that maintaining a safe environment cannot be accomplished without the collaboration of members of the community. In essence, safety is viewed as a shared responsibility that involves members of the community and department working collaboratively to solve problems and proactively address issues that will reduce the likelihood of crime occurring in our community.

This report provides information about safety and about security programs and services at Ferrum College. Accompanying this information are crime statistics on incidents that have occurred within the campus jurisdiction, as well as those received from Franklin County Sheriff's Office for the public areas within or immediately adjacent and accessible to the campus. In addition to these numbers, we include crime statistics for properties owned or controlled by Ferrum College that are frequented by students but not immediately adjacent to the main campus.

We hope you will find this report valuable. Please review this information carefully and, in particular, the crime prevention tips included. Personal safety is a responsibility of everyone and we need your assistance in helping to make our campus a safe environment. If you have any questions or suggestions about security or law enforcement at Ferrum College, please call us at 540-365-4444.

## **The Ferrum College Police**

The Ferrum College Police Department provides 24-hours-a-day patrol protection to the campus, parking lots, residence halls, and other properties owned or controlled by Ferrum College. Ferrum College Police Officers are vested with full law enforcement powers and responsibilities, identical to the local police or sheriff's department in a home community.

Our officers are trained at the Department of Criminal Justice Training Academies and receive additional in-service and specialized training in first aid, firearms, defensive tactics, legal updates,

human relations, sensitivity issues, and criminal investigations. Ferrum College Police share concurrent jurisdiction with the Franklin County Sheriff's Office for streets adjacent to the College. Ferrum College Police officers are responsible for a full range of public safety services, including all crime reports, investigations, medical emergencies, fire emergencies, enforcement of laws regulating criminal activity and all other incidents requiring police assistance. As a courtesy and to promote cooperation in combating crime, Ferrum College Police share information on arrests and serious crimes with all surrounding police departments. The serial numbers of high-value property stolen from campus are reported nationwide through the National Crime Information Center (NCIC).

This report provides information about safety and about security programs and services at Ferrum College. Accompanying this information are Clery Act crime statistics on incidents that have occurred within the campus and Clery Act geography, as well as those received from Franklin County Sheriff's Office for the public areas within or immediately adjacent and accessible to the campus. In addition to these numbers, we include crime statistics for properties owned or controlled by Ferrum College, but not immediately adjacent to campus. The Ferrum College Police Department prepares and distributes this report. We work with other Ferrum College departments and personnel, such as the Dean of Students, Student Life and Engagement and the Title IX Coordinator to gather the information herein.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act was signed into law in November 1990 (known at the time as the Student Right to Know and Campus Security Act). It requires institutions participating in student financial aid programs under Title IV of the Higher Education Act of 1965 to disclose information about campus safety policies and procedures and to provide statistics concerning certain crimes that occurred on or near campus. In compliance with the act, the Ferrum College Police Department publishes and distributes this report and we encourage members of the Ferrum College community to use this report as a guide for safe practices on and off campus. Ferrum College Police notifies all current faculty, staff and students by email annually about the availability of this report online and how to receive a paper copy.

The Human Resources office notifies all prospective faculty and staff by flyer containing information about the availability of this report online. To receive a paper copy, prospective faculty and staff may contact the Ferrum College Police Department. The Admissions Office notifies all prospective students by flyer containing information about the availability of this report online. All current and prospective faculty, staff and students may request a paper copy of this report by contacting the Ferrum College Police Department at 10021 Franklin St, Ferrum Virginia.

### **Overview of the Ferrum College Police Department**

The Ferrum College Police Department provides law enforcement and security services to all components of Ferrum College. The Ferrum College Police Department is a full-service police department with full enforcement and arrest powers granted by the Code of Virginia. Many services are provided to the students, faculty, staff and visitors 24 hours a day, 365 days of the year. Personnel have been trained in numerous specialties including, bomb threats, critical incident response, de-escalation techniques, hazardous materials response, mental health crisis intervention, crime prevention and special investigations. There exists a vast knowledge base to rely upon, as the majority of Ferrum College Police Department personnel have college degrees, extensive experience at other law enforcement agencies, and/or prior military service. For more information about the organization of the department, call 540-365-4444.

The Ferrum College Police Department provides several service-oriented functions to the Ferrum College community, which consists of more than 750 students and 200 faculty, staff and visitors on campus on any given day. These services include responding to medical and fire emergencies and providing an on-campus safety escort service, vehicle lockout and jumpstart assistance, personal safety education, and self-defense classes.

The Ferrum College Police Department acts as a contact point for after-hours emergency maintenance requests. It is also a point of contact for lost and found items and general campus information. Officers provide support to the Franklin County Sheriff's Office by sharing jurisdiction and patrol responsibilities of the streets and sidewalks adjacent to campus properties. They are responsible for all of the residential, administrative, and academic support buildings on

Ferrum College properties. Ferrum College Police Department also maintains a daily police log of crimes reported to the police department. The daily crime and fire log are available at the Ferrum College Police department for public review.

Ferrum College provides educational workshops addressing sexual assault, alcohol safety, personal safety, and promotion of prevention efforts to students, campus officials, and staff through the Ferrum College Police Department, Student Life and Engagement, and Student Health Services. These programs are designed to inform students and employees about crime prevention and security awareness.

The Ferrum College Police Department hosts the **One Love- Escalation Workshop** several times a semester. These workshops provide information and training on how to recognize healthy and unhealthy relationships. This topic covers dating violence, stalking and domestic violence. The workshops also provide an opportunity to have a meaningful discussion on relationships as well as resources the campus and community offer.

The Ferrum College Police Department hosts **Women's Self-Defense** training for students, faculty, and staff. These classes are presented by defensive tactics instructors from Ferrum College Police and Roanoke Police Department. The classes teach the participant personal safety practices through dynamic and classroom instruction. Courses are scheduled each semester. For more information, contact Ferrum College Police at 540-365-4444 or email Chief Joe Kelley at [jkelly@ferrum.edu](mailto:jkelly@ferrum.edu).

Ferrum College Police provides a **Safety Escort** on campus for individuals who are concerned for their safety 24 hours a day. Call 540-365-4444 or use the blue campus safety phones to request an escort. The Police Department's relationship with the Ferrum College community and efforts to ensure that we provide excellent service are vital to achieving our overall mission of a safe and secure campus. All members of the Ferrum College community can expect to be treated in a courteous and professional manner by members of our department.

The Ferrum College Police Department will not tolerate an employee who acts unprofessionally or who does not provide an appropriate level of service. We also wish to recognize instances where our employees have been especially helpful or have exceeded your expectations in the service they have provided. The quality of our service is dependent in part on feedback from the community we serve. The Police Department has a professional standards policy in place to respond to citizen complaints and concerns. The department also has various ways in which we are able to recognize outstanding performance by our employees.

Please help us improve our department by bringing your compliments and concerns to our attention in any of the following ways:

- Visit in person at the Ferrum College Police Department located at 10021 Franklin St, Ferrum Virginia.
- Request the on-duty supervisor by calling (540) 365-4444.
- Address written correspondence to: Chief of Police, Ferrum College Police Department, PO Box 1000, Ferrum Virginia 24088.

### **Crisis Intervention Team**

All officers are trained in de-escalation and crisis intervention. Ferrum College officers respond to individuals in mental health crisis 24/7. These officers receive a minimum of 40 hours of specialized training in psychiatric emergency response, suicide intervention, substance abuse issues, de-escalation techniques, the role of the family in the care of a person with mental illness, legal training in mental health and substance abuse issues, and local resources for those in a mental health crisis.

In addition to classroom instruction, officers in-training also participate in nine hours of role-playing exercises based on real-life scenarios and spend an entire day visiting mental health and substance abuse inpatient and outpatient treatment facilities where they have the opportunity to engage in one-on-one dialogue with individuals receiving mental health assistance. The training is designed to educate and prepare police officers who come into contact with people with mental illnesses, to recognize the signs and symptoms of these illnesses, and to respond effectively and

appropriately to individuals in crisis. Because police officers are often the first responders in these incidents, it is essential that they know how mental illnesses can alter people's behaviors and perceptions. Ferrum College officers are skilled at de-escalating crises involving people with mental illness, while bringing an element of understanding and compassion to these difficult situations.

### **Relationship with Local Law Enforcement**

Ferrum Campus: The Ferrum College Police Department handles criminal matters at all college-owned facilities and has arrest authority on campus, on campus owned or controlled property and adjacent streets and sidewalks. The Franklin County Sheriff's Office (540-483-3002) is primarily responsible for responding to off campus criminal activity and calls for service. Ferrum College Police Department maintains good working relationships with the Franklin County Sheriff's Office as well as Virginia State Police.

If another law enforcement agency responds or is contacted about criminal activity occurring off-campus involving Ferrum students, they are requested to notify the Ferrum College Police Department. However, other agencies' policies do not require such notification. Students in these cases may be subject to arrest by the local agencies and subject to Ferrum College disciplinary action through the Office of Student Life and Engagement.

The Ferrum College Police Department monitors off-campus criminal activity that may affect the College community so that it may provide timely warnings and advisories. Although the department does not routinely record statistics on crimes that occur outside its legal jurisdiction, it does collect and publish statistics for select crimes occurring on public property within or immediately adjacent and accessible to the College. In general, prospective students, employees, and visitors to Ferrum College should know that as with any campus, there is crime both on-and off-campus and that it is important to take reasonable precautions at all times. There is a Memorandum of Understanding with the Franklin County Sheriff's Office regarding the investigation of criminal incidents. The Ferrum College Police Department typically investigates

the crimes that occur on the Ferrum campus properties, and if and when assistance is needed, they will contact the Franklin County Sheriff's Office, or Virginia State Police as deemed necessary. The Ferrum College Police Department can assist any member of the Ferrum College community in determining an appropriate point of contact for police matters falling outside of the department's jurisdiction. Contact our department at 540-365-4444 for assistance. For additional local, off-campus information, you may contact the local police department or sheriff's department where you reside.

### **The Student's Responsibility**

The cooperation and involvement of students in a campus safety program are absolutely necessary. Students must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common sense precautions. Any student, male or female, should feel more comfortable using the Ferrum College Police Safety Escort Service any time, day or night. Valuable items such as stereos, cameras, and televisions should be marked with engraving instruments provided by the Ferrum College Police at no charge. Bicycles should be registered with the Ferrum College Police and be secured with a sturdy lock.

Students with vehicles must park in the assigned areas and keep them locked at all times. Valuables should be locked in the trunk. Students should report any suspicious-looking individuals whom they feel do not belong in their residence halls or any unusual incidents in and around residence halls to Residential Life staff or Ferrum College Police.

### **Incident Reporting and Response**

Crimes, potential criminal actions and other emergencies at the Ferrum campus should be reported immediately to the College Police by any student, faculty, staff member or visitor by telephone (540-365-4444) or in person. The police department is located at 10021 Franklin Street in Ferrum, VA. Reports of criminal activity can also be made anonymously by using the [Campus Conduct Form available online](#). In addition, crimes can be reported from any of the campus emergency phones (blue light phones on dorm buildings). Off campus crimes and other emergencies should



be reported to the Franklin County Sheriff's Office at 911 or at 540-483-3002. Reporting all crimes to the Ferrum College Police ensures that the department receives the necessary information to assess the crimes for a potential Timely Warning Notice if there is an ongoing or serious threat to the community and for annual statistical disclosure. Everyone is strongly encouraged to report all crimes accurately and immediately to the Ferrum College Police Department or other appropriate law enforcement agency.

### **Response to Reported Crimes**

The Ferrum College Police Department's procedures require an immediate response to emergency calls. We work closely with the full range of emergency resources to assure a complete and timely response to all emergency calls. Special services include experienced investigators as well as the generous availability of local, state, and federal law enforcement agencies in providing support and assistance. Each reported crime is documented by the responding officer who is assigned to the call. Officers complete an incident report within the department's IBR software detailing all known information for reportable offenses. Sergeant's review reports and assign follow-up duties as needed.

If you are a victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Dean of Campus Life & Title IX Coordinator, Jill Adams whose office is located at 102 Franklin Hall. Jill Adams can be reached Monday through Friday 8:30am to 5:00pm at 540-365-4541, or by email at [jadams@ferrum.edu](mailto:jadams@ferrum.edu). or by coming into the coordinators' office to report in person. A victim may report to the Ferrum College Police Department for a criminal investigation. The College will provide resources, on campus and off campus or both, to including medical health services, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking. The College will also 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.

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 the Ferrum College Police Department or other law enforcement to preserve evidence in the event that the victim changes his/her mind at a later date. If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, the following are the procedures that the College 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:

### **Sexual Assault - Standard of Evidence - Preponderance of Evidence**

1. Depending on when reported (immediate vs delayed report), institution will assist complainant with access to medical care.
2. Institution will assess immediate safety needs of complainant.
3. Institution will assist complainant with contacting College police or local police if complainant requests and complainant is 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, or “No Contact” directive between both parties.
6. Institution will provide a “No Trespass” to accused party if deemed appropriate.
7. Institution will provide 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.
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.

### **Stalking - Standard of Evidence - Preponderance of Evidence**

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local and college services.
3. Institution will provide instructions on how to apply for Protective Order.
4. Institution will provide 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” to accused party if deemed appropriate.

### **Dating Violence - Standard of Evidence - Preponderance of Evidence**

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local and college services.
3. Institution will provide instructions on how to apply for Protective Order.
4. Institution will provide 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” to accused party if deemed appropriate.

### **Domestic Violence - Standard of Evidence - Preponderance of Evidence**

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local and college services.
3. Institution will provide instructions on how to apply for Protective Order.
4. Institution will provide 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” to accused party if deemed appropriate.
7. Assistance for Victims: Rights and Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking, and will provide each victim with a written explanation of their rights and options.

### **Crime Victim and Witness Rights**

VINE Link (Victim Information and Notification Everyday)

Victim: Anyone suffering physical, emotional or financial harm as a direct result of a felony or certain misdemeanors. This definition includes spouses and children of all victims, mentally or physically incapacitated victims, or victims of homicide. As the victim of a crime, you are entitled to certain rights under Virginia's Crime Victim and Witness Rights Act (also called the Victim Bill of Rights) and related laws.

#### **As the victim of a crime, you may be entitled to information about:**

- Protection
- Financial assistance and social services, including the injuries received  
injuries received Compensation Fund.
- Address and telephone number confidentiality
- Closed preliminary hearing or use of closed-circuit television if you are the victim of a sexual offense
- Separate waiting area during court proceedings
- The right to remain in the courtroom during a criminal trial or proceeding.

#### **As the victim of a crime, you may be entitled to assistance with:**

- Obtaining protection
- Obtaining property held by law enforcement agencies
- Intercession services with your employer

- Obtaining advanced notification of court proceedings
- Receiving the services of an interpreter
- Preparing a Victim Impact Statement
- Seeking restitution.

**As the victim of a crime, you may be entitled to notification of:**

- Changes in court dates
- Changes in the status of the defendant, if he/she is being held in a jail or a correctional facility
- The opportunity to prepare a written Victim Impact Statement prior to sentencing of a defendant.

**Steps you need to take to receive confidentiality, notification or release information:**

1. Confidentiality: To request confidentiality, you must file a Request for Confidentiality by Crime Victim Form (DC-301) with the magistrate, court, and Commonwealth's Attorney's Office or law enforcement agency in the locality where the crime occurred.
2. Court Dates: You must give the Commonwealth's Attorney's Office your current name, address and telephone number in writing if you wish to be notified in advance of the scheduled court dates for preliminary hearings, trials, sentencing hearings and other proceedings in your case.
3. Information about release or status of defendant: You must give the sheriff's office, jail superintendent or Department of Corrections your current name, address, telephone number and defendant name in writing if you wish to be notified about the changes in the status of the defendant or inmate.

Further, Ferrum College complies with the Commonwealth of Virginia's law in recognizing orders of protection and any person who obtains a Protective Order should provide a copy to the Ferrum College Police Department and the Title IX Coordinator.

A complainant may then meet with Ferrum College Police to develop a Safety Action Plan, which is a plan for College Police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from

home, and campus residential changes, in consultation with the Dean of Students, the Office of the Registrar and the Office of Student life and Engagement.

If the Protective Order was issued outside of Virginia, you should file an attested copy of the order with the local Juvenile and Domestic Relations Court. Once you have done so, the court will forward the order to your local police department to be entered into their system. The College cannot apply for a Protective Order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services through a magistrate.

The College may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, College offices will work cooperatively to ensure that the complainant's health, physical safety, work, and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if they are 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 College does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime Log or online. Anyone may request that directory information on file be removed from public sources by contacting the Registrar's Office (students) or Human Resources (employees).

## **Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

### **Campus Resources -**

- Ferrum College's **Title IX Coordinator** is the Dean of Campus Life & Title IX Coordinator, Jill Adams whose office is located at 102 Franklin Hall. Jill Adams can be reached Monday through Friday 8:30am to 5:00pm at 540-365-4541 or by email at [jadams@ferrum.edu](mailto:jadams@ferrum.edu).
- The **Ferrum College Police Department** has officers available 24 hours a day, 7 days per week who can be reached by calling 540-365-4444 or 911. They are located at 10021 Franklin Street.
- The **Student Counselor**, Jessica Stallard, is located in Roberts Hall, room 4 and is available by phone at 540-365-4219 (you should leave a message if she does not answer the phone). Ms. Stallard is on campus from 8:30 a.m. to 5:00 p.m., Monday through Friday.

### **Community Resources -**

- **Local Law Enforcement Agencies** can be reached by calling 911.
- **Carilion Franklin Memorial Hospital** is located at 180 Floyd Avenue in Rocky Mount, Virginia. The Emergency Department can be reached by calling 540-483-5277.
- **Carilion Roanoke Memorial Hospital** is located at 1906 Belleview Avenue, SE, in Roanoke, Virginia. The Emergency Department can be reached by calling 540-981-7000.
- **Sexual Assault Response and Awareness, Inc. (SARA)** runs a 24-hour hotline that can be reached at 540-981-9352. You can also visit them online at [www.sararoonoke.org](http://www.sararoonoke.org).
- **Contact Listen Line** is a 24-hour counseling hotline that can be reached at 1-877-WEHELP6 or 1-877-934-3576.
- The **U.S. Government website** [www.notalone.gov/students](http://www.notalone.gov/students) offers links for additional information and resources.

### **Sex Offender Registration -**

Regulations require that we reference the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921). 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 in which the person is employed, carries on a vocation, volunteers services, or is a student.

In the Commonwealth of Virginia, convicted sex offenders must register with the Virginia State Police Sex Offender and Crimes against Minors Registry. This information may be accessed at <http://sex-offender.vsp.virginia.gov/sor/>

The US Department of Justice's National Sex Offender Public Website can be accessed at <http://www.nsopw.gov/en-US>

### **Voluntary and Confidential Reporting**

Occasionally, victims of crime wish to report a crime but do not want to give their name and/or do not want to pursue action through the criminal justice or college judicial systems. As allowed by the Clery Act, pastoral and professional counselors who receive confidential reports are not required to report these crimes to the Ferrum College Police for inclusion into the annual disclosure of crime statistics or for the purpose of a timely warning. Professional counselors are encouraged, if and when they deem it appropriate, to inform victims they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in annual disclosure of crime statistics.

These positions are defined as follows:

- Pastoral Counselor: a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
- Professional Counselor: a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.



Certain other College members identified as campus security authorities may accept confidential reports from a victim. The Clery Act, however, requires campus security authorities to report the crime to the College Police. This reporting allows the College to maintain accurate records on the number of incidents, determine if there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community of an ongoing threat if needed. Victim names need not be included in these reports to College Police.

If you are the victim of a crime and at least 18 years old (or if under 18 and an emancipated juvenile) and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief or a designee of Ferrum College Police can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of 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.

### **Timely Warnings**

Timely Warning Notices (called Crime Alerts) are issued whenever a crime or series of crimes, on campus or in some instances the surrounding communities, is considered to pose a serious or on-going threat to the college community. Timely Warnings are typically issued for the following crime classifications: major incidents of arson, criminal homicide, and robbery. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis depending on the facts of the case. Timely reporting and information known by the Ferrum College Police will determine if a warning should be issued. Warnings may also be posted for other crime classifications, as deemed necessary. The Ferrum College Police Department reviews information that is reported to the campus police by members of the community, by campus security authorities and by the local police, to determine if a reported crime poses a serious on-going threat to members of the college community. The Ferrum College Police Chief or designee reviews all reports to determine if there

is an on-going threat to the community and if the distribution of a Timely Warning Notice is warranted.

Timely Warnings shall be provided to students and employees in a manner that is timely and that withholds the names of victims as confidential. Timely Warnings are generally written by the Chief of Police in collaboration with the Office of Marketing and Communications. Once they are approved, they will be distributed to the community by the Chief of Police or Vice President for Business and Finance. Updates to the campus community about any particular case resulting in a Timely Warning Notice are typically distributed via mass email, crime alerts on web page and /or flyers that may be posted in select campus buildings as deemed necessary.

### **Immediate Notifications**

All members of the Ferrum College campus community are required to notify the Ferrum College Police Department of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The Ferrum College Police Department has the responsibility of immediately responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the Ferrum College Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the campus community. If that is the case, federal law requires that the institution immediately notify the campus community or the appropriate segments of the campus community that may be affected by the situation. This notification is made by the Ferrum College Chief of Police or his designee.

**RAVE Alert** is a means to notify the campus community of an imminent or ongoing threat to safety, security or health (all hazards) of students or employees on campus. Upon confirmation by Ferrum College Police of an emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus, an alert notification will be immediately disseminated without any delay. The goal of the alert notification which may include the use of the outdoor warning system is to notify as many people as possible, as rapidly as possible, of a

dangerous situation. Examples of these include, but are not limited to, active shooter, tornado, and dangerous chemical release. The College will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Ferrum College Police Department will use available resources to confirm there is a significant emergency or dangerous situation. Resources may include all or some of the following: College and local police officers, the National Weather Service, local news media, Student Health Services, contracted through Tri-Area Community Health, the Virginia Department of Health, and Ferrum College Physical Plant.

In the event of a serious incident that poses an immediate threat to members of the campus community, Ferrum College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the Ferrum College community. These notifications can be made to the entire campus community when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole. There will be continuing assessment of the situation and appropriate segments of the community may be notified if a situation warrants. The messages will be delivered based on direction from Ferrum College Police Department and/or Presidents Council. These methods may include:

- RAVE Alert System (Text, Email, Telephone Alerts and/or Twitter)
- RAVE Panic Button App
- Outdoor warning siren/PA system
- Web-[www.ferrum.edu](http://www.ferrum.edu)
- External Media
- Facebook
- Face-to-Face Notification
- Twitter

Initial Immediate Notifications may be sent to the campus community by the Ferrum College Police Department, by the Vice President for Business and Finance, or by the Office of Marketing and Communications. Any of these offices may write and/or send the notification once a significant emergency or dangerous situation is confirmed. The Ferrum College Police will determine how much information is appropriate to disseminate at different points in time. The Ferrum College Police and persons disseminating that information will insure that they withhold the names of victims as confidential.

The Vice President for Business and Finance or the Office of Marketing and Communications will post any necessary updates and follow-up information during a critical incident utilizing some or all of the systems listed above. Members of the larger community interested in receiving information about emergencies on campus can access information at [www.ferrum.edu](http://www.ferrum.edu), the Ferrum College Facebook page, Ferrum College Twitter account, and through external media outlets.

The Ferrum community should be prepared to take self-protective measures appropriate to the emergency, such as, but not limited to, secure or shelter in place or evacuation, depending upon the circumstances or incident.

The Ferrum College Police Department works with other offices and agencies to conduct testing of emergency response and evacuation procedures. These tests are conducted on at least an annual basis and will be announced to the community through any or all of the above methods.

### **Building Evacuation Procedures**

1. Exit the building as calmly and quickly as possible using the nearest safe exit. **DO NOT USE ELEVATORS.**
2. Alert ALL persons in your area. Turn off all ignition sources.
3. Close windows and doors, leave the door unlocked, wear a coat and shoes, and take a towel to place over your face in case of smoke.
4. Proceed to the assigned meeting area outside your building and await further instructions. Stay well away from the building and windows.

5. If the campus is evacuated, proceed to the campus assembly area that is identified by authorities for transportation to a safe location. Do not return to an evacuated building until permission is granted from the College Police.
6. If a single building is evacuated, students will be moved to available housing on campus or to a lounge in a safe building.
7. Area Coordinators and RAs will assist in the evacuation of the residence halls, ensure that all residents have evacuated, close all doors, and keep all persons at a safe distance from the building.
8. Housekeeping and Physical Plant staff will assist in the evacuation of non-residential buildings by directing occupants to the nearest safe exit and ensure that all occupants have evacuated.
9. The fire department will assume control of the building for all hazards except a terrorist attack. The FBI will be the lead agency for a terrorist event. Full cooperation must be given to the fire department and the FBI by students and staff.
10. Evacuation plans are posted on all floors of campus buildings. The plans show the locations of fire extinguishers, fire alarm pull stations, and fire exit doors. The plans are conspicuously located and updated by the Director of Residence Life and Housing.
11. Evacuation plans for non-residential buildings are posted in all classrooms and hallways. The plans show the locations of fire extinguishers, fire alarm pull stations, and fire exit doors. The plans are conspicuously located and updated by the Director of Residence Life and Housing at the beginning of each semester: it is the responsibility of the faculty to go over the floor plans with each class, and direct occupants to the nearest safe exit in case of an actual alarm.
12. If you are told to shelter-in-place, quickly lock doors and close windows and air vents. Turn off all fans, heating and air conditioning systems, and clothes dryers. Some systems automatically provide for exchange of inside air with outside air. These systems, in particular, need to be turned off, sealed, or disabled. If there is danger of explosion, close the window shades, blinds, or curtains.

### **Facility Access and Security**

There are 14 residence halls on the Ferrum campus. All entrances to residences are controlled by electronic or key access. Ferrum College Police and the Dean of Students are jointly responsible for the development of procedures and programs to promote the greatest possible safety and security of the residence halls. Educational programs emphasizing security and what residents can

do to protect themselves are provided by Student Life and Engagement, Ferrum College Police and other on or off campus services. Ferrum College Police and Student Life and Engagement staff make every effort to ensure that all residence halls are free from uninvited visitors or guests. It is necessary that residents themselves take an active role in reporting strangers to RA's and closing outside doors that are propped open. All visitors and guests to the residence halls must be accompanied by a resident at all times. Residents are held accountable for their guests' actions. Ferrum College academic and administrative buildings are open and accessible to the Ferrum community and visitors during the day and sometimes into the evening hours, depending on scheduled events and activities. The building hours for each facility vary and information about the operating hours of a specific building can be obtained through the Ferrum College Police Department. Access to academic and administrative buildings after hours is controlled by keys or card access. Lost or stolen keys should be reported to the Ferrum College Police Department immediately. A report will then be documented and forwarded to Ferrum Facilities Management / Physical Plant. Keys issued, and access cards are nontransferable. Buildings are secured by building staff or the Ferrum College Police Department after normal business and/or building hours.

### **Security Considerations Used in the Maintenance of Campus Facilities**

Building staff and Ferrum College Police report lighting and other safety concerns to Ferrum College Physical Plant for repair and encourage all faculty, staff, students and visitors are encouraged to report maintenance and grounds concerns to Ferrum College Police at 540-365-4444 or Ferrum College Physical Plant at 540-365-4250.

### **Reporting Lost or Stolen Access Cards**

Lost or stolen Ferrum College Access Cards should be immediately reported to the Ferrum College Police Department at 540-365-4444.

### **Alcohol and Drug Policies**

### **Alcoholic Beverages -**

Ferrum College seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety and welfare of all members of its community. In keeping with these objectives, the College has established policy and guidelines governing the possession, use, sale and consumption of alcoholic beverages on the College campus that conform to the laws of Virginia. Underage possession and /or consumption of alcoholic beverages and public intoxication are not permitted. Ferrum College enforces Virginia underage drinking laws. Intentionally or knowingly selling, or intentionally or knowingly “furnishing” alcoholic beverages to persons under the age of 21, or to persons obviously inebriated, is not permitted. Legal consumption and possession of alcoholic beverages is limited to residence hall rooms or apartments where both occupants are 21 or older. The complete policy and guidelines concerning alcoholic beverages are published annually in [the Student Handbook \(page 94\)](#).

### **Illegal Drugs -**

The College does not condone the illegal possession, use, sale, or distribution of marijuana, hallucinogens, narcotics or any other illegal drugs by anyone in any campus facility. Ferrum College Police enforces both federal and Virginia drug laws. Any individual known to be possessing, using, or distributing such drugs are subject to campus disciplinary action and criminal arrest, imprisonment and/or fine according to state and federal law.

### **Drug and Alcohol Abuse Education Programs -**

Consistent with its educational mission, the College also assists its members in finding alternatives to alcoholic beverages by promoting social interaction and stress reduction. Ferrum College provides services and resources for College community members who experience alcohol-related difficulties. Keeping informed of these resources is an important step in developing a healthy lifestyle and in knowing how to cope with problems as they arise. Ferrum College provides useful and informative prevention education programs throughout the year in both residential and academic settings. The Dean of Students and Student Life and Engagement provides education through their programs. The Dean of Students and Student Life and Engagement also provides an education intervention program for students who violate the College's alcohol and other drug policies. The goal of the program is to help students reduce the risk for any type of alcohol or drug

related problem at any point in their lives. The program uses classes, self-assessment, and counseling to help students understand and accept the need to make changes to reduce the risk for an alcohol or other drug related health or impairment problem. For more information on this topic, visit [Drug-Free Schools and Communities Act of 1989](#) (DFSCA).

If you are aware of problems with friends, roommates, or family members, we encourage you to act responsibly by consulting with the Student Counseling Center. Remaining silent or waiting until a situation has escalated is neither respectful nor responsible. The College will work with you and your fellow students to cooperatively solve alcohol and substance abuse problems as they occur.

For students with substance abuse problems or concerns, assistance is available at the Student Counseling Center located in Roberts Hall. The experienced professional counselors offer support for students in an atmosphere of understanding and confidentiality. The Counseling Center offers individual assessment and referral to both on and off-campus resources.

## **Crime Reduction Tips**

### **Residential Safety**

- Lock your room or apartment whenever you leave and when you are sleeping.
- Do not prop doors open.
- Call 540-365-4444 if you see someone in the building who does not belong.
- Do not allow strangers to follow you into the building.

### **Workplace Safety**

- Keep personal items (purses, book bags) locked up.
- Secure the work area when no one is in it.
- Report suspicious people to the College Police.

### **Protecting Your Property**

- Record the serial numbers of your valuables.



- Engrave valuables with a unique identifying number.
- Register your bike with the Ferrum College Police Department.
- Keep your vehicle locked when it is parked and when you drive.
- Consider installing anti-theft or alarm devices on your vehicle.
- Do not leave textbooks, purses, or book bags unattended.
- Do not leave laptop computers unattended.

### **Missing Student Notification Policy**

The purpose of this policy is to establish procedures for the College's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008. This policy applies to students who reside in campus housing. For purposes of this policy, a student may be considered to be a "missing person" if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

#### **I. Procedures for designation of emergency contact information**

a. Students age 18 and above and emancipated minors

Students will be given the opportunity during each semester registration process to designate an individual or individuals to be contacted by the College no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.

b. Students under the age of 18 and not emancipated

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the College is required to notify a custodial parent or guardian and their confidential contact no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

#### **II. Official notification procedures for missing persons**

- a. Any individual on campus who has information that a residential student may be a missing person (and has been missing for 24 hours) must notify the Ferrum College Police Department immediately at 540-365-4444.

Note: In order to avoid jurisdictional conflicts when an off-campus and/or commuter student is believed to be missing, the reporting person should immediately notify local law enforcement authorities by dialing “911”. The Ferrum College Police Department will assist external authorities with these investigations as requested.

- b. The Ferrum College Police Department will gather all essential information about the residential student from the reporting person and from the student’s acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.
- c. No later than 24 hours after determining that a residential student is missing, the Ferrum College Police or the Dean of Students (or appropriate designee) will notify the missing person contact (for students 18 and over) or the parent/guardian and missing person contact (for students under the age of 18 and not emancipated) that the student is believed to be missing.
- d. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Ferrum College will inform the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

### **III. Campus communications about missing students**

In cases involving missing persons, law enforcement personnel are the best source to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by law enforcement authorities, who may consult with the Office of Institutional Advancement & External Relations. All inquiries to the College regarding missing students, or information provided to any individual at the College about a missing student, shall be referred to the Office of Institutional Advancement & External Relations.

Prior to providing the Ferrum College community with any information about a missing student, the Office of Institutional Advancement & External Relations shall consult with the Ferrum

College Police Department and with local law enforcement authorities (as needed) to ensure that communications do not hinder the investigation.

Students in residential facilities are given the option of providing missing person confidential contact information of a person or persons who are to be contacted if the student is determined to be missing by the Ferrum College Police Department or the local law enforcement agency. Ferrum College will register the missing person confidential contact information during the campus check-in process. Students are able to update this information at any time through Self Service. This information will only be accessible to authorized campus officials and law enforcement only and it may not be disclosed outside of a missing person investigation.

# Ferrum College

## Title IX Sexual Harassment Policy

Updated: Fall 2022

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## **Ferrum College Title IX Sexual Harassment Policy**

### **I. Notice of Nondiscrimination**

Ferrum College does not discriminate on the basis of sex in its education programs and activities. As a general proposition, Ferrum College does not discriminate on the basis of any class protected by law including, but not limited to, sex, sexual orientation, gender identity, or national origin. Please see other College policies that also address the College's commitment to nondiscrimination, especially as to all other classes protected by law.

### **II. Overview of Policy**

Sexual Harassment constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to Ferrum College's Title IX Coordinator or to the U. S. Department of Education's Office for Civil Rights ([www.2.ed.gov](http://www.2.ed.gov)).

Ferrum College's Title IX Coordinator is Ms. Jill Adams, whose office is in Franklin Hall 102 in the Office of Student Life and Engagement. She may be contacted by phone at 540-365-4541 or by email at [jadams@ferrum.edu](mailto:jadams@ferrum.edu).

Ferrum College does not tolerate sexual misconduct, including sexual harassment. Such conduct is harmful to the well-being of our community members, our learning and working environments, and the collegial relationships among students, faculty, and staff that characterize the culture of our community. All forms of prohibited conduct under this policy are regarded as serious offenses, and violations may result in discipline, including the possibility of separation from the College. State and federal laws also address conduct that may meet the College's definitions of prohibited conduct, and criminal prosecution may take place independently of any disciplinary action instituted by Ferrum College.

This Title IX Sexual Harassment policy is based on definitions set forth in regulations promulgated by the U.S. Department of Education under Title IX of the Education Amendments Act of 1972, and this policy limits the scope of Title IX Sexual Harassment to, among other things, conduct that occurs within the United States and conduct that occurs within the College's education program or activity (a concept further defined and discussed below).

In order to address incidents of sexual misconduct that do not fall within the definition of Title IX Sexual Harassment, Ferrum College has two policies that address sexual misconduct: (1) this policy and (2) the Sexual Misconduct policy. These policies are interrelated and must be read together. If the allegations forming the basis of a report (defined below), if substantiated, would constitute prohibited conduct under both policies, then the grievance process set forth in this Title IX Sexual Harassment Policy will be applied in the investigation and adjudication of all of the allegations.

The Sexual Misconduct policy applies only to certain reported conduct, as defined under that policy. Specifically, the Sexual Misconduct policy applies to forms of sexual misconduct that do not fall under the scope of the Title IX Sexual Harassment policy, including Sexual Exploitation, Improper Conduct related to Sex, and Non-Title IX Sexual Harassment. The Sexual Misconduct policy also applies to certain contact that would otherwise be prohibited under the Title IX Sexual Harassment policy (e.g., Sexual Assault, Domestic Violence, Dating Violence, and Stalking under the Title IX Sexual Harassment policy), but which must be dismissed under the Title IX Sexual Harassment policy because they do not meet the jurisdictional requirements.

Ferrum College will respond to reports or formal complaints (defined below) of conduct prohibited under this Title IX Sexual Harassment policy with measures designed to stop the prohibited conduct, prevent its recurrence, and remediate any adverse effects of such conduct on campus or in College-related programs or activities. If a reported act does not fall within the scope of this Policy, Ferrum College will assess the underlying conduct to determine if another policy is applicable (e.g., Sexual Misconduct Policy), and will otherwise provide supportive measures.

The College will not deprive an individual of rights guaranteed under federal and state law (or federal and state anti-discrimination provisions; or federal and state law prohibiting discrimination on the basis of sex) when responding to any claim of Title IX Sexual Harassment.

### **III. The Title IX Coordinator**

The Dean of Campus Life and Title IX Coordinator serves as the Title IX Coordinator and coordinates the College's compliance with Title IX and all conduct policies related to sexual misconduct.

The Title IX Coordinator will be informed of all reports or formal complaints of violations of this policy and oversees the College's centralized response to ensure compliance with Title IX and the Clery Act, the 2013 Amendments to the Clery Act commonly known as the Violence Against Women Act (VAWA), and any subsequent revisions and updates as may be adopted from time to time. The Title IX Coordinator's responsibilities include (but are not limited to):

- Communicating with all members of the Ferrum College community regarding Title IX and VAWA, and providing information about how individuals may access their rights;
- Reviewing applicable College policies to ensure institutional compliance with Title IX and VAWA;
- Updating the College's administration of policies, including this policy and the Sexual Misconduct Policy and all related record keeping, timeframes, and other procedural requirements;
- Conducting training regarding Title IX, VAWA, and prohibited conduct defined in this policy and related policies; and

- Responding to any report or formal complaint regarding conduct that violates this policy. For any report of which the College has actual knowledge (and any formal complaint), the Title IX Coordinator shall oversee and implement the explanation and provision of any supportive measures. For any formal complaint, the Title IX Coordinator oversees the investigation and resolution of such alleged misconduct, directs the provision of any additional supportive measures, and monitors the administration of any related appeal.

The Title IX Coordinator may delegate certain responsibilities under this policy to designated administrators, who will be appropriately trained.

The Title IX Coordinator's contact information is as follows:

Jill Adams, Dean of Campus Life and Title IX Coordinator

Ferrum College, Box 1000, Ferrum, VA 24088

540.365.4541 / jadams@ferrum.edu

Ferrum College provides the contact information of the Title IX Coordinator to students, faculty, staff, applicants for admission, applicants for employment, and the public (via the website). Inquiries or complaints involving potential Title IX policies or violations also may be directed to the U.S. Department of Education, Office of Civil Rights (OCR@ed.gov; 800-421-3481).

#### **IV. Terminology**

The following definitions clarify key terminology as used in this policy.

**Complainant** refers to an individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment under this policy.

**Formal complaint** refers to a document filed by a complainant or signed by the Title IX Coordinator that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the individual filing the formal complaint) alleging Title IX Sexual Harassment against a respondent and requesting that the College investigate the allegation of Title IX Sexual Harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of Ferrum College; a formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided in this policy, and by any additional method identified in this policy; the phrase "document filed by a complainant" means a document or electronic submission (such as by email or through an online portal provided for this purpose by the College) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.



**Formal complaint** may also refer to a document signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a respondent. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.

**Official with Authority** refers to administrators in the Office of Student Life & Engagement, who have authority to institute corrective measures on behalf of the College.

**Party or parties** refer to the complainant(s) and the respondent(s).

**Report** refers to information brought to the attention of an Official with Authority alleging conduct prohibited under this policy; a report is not considered to be a formal complaint. A party may bring a report and then subsequently file a formal complaint if the reported conduct falls within this policy.

**Respondent** refers to an individual(s) who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Third party** refers to any individual who is not a Ferrum College student, a faculty member, or a staff member (e.g., vendors, alumni/ae, or local residents).

**Witness** refers to any individual who shares information relating to an allegation of prohibited conduct under this policy.

## **V. Prohibited Conduct**

This policy addresses Title IX Sexual Harassment, which encompasses all of the prohibited conduct described below that occurs on the basis of sex and meets all of the following requirements:

- Occurs within the United States; and
- Occurs within Ferrum College's education program or activity, meaning a) locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the Title IX Sexual Harassment occurs, and b) any building owned or controlled by a student organization that is officially recognized by the College; and
- At the time of filing a formal complaint, a complainant is participating in or attempting to participate in the education program or activity at the College.

Allegations of sexual misconduct that do not fall under this policy because they do not constitute prohibited conduct as defined in this section may constitute violations of the Sexual Misconduct Policy.

In determining whether alleged conduct violates this policy, the College will consider the totality of the facts and circumstances involved in the incident, including the nature of the alleged conduct and the context in which it occurred. Any of the prohibited conduct defined in this policy can be committed by individuals of any gender, and it can occur between individuals of the same gender or different genders. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships.

The prohibited behaviors listed below are serious offenses and will result in College discipline. Prohibited conduct involving force, duress, or inducement of incapacitation, or where the perpetrator has deliberately taken advantage of another individual's state of incapacitation, will be deemed especially egregious and may result in expulsion or termination of employment. The respondent's consumption of alcohol or the use of illegal substances does not constitute a mitigating circumstance when it contributes to a violation under this policy.

Prohibited behaviors are:

- **Quid Pro Quo Sexual Harassment:** An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;
- **Title IX Sexual Harassment:** Unwelcome sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity;
- **Sexual Assault:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders. This includes the following:
  - **Rape:** The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
  - **Sodomy:** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
  - **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;

- **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 their age or because of their temporary or permanent mental or physical incapacity;
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- **Domestic Violence:** A felony or misdemeanor crime of violence committed: (a) by a current or former spouse or intimate partner\* of the victim; (b) by an individual with whom the victim shares a child in common; (c) by an individual who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) by an individual similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the felony or misdemeanor crime of violence occurred; (e) by any other individual against an adult or youth victim who is protected from that individual's acts under the domestic or family violence laws of the jurisdiction\*\* in which the felony or misdemeanor crime of violence occurred.
  - \*For purposes of this policy, an intimate partner is defined as an individual with whom one has or had a short- or long-term relationship that provides romantic and/or physical intimacy or emotional dependence. Intimate relationships can occur between individuals of the same gender or different genders and may include (but are not limited to) marriages, civil unions, dating relationships, "hook-up" relationships, relationships in which partners are characterized as "girlfriends" or "boyfriends," and relationships between individuals with a child in common.
  - \*\*In Virginia, the protections of the domestic and family violence laws extend to (i) the accused's spouse or former spouse, parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents, and grandchildren, regardless of whether those persons reside in the same home as the accused; (ii) parents- and siblings-in-law of the accused who reside in the same home with the accused; (iii) any individual who has a child in common with the accused, whether or not the accused and such person have been married or have resided together at any time; or (iv) any individual who cohabits with or who, within the previous 12 months, cohabited with the accused, and any children of either of them residing in the same home with the accused. See Va. Code. §§ 18.2-57.2, 16.1-228.
- **Dating Violence:** Violence committed by an individual who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a

relationship shall be determined based on the reporting individual's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the individuals involved in the relationship. This includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

- **Stalking:** Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to: (a) fear for the individual's safety or the safety of others; or (b) suffer substantial emotional distress. For the purposes of the Stalking definition: *Course of conduct* means two or more acts, including acts in 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 an individual, or interferes with an individual's property. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- **Retaliation under this policy:** No individual may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy or because an individual has made a report or formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Complaints alleging retaliation under this Title IX Sexual Harassment policy, including for the exercise of rights under this policy, must be filed in accordance with this policy and will be addressed promptly and equitably. Where the individual allegedly retaliating is not affiliated with the College and not otherwise subject to its policies, the College will process the complaint and take appropriate measures.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this policy.

For purposes of this policy, consent is defined as follows:

- **Consent and Incapacitation.** The College considers consent as a voluntary, informed, uncoerced agreement through words or actions freely given, which could be reasonably interpreted as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when duress is present; when one individual overcomes the physical limitations of another individual; and when an

individual is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the individual is in a state of incapacitation.

Important points regarding consent include:

- Consent to one act does not constitute consent to another act.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- The existence of a prior or current relationship does not, in itself, constitute consent.
- Consent can be withdrawn or modified at any time.
- Consent is not implicit in an individual's manner of dress.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Silence, passivity, or lack of resistance does not necessarily constitute consent.
- Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.
- Consent cannot be obtained under fraudulent circumstances.

Consent may never be given by:

- Minors, even if the other participant did not know the minor's age.
- Mentally disabled persons, if their disability was reasonably knowable to a sexual partner who is not mentally disabled.
- Persons who are incapacitated, 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.

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.

For purposes of this policy, **incapacitation** (or incapacity) is the state in which an individual's perception or judgment is so impaired that the individual lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation. An individual who is incapacitated is unable to consent to a sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where an individual knows or ought reasonably to have understood that the individual is incapacitated, constitutes Title IX Sexual Harassment as defined by this policy.

## **VI. Assessment and Dismissal of Formal Complaint**

Upon receipt of a report, the Title IX Coordinator will respond to any immediate health or safety concerns raised. The Title IX Coordinator will then conduct an initial assessment for the sole purpose of determining whether the alleged conduct, if substantiated, would constitute prohibited conduct under this policy and thus serve the basis for a formal complaint, or whether the report should be addressed pursuant to a different College policy (e.g., Sexual Misconduct Policy). The College will seek to complete this initial assessment within ten (10) business days of receipt of the report. Following the initial assessment, the Title IX Coordinator may take any of the following actions:

- If the allegations forming the basis of the formal complaint would, if substantiated, constitute prohibited conduct as defined in this policy, the Title IX Coordinator shall implement appropriate supportive measures. In addition, the Title IX Coordinator shall initiate an investigation of the allegations under this policy pursuant to a formal complaint. However, if the Title IX Coordinator deems the formal complaint appropriate for the informal resolution process, upon the consent of both parties, the Title IX Coordinator may instead refer the matter to the informal resolution process.
- If the allegations forming the basis of the complaint would not, if substantiated, constitute prohibited conduct as defined in this policy and thereby not meet the requisite standard for a formal complaint, the Title IX Coordinator shall dismiss the complaint from the Title IX grievance process (and either party may appeal this dismissal, as discussed below). However, if appropriate, the Title IX Coordinator may refer the matter to the Sexual Misconduct process or to another office for review under other potentially relevant College policies designed to address the underlying conduct described in the complaint. [LN1]

In addition, at any time prior to the hearing, the College may dismiss a formal complaint if:

- The complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by the College; or
- Specific circumstances prevent the College from gathering sufficient evidence to reach a determination as to the formal complaint or the allegations therein.

Upon dismissal, the College shall promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties via electronic format. Both parties will have equal right to appeal the dismissal through the appeal process.

The determination regarding dismissal becomes final either on the date that the parties are provided with the written determination of the result of an appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. Once final, a complainant cannot file a formal complaint under this policy concerning the same alleged conduct. Supportive measures may still continue to be provided as may be needed.

## **VII. Confidentiality, Privacy, & Related Responsibilities**

Issues of privacy and confidentiality play important roles in this policy and may affect individuals differently. Privacy and confidentiality are related but distinct terms that are defined below.

In some circumstances, the reporting responsibilities of College employees, or the College's responsibility to investigate, may conflict with the preferences of the complainant and/or respondent with regard to privacy and confidentiality. Therefore, all individuals are encouraged to familiarize themselves with their options and responsibilities, and make use of Confidential Resources, if applicable, in determining their preferred course of action.

Requests for confidentiality or use of anonymous reporting (e.g., through the College's Campus Conduct hotline) may limit the College's ability to investigate under this policy.

### **A. Confidentiality and Confidential Resources**

The term "confidentiality" refers to the circumstances under which information will or will not be disclosed to others.

Several campus professionals are designated Confidential Resources, to whom confidentiality attaches. Confidential Resources are not obligated to report information that is provided to them from individuals using the resource. This allows individuals to explore their options in a non-pressured environment while they make informed decisions. There may be exceptions in cases involving child abuse, imminent risk of serious harm, emergent hospitalization, or a court order. In addition, non-identifying information about violations of the College's Title IX Sexual Harassment Policy may be submitted to the Ferrum College Campus Police Department for purposes of the anonymous statistical reporting under the Clery Act.

An individual who is not prepared to make a report or formal complaint, or who may be unsure how to label what happened, but still seeks information and support, is strongly encouraged to contact a Confidential Resource. See Appendix A for a complete list of Confidential Resources on campus.

In light of the College's obligation to respond promptly and effectively to individuals alleged to be victimized by Title IX Sexual Harassment, College employees who are not designated Confidential Resources are required to notify the Title IX Coordinator of suspected violations of this policy and cannot guarantee the confidentiality of a report under this policy.

## B. Confidentiality Rights of Complainants and Respondents

While complainants, respondents, and witnesses involved in the grievance process under this policy are strongly encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation, complainants and respondents are not restricted from discussing the allegations under investigation.

Medical, psychological, and similar treatment records are privileged and confidential documents that cannot be accessed or used for a grievance process under this policy without the relevant party's voluntary, written consent.

## C. Privacy

The term "privacy" refers to the discretion that will be exercised by the College in the course of any investigation or grievance processes under this policy.

In all proceedings under this policy, the College will take into consideration the privacy of the parties to the extent possible.

In cases involving students, the Title IX Coordinator may notify Office of Student Life & Engagement staff and/or other College employees of the existence of the report and/or formal complaint for the purpose of overseeing compliance with this policy and addressing any concerns related to educational and residential life. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of those involved in the process.

In accordance with federal regulations, the College will keep confidential the identity of any individual who has made a report or formal complaint under this policy, including any complainant, any individual who has been reported to be the perpetrator, any respondent, and any witness, except as required by law, or to carry out the purposes of conducting any investigation or hearing under this policy.

## D. Release of Information

Certain anonymous information also must be reported to comply with federal law. Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"), the College must collect and disclose non-personally identifiable information regarding certain crimes that are committed on campus property, property controlled by the College, or on nearby public property. This anonymous data is included in an annual security report that is provided to the U.S. Department of Education. The Clery Act also requires the College to issue timely reports with non-identifying information regarding certain crimes that are considered serious and immediate threats to students or employees.

In accordance with Code of Virginia § 23.1-806, the College may report alleged Prohibited Conduct to local law enforcement if warranted by the nature of the allegations at issue or if required



by law. In limited circumstances, this report to local law enforcement may include the name of the complainant and may be made without the consent of the complainant.

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 resolution processes are not open to the general public. Accordingly, documents prepared in anticipation of the informal and/or formal resolution processes (including the Formal Complaint, the Investigation Report, and notices and communications to or from the Complainant or the Respondent); documents, statements, or other information introduced in the interviews, meetings, and proceedings; and the Final Outcome letter may not be disclosed outside of those processes except as may be required or authorized by law.

### **VIII. Options for Complainants, Respondents, and Other Reporting Individuals**

A complainant, respondent, or witness has many options, including counseling and support services. Information regarding contact information for local law enforcement as well as contact information for Confidential Resources that are available to provide support to parties and witnesses are described in further detail in Appendix A.

After consulting a Confidential Resource as appropriate, a complainant may:

- Request supportive measures from the Title IX Coordinator;
- File a formal complaint with the Title IX Coordinator, thereby invoking the College's internal Title IX grievance process;
- File a report with the Title IX Coordinator for review and determination as to whether the Title IX policy or the Sexual Misconduct policy might apply, thereby invoking the appropriate College policy;
- Contact the Ferrum College Police Department for assistance in filing a criminal complaint and preserving physical evidence; and/or
- Contact local law enforcement to file a criminal complaint. At the complainant's request, the College will assist the complainant in contacting local law enforcement and will cooperate with law enforcement agencies if a complainant decides to pursue a criminal process.

An individual may pursue some or all of these steps at the same time. When initiating any of the above, an individual does not need to know whether they wish to request any particular course of action, nor how to label what happened. Before or during this decision-making process, complainants and other reporting individuals are encouraged to consult a Confidential Resource (see Appendix A).

#### A. Employees' Responsibility to Report

In emergency situations, if there is a suspected crime in progress or imminent or serious threats to the safety of anyone, employees must immediately contact the Ferrum College Police Department by dialing 911.

In non-emergency situations, employees (other than those formally designated as Confidential Resources under this policy, but only with respect to information learned through service as a confidential resource) must promptly report suspected violations of this policy to the Title IX Coordinator. Some students with special responsibilities, including RAs, must promptly report alleged violations of this policy to their Coordinator, who will then consult with the Title IX Coordinator or report directly to the Title IX Coordinator.

Students are encouraged to report any suspected violation of this policy (after consulting a Confidential Resource as appropriate).

#### B. Anonymous Reporting

If a reporting individual makes an anonymous report, the Title IX Coordinator will consider how to proceed, considering the individual's articulated concerns; the best interests of the College community; fair treatment of all individuals involved; and the College's obligations under Title IX.

A complainant cannot file a formal complaint anonymously.

Any individual may make an anonymous report concerning a violation of this policy through the Campus Conduct Hotline, an independent third-party reporting service. A Campus Conduct Hotline report can be made without disclosing the reporting individual's own name, identifying the respondent, or requesting any action. However, if the reporter provides limited information, the College may be limited in its ability to act. The Campus Conduct Hotline is not a Confidential Resource and making a report to the hotline may result in a College review or investigation. The Campus Conduct Hotline can be reached by calling 1.866.943.5787.

Anonymous reports may still be used in the College's tabulation of annual campus crime statistics as noted in this policy under Confidentiality, Privacy and Related Responsibilities.

#### C. Timeliness of Report

Complainants and other reporting individuals are encouraged to report any violation of this policy as soon as possible in order to maximize the College's ability to respond promptly and effectively. Reports and formal complaints may be made at any time without regard to how much time has elapsed since the incident(s) in question. If the respondent is no longer a student or employee at the time of the report or formal complaint, the College may not be in a position to gather evidence sufficient to reach a determination as to the formal complaint and/or the College may not be able

to take disciplinary action against the respondent. However, the College will still seek to provide support for the complainant and seek to take steps to end the prohibited behavior, prevent its recurrence, and address its effects.

#### D. Amnesty

In order to encourage reports of conduct that is prohibited under this policy, the College may offer leniency with respect to other violations which may come to light as a result of such reports, depending on the circumstances involved.

### **IX. Supportive Measures for Complainants and Respondents**

Upon receipt of a report or formal complaint of a violation of this policy, the College, through the Title IX Coordinator, will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The College will also consider supportive measures, as appropriate and reasonably available, for the respondent.

These supportive measures are designed to restore or preserve equal access to the College's educational and working programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties and the broader College community, or deter sexual harassment. While a supportive measure may impose some restrictions on a party, it will not unreasonably burden them. The College may provide supportive measures to the complainant or respondent, as appropriate, as reasonably available, and will do so without fee or charge, regardless of whether the complainant seeks formal disciplinary action. Once supportive measures are approved, the parties or affected individuals will be notified in writing of the supportive measures. The College will maintain any supportive measures provided to the complainant or respondent as confidential to the extent possible.

Supportive measures may include:

- counseling;
- extensions of deadlines or other course-related adjustments;
- modifications of work or class schedules;
- campus escort services;
- mutual restrictions on contact between the parties;
- changes in work or housing locations;
- leaves of absence;
- increased security and monitoring of certain areas of the campus; and/or
- any other measure that can be used to achieve the goals of this policy.

Requests for supportive measures may be made by or on behalf of the complainant or respondent to any College official, including the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of supportive measures and coordinating the College's response with the appropriate offices on campus.

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a supportive measure. The College will take immediate action to enforce a previously implemented measure and disciplinary sanctions can be imposed for failing to abide by a College-imposed measure.

See Appendices C & D.

#### **X. Emergency Removal**

In connection with this policy, whether or not a grievance process is underway, the College may summarily remove an individual from an education program or activity on an emergency basis, after undertaking an individualized safety and risk analysis, and upon the determination that the individual poses an immediate threat to the physical health or safety of any student or other individual (including themselves, the respondent, the complainant, or any other individual). In these situations, the College will provide the individual with notice and an opportunity to challenge the decision immediately following the removal.

#### **XI. Informal Resolution Process**

Subject to the consent of the parties and the approval of the Title IX Coordinator, the College permits informal resolution processes in cases in which a formal complaint has been filed with the Title IX Coordinator. The informal resolution process is available in matters involving a student complainant and a student respondent as well as in matters involving a faculty/staff complainant and a faculty/staff respondent; the informal resolution process is not available in matters involving a student and an employee.

The informal resolution process is a voluntary, remedies-based process designed to provide parties with an option to resolve disputes with other students in a forum that is separate and distinct from the College's formal grievance processes under the Title IX Sexual Harassment policy. The purpose of the informal resolution process is to address the conduct which has been reported by the complainant and place the parties in a position to pursue their academic and non-academic interests in a safe, respectful, and productive educational and working environment. Under this process, there will be no disciplinary action taken against a respondent, and the resolution will not appear on the respondent's disciplinary record.

The College may facilitate the informal resolution process prior to conducting a hearing. Before the informal resolution process is used, both parties must provide voluntary, written consent to the informal resolution process and must receive written notice disclosing: the allegations, the

requirements of the informal resolution process (including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations), and any outcomes resulting from participating in the informal resolution process (including the records that will be maintained or could be shared). At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX Sexual Harassment grievance process with respect to the formal complaint.

The College will not require the Informal Resolution Process as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of Title IX Sexual Harassment. Similarly, the College will not require, encourage, or discourage the parties from participating in the informal resolution process. The College will not offer the informal resolution process unless a formal complaint is filed.

See Appendix B for additional information regarding the informal resolution process.

## **XII. Grievance Procedures for Title IX Sexual Harassment Complaints, In General**

The College is committed to providing a prompt and impartial investigation and adjudication of all formal complaints alleging violations of this policy. During the grievance process, both parties (complainant and respondent) have equal rights to participate. The College will presume that a responding party is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

### *1. Conflict of Interest*

All individuals who have responsibilities in administering the grievance process under this policy must be free of any conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent and will be trained as provided by federal regulations. Parties will be notified at the appropriate junctures of the identities of the individuals serving as Investigators, Decision Makers, and Appeal Panel members. A party who has concerns that one or more of the individuals performing one of the aforementioned roles has conflicting interest or is biased must report those concerns to the Title IX Coordinator within 48 hours of being notified of their identities and include a brief explanation of the basis for the conflict or bias concern. The Title IX Coordinator will assess the allegations of conflict or bias to determine whether or not the identified individual(s) can fulfill their duties in an impartial way. If the Title IX Coordinator concludes that the facts and circumstances support the claim of conflict or bias, the pertinent individual(s) will not participate in the case.

### *2. Responsibility to Review Reports and Formal Complaints*

In order to protect the safety of the campus community, the Title IX Coordinator may review reports of violations of this policy even absent the filing of a formal complaint, or under certain

circumstances, even if a formal complaint has been withdrawn. The Title IX Coordinator may need to file a formal complaint and proceed with an investigation even if a complainant specifically requests that the matter not be pursued. In such a circumstance, the Title IX Coordinator will consider the complainant's articulated concerns, the best interests of the College community, fair treatment of all individuals involved, and the College's obligations under Title IX.

### *3. Presumption of Good Faith Reporting*

The College presumes that reports of prohibited conduct are made in good faith. A finding that the alleged behavior does not constitute a violation of this policy or that there is insufficient evidence to establish that the alleged conduct occurred as reported does not mean that the report was made in bad faith.

### *4. Presumption of Non-Responsibility*

The respondent is presumed to be not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the grievance process.

### *5. Honesty and Cooperation during Grievance Process*

The College expects all members of the College community to be honest and cooperative in their official dealings with the College under this policy. In this regard, individuals are expected to acknowledge requests from College officials for information in a timely fashion and to make themselves available for meetings with College officials or any officials acting on behalf of the College; any student or member of the faculty or staff who fails to do so may be subject to discipline. However, parties and witnesses may choose not to attend the hearing or may choose not to participate in cross examination at the hearing.

### *6. Advisers*

Throughout the grievance process, each party may have an adviser of their choice; parties may change their adviser at any time during the grievance process. An adviser is an individual chosen by a complainant or a respondent to provide guidance during the grievance process. An adviser may be a member or non-member of the College community and may be an attorney.

The role of the adviser is narrow in scope: the adviser may attend any interview or meeting connected with the grievance process, but the adviser may not actively participate in interviews and may not serve as a proxy for the party. The adviser may attend the hearing.

Any individual who serves as an adviser is expected to make themselves available for meetings and interviews throughout the investigation process, as well as the hearing, as scheduled by the College. The College (including any official acting on behalf of the College such as an investigator or decision maker) has the right at all times to determine what constitutes appropriate behavior on the part of an adviser and to take appropriate steps to ensure compliance with this policy.

## *7. Prior Sexual Behavior*

The complainant's predisposition and/or prior sexual behavior are not relevant and will not be used during the grievance process, unless offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or 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.

## *8. Consolidation*

The Title IX Coordinator has the discretion to consolidate multiple formal complaints of allegations of Title IX Sexual Harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances.

## Q. Investigation of Allegations of Violations of Other College Policies

### *a. Allegations under the Sexual Misconduct Policy*

When an initial assessment or investigation under this policy identifies additional related possible violations of the Sexual Misconduct policy by the same party(ies), the grievance process set forth in the Title IX Sexual Harassment policy and procedures will apply to all allegations. Under such circumstances, the parties will be provided with written notice containing the following information: (a) the alleged prohibited conduct, and (b) the policy(ies) under which alleged prohibited conduct falls.

### *b. Allegations under Other College Policies*

When an initial assessment or investigation under this policy identifies additional related possible violations of College policies (other than the Sexual Misconduct policy, as described above) by the same party(ies) that would normally be handled by another responsible office, the Title IX Coordinator may direct investigators under this policy to investigate such other possible violations at the same time that they investigate the allegations covered by this policy. Under such circumstances, the records from the investigation of the non-Title IX Sexual Harassment matter shall be provided to the Office of Student Life & Engagement in accordance with applicable College policies and procedures. Notwithstanding the foregoing, the Title IX Coordinator is authorized to provide limited immunity for other conduct violations that might otherwise be charged (e.g., violations of alcohol policy) so as not to discourage the reporting of sexual misconduct violations.

## *R. Procedures Where One Party Is a Member of the College Community and the Other Party Is a Non-Member of the College Community*

When a third party, (i.e., a non-member of our College community, which could include, for example, alumni) is a party under this policy, the College will use disciplinary procedures that are generally consistent with the disciplinary procedures described in this policy, appropriately modified based on the particular circumstances of the case and considering privacy requirements and the like. In no case will a member of our community (i.e., current student, faculty member, or staff member) be afforded lesser rights or lesser opportunities to participate in the disciplinary proceeding than the non-member of the College community.

### **XIII. Investigation and Adjudication**

#### *1. Timing*

The College will seek to complete the investigation and adjudication within ninety business days after the investigators' first interview of the complainant. Timeframes for all phases of the grievance process, including the investigation, the hearing, and any related appeal, apply equally to both parties.

There may be circumstances that require the extension of time frames for good cause. Time frames may be extended to ensure the integrity and completeness of the investigation or adjudication, comply with a request by external law enforcement, accommodate the absence of a party, adviser, or witness, or for other legitimate reasons, including the complexity of the investigation and the severity and extent of the alleged misconduct. The College will notify the parties in writing of any extension of the time frames for good cause, and the reason for the extension.

The College will review requests for language assistance and accommodation of disabilities throughout the investigation and adjudication process.

Although cooperation with law enforcement may require the College to temporarily suspend the fact-finding aspect of an investigation, under such circumstances, the College will promptly resume its investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering process. The College will not, however, wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide supportive measures for the complainant or respondent. Neither a decision by law enforcement regarding prosecution nor the outcome of any criminal proceeding will be considered determinative of whether a violation of this policy has occurred.

#### *2. Investigation*

If the Title IX Coordinator has determined, following an initial assessment, that an investigation is appropriate under this policy, the Title IX Coordinator will refer the matter for investigation to a panel of investigators, typically composed of two or three individuals.



### ***a. Notice of Investigation***

Following the receipt and review of the formal complaint by the Title IX Coordinator, and it being determined that the matter properly falls under this Title IX Sexual Harassment policy, the parties will be informed in writing of the initiation of the investigation. The written information shall include:

- The identities of the parties, if known.
- A concise summary of the alleged conduct at issue (including when and where it occurred, if known).
- Notice of the allegations potentially constituting Title IX Sexual Harassment.
- A statement that the respondent is presumed not responsible and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement informing the parties that they may have an adviser of their choice, who may be, but is not required to be, an attorney.
- A statement informing the parties that they may request to inspect and review evidence.
- Information regarding the applicable grievance procedures, including the informal resolution process.

If, during the investigation, additional information is disclosed that may also constitute prohibited conduct under this policy, the respondent and complainant will be informed in writing that such additional information will be included in the grievance process.

### ***b. Collection of Evidence***

The investigators will collect information from each party. While the complainant and the respondent are not restricted from gathering and presenting relevant evidence, the investigators are responsible for gathering relevant evidence to the extent reasonably possible. However, each party will be given an equal opportunity to suggest witnesses; provide other relevant information, such as documents, communications, photographs, and other evidence; and suggest questions to be posed to the other party or witnesses. Parties and witnesses are expected to provide all available relevant evidence to the investigators during the investigation. If a party or witness fails to provide available relevant evidence during the investigation, such evidence may, at the discretion of the Decision Maker, be excluded from consideration at the hearing. While parties are not restricted from presenting information attesting to the parties' character, such evidence generally is not considered relevant.

The investigators will provide to a party written notice of the date, time, location, participants, and purpose of all investigative interviews to which they are invited or expected, with sufficient time

(generally no less than three business days, absent exigent circumstances) for the party to prepare to participate.

Parties will be interviewed separately and will be interviewed by the investigators. The investigators will interview witnesses as necessary. The investigators will record all interviews or notes of the interviews will be taken by the investigators. Any other recording of interviews is prohibited, and violations may result in discipline.

In general, a party's medical and counseling records are confidential. The investigators will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the investigators obtain that party's voluntary, written consent to do so.

The investigators will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege (e.g., attorney-client, doctor-patient), unless the individual holding such privilege has waived the privilege.

### ***c. Case File***

After each party has been interviewed and had the opportunity to identify witnesses and other potentially relevant information and evidence, and the investigators have completed any witness interviews and any gathering of evidence, the investigators will prepare a case file. The case file will include all collected evidence that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and any inculpatory or exculpatory evidence, whether obtained from a party or other source as part of the investigation. The case file may include, as applicable, transcripts or summaries of party and witness interviews and other collected documents and evidence. The investigators will provide the case file to each party and their adviser in electronic form or hard copy. In all cases, any information relied on in adjudicating the matter will be provided to the parties and their advisers. The investigators will also provide an updated Notice of the Allegations, as appropriate.

Within ten business days of receiving the case file, each party may respond in writing, which may include a request that the investigators collect additional evidence. If the investigators believe that further information is needed following receipt of any responses from the parties, the investigators will pursue any additional investigative steps as needed. The parties and their advisers will be provided with each party's written responses to the case file, if any, as well as any additional information collected by the investigators, in electronic format or hard copy.

### ***d. Investigative Report***

Following their review of the parties' responses (if any) to the case file, the investigators will create a written investigative report that summarizes all relevant evidence; the report will not contain irrelevant information.

At least ten business days prior to the hearing, the investigative report will be provided to the parties and their advisers via electronic format.

The parties may choose to provide a written response to the investigative report, which must be submitted at least five business days prior to the start of the hearing. The response may consist of a written statement not to exceed 2500 words. At least 48 hours prior to the hearing, the parties and their advisers will be provided with the other party's written response to the investigative report, if any, in electronic format.

### *3. Hearing*

A panel of three individuals ("Hearing Panel") will hear every case. One of the individuals on the Hearing Panel will be external (e.g., a former judge or an attorney) and shall serve as the Presiding Hearing Panelist, and two of the individuals on the Hearing Panel will be members of the College community (often trained investigators that are not associated with the case).

The Presiding Hearing Panelist will have absolute discretion with respect to administering the hearing. The Presiding Hearing Panelist will decide whether evidence and witnesses are relevant or irrelevant, with the understanding that the introduction of relevant evidence and witnesses will always be permitted. The Presiding Hearing Panelist will be responsible for maintaining an orderly, fair, and respectful hearing and will have broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending individual, including a party, witness, or adviser.

Prior to the hearing, the Hearing Panel will be provided with the case file, investigative report, and any responses to the investigative report. All members of the Hearing Panel shall review the case file (including the parties' responses), ask questions during the hearing as they deem appropriate, and participate in the deliberations leading to the Presiding Hearing Panelist's adjudication of responsibility.

At least five business days prior to the hearing, the parties and their advisers will be notified of the hearing date, time, and location (or relevant electronic information, if the hearing will be conducted remotely).

In advance of the hearing, parties will be required to identify witnesses to be called at the hearing, as well as to provide a brief written explanation of the information each witness would be asked to provide, such that the Presiding Hearing Panelist can determine their relevance. The Presiding Hearing Panelist has the discretion to exclude from the hearing evidence/witnesses/questions deemed irrelevant.

At the Presiding Hearing Panelist's discretion, pre-hearing meetings may be scheduled with each of the parties and their advisers to explain the hearing protocol.

***a. Standard of Proof***

The standard of proof under this policy is preponderance of the evidence. A finding of responsibility by a preponderance of the evidence means that it is more likely than not, based on all the relevant evidence and reasonable inferences from the evidence, that the respondent violated this policy.

***b. Expectation regarding the Complainant, the Respondent, and the Witnesses regarding the Hearing***

In all proceedings under this policy, including at the hearing, the complainant, the respondent, and the witnesses and other individuals sharing information are expected to provide truthful information.

If the complainant, the respondent, or a witness informs the College that they will not attend the hearing (or will refuse to respond to the panels questions), the hearing may proceed, as determined by the Title IX Coordinator. The Hearing Panel s may not, however: (a) rely on any statement or information provided by that non-participating individual in reaching a determination regarding responsibility; or (b) draw any adverse inference in reaching a determination regarding responsibility based solely on the individual's absence from the hearing (or their refusal to be cross-examined).

Each party may make requests related to the format or the nature of their participation in the hearing. The Presiding Hearing Panelist will accommodate requests by either party for the hearing to occur with the parties located in separate locations with technology enabling the Hearing Panel and the parties to simultaneously see and hear the party answering questions. As appropriate and/or at the discretion of the Presiding Hearing Panelist, hearings may be conducted in person or by video conference or any other means of communications by which all individuals participating are able to see and hear each other.

***c. Case Presentation***

While the hearing is not intended to be a repeat of the investigation, the parties will be provided with an equal opportunity for questions to be posed to the other party through the hearing panel, as well as to relevant witnesses. A typical hearing may include brief opening remarks by the Presiding Hearing Panelist; questions posed by the Hearing Panel to one or both of the parties; questions posed by the Hearing Panel to any relevant witnesses; and any questions by either party, submitted to the Hearing Panel, to be posed to the other party by the Hearing Panel, with the Hearing Panel having ultimate discretion over which if any questions are posed. Before a party or witness answers a question posed by the other party through the Hearing Panel, the Presiding

Hearing Panelist must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Other administrators may attend the hearing at the request of or with the prior approval of the Presiding Hearing Panelist, but the parties will be notified in advance of anyone else who will be in attendance.

#### ***d. Record of Hearing***

The College shall create an official record in the form of a recording or transcript of any live (or remote) hearing and make it available to the parties for inspection and review. Any other record of the hearing or any other recording is prohibited, and violations may result in discipline.

#### ***e. Written Determination***

Following the hearing, the Hearing Panel will consider all of the relevant evidence and deliberate regarding responsibility. The Presiding Hearing Panelist shall decide, by a preponderance of the evidence, whether the respondent has violated the policy. The Presiding Hearing Panelist shall write a written determination, which will contain: (1) the allegations potentially constituting Title IX sexual harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination (including any notifications to the parties, interviews with parties and witnesses, site visits (if any), methods used to gather other information, and the hearing); (3) findings of fact supporting the determination; (4) conclusions regarding the application of this policy to the facts; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether a policy violation occurred), any disciplinary sanctions imposed by the Sanction Officer if there has been a finding of responsibility, and whether any remedies designed to restore or preserve equal access to the College's education program or activity or working environment will be implemented; and (6) relevant appeal information for the parties. Disciplinary sanctions and remedies will be determined in accordance with the procedures listed below, and the information will be provided to the Presiding Hearing Panelist for inclusion in the written determination.

The parties and their advisers will simultaneously be provided with the written determination via electronic format.

#### ***4. Disciplinary Sanctions and Remedies (to be included in the Written Determination)***

If a party is found to have violated this policy, before finalizing the written determination, the Presiding Hearing Panelist will refer the matter to the appropriate College official(s) to determine sanctions and remedies. Sanctions being imposed will be included in the written determination.

Sanctions will consider the seriousness of the misconduct as compared to similar cases in the past, the respondent's previous disciplinary history (if any), and institutional principles. Remedies, which may include supportive measures, will be designed to restore or preserve equal access to

the College's education program or activity. Specifically, sanctions will be set by the following Sanction Officers:

- If an **undergraduate or graduate student** is found responsible for violating the policy, the case record (consisting of the case file and responses, investigative report and responses, hearing recording, and written determination relating to the finding of responsibility) will be provided to the dean of campus life, who will determine sanctions and remedies in consultation with appropriate College administrator. In the event that the dean of campus life is unavailable, the dean of student will serve as the substitute. Any sanctions and remedies will be included in the Presiding Hearing Panelist's written determination, and sanctions will be subject to appeal under this policy.
- If a **faculty member or other individual appointed through the Office of the Academic Affairs** is found responsible, the case record (consisting of the case file and responses, investigative report and responses, hearing recording, and written determination relating to the finding of responsibility) will be forwarded to the Vice President of Academic Affairs, who will determine sanctions and remedies in consultation with appropriate College administrators. In the event that the Vice President of Academic Affairs, is unavailable, a designee will be assigned. Should the Vice President of Academic Affairs, propose a sanction of suspension or dismissal, the Vice President of Academic Affairs will issue a recommendation, in accordance with applicable College policy. Any sanctions (and/or recommendation of sanctions) and remedies will be included in the Presiding Hearing Panelist's written determination, and sanctions (and/or recommended sanctions) will be subject to appeal under this policy.
- If a **staff member** is found responsible, the case record (consisting of the case file and responses, investigative report and responses, hearing recording, and written determination relating to the finding of responsibility) will be forwarded to the director of human resources, who will determine sanctions and remedies in consultation with appropriate College administrators. In the event the director of human resources is unavailable, an appropriately trained College official will serve as the substitute. Any sanctions and remedies will be included in the Presiding Hearing Panelist's written determination, and sanctions will be subject to appeal under this policy.

#### **XIV. Appeal**

Appeals under this policy will be heard by an appeal panel of three individuals. At least one of the individuals on the Appeal Panel will be external (e.g., a former judge or an attorney) and shall serve as the chair of the Appeal Panel ("Appeal Chair"), and two of the individuals shall be College administrators or faculty members. The Appeal Panel shall decide appeals by majority vote.

Both parties have equal rights to an impartial appeal at the following junctures:

- A. Upon the dismissal of a formal complaint or any allegations therein.
- B. Upon receiving the Presiding Hearing Panelist's written determination regarding responsibility and, when applicable, sanction and remedies.

Appeals may be submitted on the following bases:

- (1) procedural irregularity that affected the outcome of the matter;
- (2) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made which could affect the outcome of the matter;
- (3) the Title IX Coordinator or their staff, investigator(s), any member of the Hearing Panel, or Sanction Officer 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; and/or
- (4) the sanctions (or recommended sanctions) are not commensurate with the violation.

To appeal, a party must electronically submit a written appeal statement to the Vice President of Student Development and Campus Life within five (5) business days of receipt of the written determination or dismissal. The Appeal Panel Chair may deem a late submission reasonable only under extenuating circumstances, and the Appeal Panel Chair may decide in their sole discretion what constitutes valid extenuating circumstances. The appeal shall consist of a written statement not to exceed 2500 words, outlining the basis for appeal and the relevant information to substantiate the appeal. The non-appealing party will be provided with a copy of the appealing party's written statement and may submit a written response, not to exceed 2500 words, to the Vice President of Student Development and Campus Life within five (5) business days of receipt of the appealing party's written statement. The non-appealing party's statement will be provided to the appealing party. No further appeal submissions from the parties shall be permitted.

An appeal is limited in scope. The purpose of an appeal is not to initiate a review of substantive issues of fact or a new determination of whether a violation of College rules has occurred.

In deciding an appeal, the Appeal Panel may consider the case file and any responses, investigative report and any responses, the hearing record, the written determination, and any written appeal(s) or statements by the parties. The Appeal Panel also may consider any other materials the College deems relevant and that have been shared with the parties.

The parties and their advisers will simultaneously be provided (via electronic format) with the written decision describing the result of the appeal and the rationale for the result.

- If the Appeal Panel finds that the earlier decision should stand, the parties will be so informed, and the Title IX process is concluded.

- If the Appeal Panel finds that there was procedural irregularity that affected the outcome of the matter, the matter will be remanded to the Presiding Hearing Panelist to determine appropriate further action.
- If the Appeal Panel finds that new evidence is available which was not reasonably available at the time of the determination regarding responsibility or dismissal, and such evidence could alter the outcome of the matter, the matter will be remanded to the Presiding Hearing Panelist for appropriate further action.
- If the Appeal Panel finds that the Title IX Coordinator or their staff, investigator(s), member of the Hearing Panel, or Sanction Officer 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, the Appeal Panel will take appropriate measures to address and remediate the impact of the bias or conflict consistent with the general procedures of this policy.
- If the Appeal Panel finds that the sanctions (or recommended sanctions) are not commensurate with the violation, the matter will be remanded to the Sanction Officer for reconsideration.

The Appeal Panel will seek to complete the appeal review within twenty business days of receipt of the appealing party's written statement.

Unless further proceedings are necessary the determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of an appeal if an appeal is filed (at which point the Title IX Sexual Harassment grievance process is concluded), or if an appeal is not filed, the date on which an appeal would no longer be considered timely (at which point the Title IX Sexual Harassment grievance process is concluded).

## **XV. Training**

The College will provide appropriate training to College officials with responsibilities under this policy, including the Title IX Coordinator, employees in the Office of Student Life & Engagement, investigators, Hearing Panel members, Sanction Officers, Appeal Panel members, and any individual who facilitates the informal resolution process. Such training will cover the definition of Title IX Sexual Harassment, the scope of the College's education program or activity, how to investigate and grievance process including hearings, appeals, and informal resolution processes under this policy, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The College will ensure that Hearing Panel members receive training on any technology to be used at a hearing and on issues of relevance of questions and evidence, including questions and evidence about the irrelevance of complainant's sexual predisposition or prior sexual behavior. The College will ensure that investigators receive training on issues of relevance in order to create an investigative report that fairly summarizes



relevant evidence. These training materials are publicly available on the College's Sexual Misconduct & Title IX website and will be made available for in-person review upon request. In addition, College officials with responsibilities under this policy will receive training related to intersectionality.

#### **XVI. Record Retention**

The College will maintain for a period of seven years records of the following:

- Each Title IX Sexual Harassment grievance process conducted under this policy, including any determination regarding responsibility and any audio or audiovisual recording or transcript from a hearing, any disciplinary sanction imposed on the respondent, and remedies provided to the complainant designed to restore or preserve access to the College's education program or activity;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom; and
- All materials used to train Title IX Coordinators, investigators, Hearing Panel members, Sanction Officers, Appeal Panel members, and any individual who facilitates the informal resolution process with regard to Title IX Sexual Harassment;
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of Title IX Sexual Harassment. In each instance, the College will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's educational and working program or activity. If the College does not provide a complainant with supportive measures, then the College will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

#### **XVII. Modification and Review of Policy**

Ferrum College reserves the right to modify this policy to consider applicable legal requirements or extraordinary circumstances. At regular intervals, the College will review this policy to determine whether modifications should be made.

## **Appendix A: Available Resources**

### **Emergency Resources and Law Enforcement**

Emergency medical assistance and law enforcement assistance are available both on and off campus. Individuals are encouraged (but not required) to contact law enforcement and seek medical treatment as soon as possible following an incident that poses a threat to safety or physical well-being or following a potential criminal offense. For more information about filing a criminal complaint with law enforcement, please contact:

**Emergency Services** You can reach county emergency services by dialing 9-1-1

**Ferrum College Police Department** The College Police may be reached 24 hours a day, 7 days a week by calling 540-365-4444 or 911. Their office is located at 10021 Franklin Street (on Route 40 adjacent to the Ferrum Mercantile across from campus).

*The **Residence Life Coordinators** are highly skilled young professionals, and one is on call 24/7. They can be reached during business hours by emailing [studentlife@ferrum.edu](mailto:studentlife@ferrum.edu) or calling 540.365.4461, or after hours by contacting your RA or Campus Police. You do not need to disclose to the RA or PD why you need them, simply tell them it is urgent and ask if they can call them for you.*

***Carilion Franklin Memorial Hospital** is located at 180 Floyd Avenue in Rocky Mount. The Emergency Department can be reached by calling 540-483-5277.*

***Carilion Roanoke Memorial Hospital** is located at 1906 Bellevue Avenue, SE, in Roanoke. The Emergency Department can be reached by calling 540-981-7000.*

### **Confidential Resources**

Information shared with Confidential Resources (including information about whether an individual has received services) will be disclosed to the Title IX Coordinator or any other individual only with the individual's express written permission, unless there is an imminent threat of serious harm to the individual or to others, or a legal obligation to reveal such information (e.g., if there is suspected abuse or neglect of a minor).

Campus Confidential Resources include:

The **Ferrum College Counseling Center** is located on the basement floor of Roberts Hall, room 4 and is available by phone at 540-365-4219 (you should leave a message if the counselor does not answer the phone) or email at [jstallard@ferrum.edu](mailto:jstallard@ferrum.edu). Hours are 8:30 a.m. to 5:00 p.m., Monday through Friday.

**Employee Assistance Program (EAP)** is available to all Ferrum College employees. They offer short-term, confidential counseling to help you understand your options for virtually any issue or problem that may arise. Call 1-800-992-1931 to schedule an appointment.

*Other Available Resources*

Any individual may also access resources located in the local community. These organizations can provide crisis intervention services, counseling, medical attention and assistance in dealing with the criminal justice system. If accessing these resources, individuals are encouraged to clarify whether the resources are confidential.

**Franklin County Family Resource Center** may be contacted at 540-483-1234. Their website address is [www.franklincountyva.org/shelter](http://www.franklincountyva.org/shelter).

**Sexual Assault Response and Awareness, Inc. (SARA)** runs a 24-hour hotline that can be reached at 540-981-9352. You can also visit them online at [www.sararoanoke.org](http://www.sararoanoke.org).

**Piedmont Community Service Board**, Franklin County is located at 30 Technology Drive in Rocky Mount and can be reached by calling 540-483-0582.

**Contact Listen Line** is a 24-hour counseling hotline that can be reached at 1-877-WEHELP6 or 1-877-934-3576.

**Tri-Area Community Health Center** which is located at 180 Ferrum Mountain Rd, Ferrum, VA 24088. Appointments may be made by calling 540-365-4469.

The **U.S. Government** website [www.notalone.gov/students](http://www.notalone.gov/students) offers links for additional information and resources.

## **Appendix B: Informal Resolution Process**

The informal resolution process is a voluntary, remedies-based process designed to provide members of the Ferrum College community with an option to resolve certain disputes with other members of the Ferrum College community in a forum that is separate and distinct from the College's formal grievance processes under the Title IX Sexual Harassment Policy or the Sexual Misconduct Policy. Subject to approval by the Title IX Coordinator (see below), the informal resolution process is available in matters involving a student complainant and a student respondent as well as in matters involving a faculty/staff complainant and a faculty/staff respondent; the informal resolution process is not available in matters involving a student and an employee. The purpose of the informal resolution process is to eliminate the conduct which has been reported by the complainant (and prevent its recurrence), and place both individuals in a position to pursue their academic, working, and non-academic interests in a safe, respectful, and productive educational and working environment. Under this process, there will be no disciplinary action taken against a respondent, and the resolution will not appear on the respondent's disciplinary record.

Prior to participating in the informal resolution process, parties will be notified in writing of the information contained in this Appendix B.

The following are features of the informal resolution process:

- Participation in the informal resolution process is completely voluntary.
  - No party will be required to participate in the informal resolution process and the College will not require, encourage, or discourage the parties from participating in the informal resolution process.
  - All parties must consent in writing to participation in the informal resolution process.
- The College may offer the informal resolution process only under the following circumstances:
  - A report or formal complaint has been filed by the complainant;
  - The Title IX Coordinator has determined, through an initial assessment, that the alleged conduct reported, if substantiated, would constitute Title IX Sexual Harassment or Sexual Misconduct;
  - The Title IX Coordinator has determined that the informal resolution process is appropriate for this matter.
- All parties will be provided with a written notice disclosing the allegations, the requirements of the informal resolution process, and any outcomes resulting from participating in the informal resolution process.

- At any time prior to signing an informal resolution agreement, any party has the right to withdraw from the informal resolution process and resume the formal grievance process pursuant to the applicable policy (i.e., Title IX Policy or Sexual Misconduct Policy).
- Under the informal resolution process, there will be no disciplinary action taken against a respondent, and the resolution will not appear on the respondent's disciplinary record. If a formal complaint is filed against the respondent in a subsequent matter under the Title IX Sexual Harassment policy or the Sexual Misconduct policy, the respondent's participation in a prior informal resolution process will not be considered relevant and will not be considered in the resolution of the subsequent complaint.
- Parties may be accompanied by a member of the College community who will serve as a support person to any meeting related to the informal resolution process. However, the support person may not actively participate in meetings and may not serve as a proxy for the party. Any individual who serves as a support person is expected to make themselves available for meetings as scheduled by the College. The College has the right at all times to determine what constitutes appropriate behavior on the part of a College support person and to take appropriate steps to ensure compliance with this policy.
- Any agreements reached as part of the informal resolution process must be approved by the Title IX Coordinator in order to ensure consistency with the College's federal obligations. If the Title IX Coordinator determines at any time prior to the signing of the informal resolution agreement that the informal resolution process is no longer appropriate, the Title IX Coordinator may terminate the process.
- Upon signing the informal resolution agreement, the parties are bound by its terms and cannot opt for a formal grievance process based on the conduct alleged in the report or formal complaint.
- Failure to comply with the signed agreement may result in disciplinary action for either party.
- If the parties' circumstances change significantly, they may request a supplemental agreement; the Title IX Coordinator will determine whether it is appropriate to proceed. For example, if both parties joined the same eating club subsequent to signing the agreement or participated in the same study abroad program, either party could request a supplemental agreement to address the changed circumstances, provided that both parties agreed to any such revisions. Under such circumstances, the above conditions would apply.

### ***Initiation of the Informal Resolution Process***

If the complainant files a formal complaint pursuant to the Title IX policy or otherwise reported conduct that would be subject to the Sexual Misconduct policy, and requests to engage in the informal resolution process, the Title IX Coordinator will consider whether the informal resolution process is appropriate in the particular matter. In making this determination, the Title IX Coordinator will consider the following factors:

- The disciplinary record (or past conduct) of the respondent relating to sexual misconduct, physical violence, failure to comply with a No Contact Order, and/or other relevant conduct;
- The nature of the alleged conduct, whether allegations involve multiple victims and/or a pattern of conduct, or other evidence-informed factors indicative of increased risk to campus safety;
- Whether the circumstances warrant the Title IX Coordinator filing a formal complaint (e.g., if there is sufficient evidence to proceed with an investigation/adjudication even absent participation by the complainant);
- Whether proceeding with the informal resolution process is in accordance with the principles and objectives of the College’s Title IX Sexual Harassment policy or its Sexual Misconduct policy, as determined by the Title IX Coordinator; and/or
- Whether proceeding with the informal resolution process in matters involving faculty and staff members is in accordance with College employment practices.

If the Title IX Coordinator determines that a case is not appropriate for the informal resolution process, the Title IX Coordinator will inform the complainant that the informal resolution process is unavailable.

If the formal grievance process has already begun, either party may seek to initiate the informal resolution process up until five business days prior to the hearing. If both parties agree to participate in the informal resolution process and the Title IX Coordinator approves of the informal resolution process, the formal grievance process will be adjourned while the informal resolution process is pending; if an agreement is not reached, the formal grievance process will be resumed.

Upon initiation of the informal resolution process, the College Title IX Coordinator will refer the matter to a trained informal resolution facilitator (“facilitator”). The facilitator will consult (separately) with each party in an effort to reach a resolution that best meets the interests and needs of the parties. Unless they mutually choose to do so as part of an agreement, the parties will not meet together in person as part of the process.

### ***Potential Outcomes of the Informal Resolution Process***

Depending on the nature and circumstances of the particular situation, parties may agree to outcomes such as:

- Long-term extension of a mutual No Contact Order or No Communication Order;
- Imposition of a “skewed” No Contact Order, placing the burden on the respondent to limit the respondent’s physical proximity to the complainant;
- Restrictions on the respondent from participation in particular organizations or events;
- Changes to on-campus housing, subject to availability;

- Participation by the respondent in a College-provided educational program;
- Participation by the respondent in a local or national educational program;
- Provision to the respondent of an “impact statement” written by the complainant (describing the impact(s) that the respondent’s conduct had on the complainant);
- Conversation between the parties facilitated by a trained individual appointed by the Title IX Coordinator;
- Other measures deemed appropriate by the Title IX Coordinator.

### ***Failure to Comply with the Informal Resolution Agreement***

Failure to comply with the signed agreement may result in disciplinary action for either party, consistent with disciplinary procedures.

### ***Records Relating to the Informal Resolution Process***

The records relating to the informal resolution process will be maintained in accordance with section XVI.

Prior to participating in the informal resolution process, parties will be notified in writing that any information gathered in the informal resolution process may be used in the Title IX Sexual Harassment or Sexual Misconduct formal grievance processes if the informal resolution process ends prior to a written agreement being signed by the parties. However, the College will not draw any adverse inference based on a respondent’s participation in the informal resolution process, nor will such participation be considered an admission by the respondent.

Even if the parties enter into a written informal resolution agreement, if information related to the violation of other College policies (i.e., policies other than the Title IX Sexual Harassment policy or the Sexual Misconduct policy) comes to light through the informal resolution process, such information may be used in other student accountability processes, subject to the Amnesty policy.

### ***Retaliation***

The protections against Retaliation described in section V apply to individuals participating in the informal resolution process. Disciplinary consequences may result for those found responsible for Retaliation.

### ***Time Frame for the Informal Resolution Process***

The time frame for completion of the informal resolution process may vary, but the College will seek to complete the informal resolution process within thirty business days of completion of the

initial assessment. Should the time period extend beyond this time frame, the parties will be notified.

## **Appendix C**

### **SUGGESTED ACTIONS AND RESOURCES FOR VICTIMS OF SEXUAL MISCONDUCT**

Any type of Sexual Misconduct is inappropriate and is taken seriously by the College. If you are the victim of Sexual Misconduct, the College's priority is to help you take steps to address your safety, medical needs, and emotional wellbeing. You are strongly encouraged to seek assistance regardless of whether or not you decide to pursue criminal or College disciplinary charges.

#### **1. Ensure Your Physical Safety.**

Please do not hesitate to call the Ferrum College Police Department (540-365-4444) or dial 911. College Police officers are on duty 24 hours a day, 7 days a week and can provide you with both on- and off-campus resources.

#### **2. Seek Medical Assistance and Treatment.**

Local options for emergency medical care and collection of personal evidence include Carilion Franklin Memorial Hospital in Rocky Mount (540-483-5277) or Carilion Roanoke Memorial Hospital, located in Roanoke (540-981-7000).

It is crucial that you obtain medical attention as soon as possible after a Sexual Assault to determine the possibilities of physical injury, to prevent or treat sexually transmitted diseases, and/or to screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs). College staff can help you contact a support person, such as a family member, friend, or roommate.

If you choose to have an evidence collection kit (or "rape kit") completed, it is important to do so within 72 hours of an assault. Even if you have not decided to file charges, it is advisable to have the evidence collection kit completed so that you can preserve the options of obtaining a protective order and/or filing criminal charges at a later date.



In order to best preserve evidence for an evidence collection kit, it may be advisable to avoid showering, bathing, going to the bathroom, or brushing your teeth before the kit is completed. You should also wear (or take with you in a paper – not plastic – bag) to the hospital the same clothing that you were wearing during the assault. An evidence collection kit can still be completed even if you have showered or bathed.

### **3. Obtain Emotional Support.**

The staff in the Student Counseling Center can help victims' sort through their feelings and begin the recovery process as they are trained to provide confidential crisis intervention on short-term and emergency issues. They can also provide referrals for outside providers and law enforcement.

Counseling is free of charge to all students. In some instances, the law may require the disclosure of information shared by students with counselors; however, absent a legal mandate to the contrary, counseling services are confidential, are not part of students' College records, and will not be reported to other College personnel.

### **4. Obtain Information and Report Misconduct.**

Even if you have filed a report directly with law enforcement, you are encouraged to report incidents of sexual misconduct to the College's Title IX Coordinator or a responsible employee. These College personnel can help you access resources and can provide you with support and additional information.

## APPENDIX D

### SUGGESTED ACTIONS AND RESOURCES FOR INDIVIDUALS ACCUSED OF SEXUAL MISCONDUCT

Any type of sexual misconduct is inappropriate and is taken seriously by the College. If you have been accused of Sexual Misconduct, the College encourages you to take steps to address your emotional wellbeing. You are strongly encouraged to seek assistance and support through this process.

**Obtain Emotional Support.** The staff in the College Student Counseling Center can help you sort through your feelings as they are trained to provide confidential crisis intervention on short-term and emergency issues. They can also provide referrals for outside providers. Short-term counseling is free of charge to all students. In some instances, the law may require the disclosure of information shared by students with counselors; however, absent a legal mandate to the contrary, counseling services are confidential, are not part of students' College records, and will not be reported to other College personnel.

### CAMPUS RESOURCES

Ferrum College's **Title IX Coordinator** is Ms. Jill Adams, whose office is located in Franklin Hall 102 in the Office of Student Life and Engagement. Ms. Jill Adams may be contacted from 8:30 a.m. to 5:00 p.m., Monday through Friday at 540-365-4541 or by email at [jadams@ferrum.edu](mailto:jadams@ferrum.edu).

The **Residence Life Coordinators** are highly skilled young professionals, and one is on call 24/7. They can be reached during business hours by emailing or calling 540-365-4461, or after hours by contacting your RA or Campus Police.

The **Ferrum College Police Department** has officers available 24 hours a day, 7 days per week who can be reached by calling 540-365-4444 or 911. They are located at 10021 Franklin Street, across from campus.

The **Student Counseling Center** is located in Roberts Hall, room 4 and is available by phone at 540-365-4219 or email at [jstallard@ferrum.edu](mailto:jstallard@ferrum.edu). Hours are 8:30 a.m. to 5:00 p.m., Monday through Friday.

### COMMUNITY RESOURCES

**Local Law Enforcement Agencies** can be reached by calling 911.

**Franklin County Family Resource Center** may be contacted at 540-483-1234. Their website address is [www.franklincountyva.org/shelter](http://www.franklincountyva.org/shelter).

**Carilion Franklin Memorial Hospital** is located at 180 Floyd Avenue in Rocky Mount. The Emergency Department can be reached by calling 540-483-5277.

**Carilion Roanoke Memorial Hospital** is located at 1906 Belleview Avenue, SE, in Roanoke. The Emergency Department can be reached by calling 540-981-7000.

**Sexual Assault Response and Awareness, Inc. (SARA)** runs a 24-hour hotline that can be reached at 540-981-9352. You can also visit them online at [www.sararoanoke.org](http://www.sararoanoke.org).

**Piedmont Community Service Board, Franklin County** is located at 30 Technology Drive in Rocky Mount and can be reached by calling 540-483-0582.

**Contact Listen Line** is a 24-hour counseling hotline that can be reached at 1-877-WEHELP6 or 1-877-934-3576.

The **U.S. Government website** [www.notalone.gov/students](http://www.notalone.gov/students) offers links for additional information and resources.

## **LONG-TERM CARE**

Options for long-term medical and mental health care are:

**Tri-Area Community Health Center** which is located at 180 Ferrum Mountain Rd, Ferrum, VA 24088. Appointments may be made by calling 540-365-4469.

**Piedmont Community Service Board, Franklin County** is located at 30 Technology Drive in Rocky Mount and can be reached by calling 540-483-0582.

These providers may be able to make referrals to resources in other cities if needed.

## **APPENDIX E**

### **SEX DISCRIMINATION REGULATIONS**

The U.S. Department of Education (DOE) may require schools and colleges to take remedial action for discriminating on the basis of sex or otherwise violating the DOE's Title IX regulations.

In response to any claim of sex discrimination under Title IX, schools and colleges are never required to deprive an individual of rights guaranteed under the U.S. Constitution.

Schools and colleges are to account for the interplay of Title IX, Title VII, and the Family Educational Rights and Privacy Act (FERPA).

Schools and colleges are to designate and identify a Title IX Coordinator, disseminate their non-discrimination policy and the Title IX Coordinator's contact information to ensure accessible channels for reporting sex discrimination (including sexual harassment), and notify students, employees, parents, and others of how the school or college will respond to reports and complaints of sex discrimination (including sexual harassment).

An institution controlled by a religious organization is not required to submit a written statement to the DOE to qualify for the Title IX religious' exemption. *Although Ferrum College is a liberal arts institution founded on Christian principles and related to the United Methodist Church, is accredited by the University Senate of the United Methodist Church, and is a member of the National Association of Schools and Colleges of the United Methodist Church, Ferrum College is not controlled by the United Methodist Church.*

**THERE ARE NUMEROUS TERMS USED BY FERRUM COLLEGE IN OUR POLICY AND PROCEDURES.**

**Consent** is defined in Virginia as affirmation (i) without force, threat or intimidation of or against the person or another person; and (ii) without the use of a person's mental incapacity or physical helplessness.

**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 if incapable of giving consent.

**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 a non-forcible sexual intercourse with a person who is under the statutory age of consent.

**COMMONWEALTH OF VIRGINIA DEFINITIONS (RAPE, FORCIBLE SODOMY, OBJECT SEXUAL PENETRATION, SEXUAL BATTERY, SEXUAL ABUSE):**

**Rape:** 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.

**Forcible sodomy:** 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 15 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.

**Object sexual penetration:** 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.
- Sexual Battery:** An accused is guilty of sexual battery if he sexually abuses a person against the will of the complaining witness, by force, threat, intimidation, or ruse.

**Sexual Abuse:** An act committed with the intent to sexually molest, arouse, or gratify any person, where:

- a. The accused intentionally touches the complaining witness's intimate parts or material directly covering such intimate parts;
- b. The accused forces the complaining witness to touch the accused's, the witness's own, or another person's intimate parts or material directly covering such intimate parts;
- c. If the complaining witness is under the age of 13, the accused causes or assists the complaining witness to touch the accused's, the witness's own, or another person's intimate parts or material directly covering such intimate parts; or
- d. The accused forces another person to touch the complaining witness's intimate parts or material directly covering such intimate parts.

**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 section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Virginia defines a family or household member as (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:** 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. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Virginia does not define dating violence outside of domestic violence law, however all laws relevant to sexual or physical abuse or the threat of such abuse would apply when appropriate.

**Stalking:** The term “stalking” means

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 section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Virginia defines stalking as any person 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.

### **Education and Prevention Programs**

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

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

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

- 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. Defines what behavior and actions constitute consent to sexual activity in the Commonwealth of Virginia and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;



- 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 act 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 COLLEGE OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR ALL INCOMING STUDENTS IN 2022:**

**TITLE IX TRAINING**

This training is for all faculty, staff and students. It covers sexual misconduct violations: what they are, how they are investigated, and punishment that can be involved. (DoV, DaV, SA, S)

**“CSA” TRAINING**

This is training provided to all faculty and staff on their responsibility to report Clery crimes, where to report and who to report them to.

**ACTIVE THREAT PRESENTATION**

This is provided to all faculty, staff and students. This covers the RUN, HIDE, FIGHT response to active threats.

**The College offered the following ongoing awareness and prevention programs for students in 2021:**

**“LOVE AND LIQUOR”**

This provides alcohol consumption awareness, Virginia laws and good decision making to all students (DaV, DoV)

**MY STUDENT BODY**

This is an online program covering drug and alcohol education. (DaV, DoV, SA)

**RETHINKING DRINKING**

This program promotes awareness and moderation in alcohol consumption. (DaV, SA)

**ONE LOVE - ESCALATION PROGRAM**

This program is offered several times a semester to faculty, staff and students. The program covers healthy and unhealthy relationships, how to identify them, and how to get out of such a relationship (DoV, DaV, SA, S)

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

**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.” (from Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.) 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 (from Bystander Intervention Strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse). If you or someone else is in immediate danger, dial 540-365-4444, 911 or 9-911 from internal phone.

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, and 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. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
4. Refer people to on or off campus resources listed in this document for support with health, counseling, or with legal assistance.

### **Risk Reduction**

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](http://www.rainn.org))

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

- **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.).
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- **If you suspect you or a friend has been drugged, contact law enforcement immediately (540-365-4444 on campus, 911 off campus).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

If you need to get out of an uncomfortable or scary situation here are some things that you can try:

- **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- **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.
- **Lie.** If you don't want to hurt a 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.

- **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?
- **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.

### **Ferrum College Clery Crime Statistics**

This report contains statistics that were reported from January 1, 2022 until December 31, 2022. These statistics were collected from Ferrum College Police records, Campus Security Authorities (CSA) representatives, Residence Life Office, including Human Resources, as well as state and local law enforcement agencies. They represent occurrences/incidents which occurred on campus and College grounds, public sidewalks and roadways adjacent to the College property, and non-college locations under Ferrum College's control during 2022 and include all crime statistics reported to any of the above.

The Department of Education requires that Ferrum College publish an Annual Security Report (ASR). In the ASR the Department of Education requires that the following be used to classify and record Clery reportable crimes.

- \* The Federal Bureau of Investigation (FBI), Uniform Crime Reporting (UCR) Handbook is used for all definitions of offenses, except for below.
- \* Beginning in 2013 Dating Violence, Domestic Violence, and Stalking the meaning given such terms is in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a))
- \* Clery Act reporting DOES NOT require disclosure of all other sexual related offenses, e.g. sexual harassment, voyeurism and incident exposure. Offenses are counted on the basis of calls for service, complaints and investigations.
- \* Findings of courts, coroners, jury, prosecutorial decisions and student judicial boards are NOT a basis for counting Clery Act crimes.

\* The Clery Act does not require initiating an investigation or disclosing identifying information about the victim for the statistics to be included within this ASR.

The reported crimes are cataloged utilizing the Hierarchy Rule, which applies when the offender/perpetrator commits multiple offenses in the same incident. When this occurs, the Hierarchy Rule is used when counting multiple offenses. The Hierarchy Rule requires that the most serious offense be counted when more than one offense was committed during a single incident. A single incident means that the offenses must be committed at the same time and place, and that the time interval and distance between the offenses were insignificant. Not all crimes committed in the same incident are counted with the statistics, only the most serious per the Hierarchy Rule. The Hierarchy Rule does not apply to incidents of Arson, Hate Crimes, Domestic Violence, Dating Violence, Stalking, or Weapons, Drug, and Alcohol Violations. In addition, the Violence Against Women Reauthorization Act of 2013 (VAWA) also made an exception to the Hierarchy Rule when a sexual assault and murder occur in the same incident, both crimes will be statistically recorded for that year's ASR.

It should be noted that (VAWA) created some significant changes to the Clery Act statistical crime reporting requirements. Such changes included adding and tracking crimes related to Domestic Violence, Dating Violence, and Stalking, which were not previously reported. There were additional Hate Crimes classifications for National Origin Bias and Gender Identity Bias. Additionally, VAWA required changes to the tracking and cataloging of Sexual Assault Crimes. Previously under Clery, Forcible Sex Offenses (including Rape, Forcible Sodomy, Sexual Assault with an Object and Forcible Fondling) were based upon the National Incident-Based Reporting System (NIBRS) definitions. This requirement has been changed to use the Federal Bureau of Investigations (FBI) Uniform Crime Report (UCR) definition of Rape which within its definition includes the crimes of Sodomy and Sexual Assault with an Object. Therefore, the Forcible Sexual Offenses category has been changed to Rape or Fondling and the Non-Forcible Sexual Offenses has been changed to Incest and Statutory Rape with each of the statistics being individually reported.

## Reportable Incidents and Their Definitions

Definitions given are from the Federal Bureau of Investigations (FBI) Uniform Crime Report (UCR).

1. Homicide: The willful (non-negligent) killing of one human being by another.
2. Manslaughter, by Negligence: The killing of another person through gross negligence.
3. Sex Offenses:
  - a. Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
  - b. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or temporary or permanent mental or physical incapacity.
  - c. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - d. Statutory rape: sexual intercourse with a person who is under the statutory age of consent.
4. 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.
5. Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by 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.
6. Burglary: The unlawful entry of a structure to commit a felony or 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. The unlawful entry must show evidence that the entry was made in order to commit a felony or theft.

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

8. 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.)

9. Hate Crimes: is a criminal offense committed against a person or property which is motivated in whole or in part by the offender's bias. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias.

- Bias; is a preformed negative opinion or attitude towards a group of persons based on their race, religion, ethnicity, national origin, gender, sexual orientation, disability or gender identity

\*\* Hate crime data must be collected and reported according to category of prejudice for all Clery Act primary crimes (except negligent manslaughter) as well as Larceny, Simple Assault, Intimidation and Destruction / Vandalism of property.

\*\* Hate crimes are not reported for: Liquor, Drug or Weapons Law Violations, Dating Violence, Domestic Violence or Stalking.

10. Liquor Violations/Arrests: The violation of laws or ordinances dealing with alcohol offenses, regulatory in nature, such as: manufacture, sale, or possession of alcohol.

11. Drug Abuse Violations/Arrests: The violation of laws or ordinances dealing with drugs offenses, regulatory in nature, such as: manufacture, sale, or possession of drugs.

12. Weapon Law Violations/Arrests: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.



## **Location Definitions from the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

### **On-Campus:**

(1) Any building or property which is owned or controlled by an institution within the same \*reasonably contiguous geographic area and is used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

(2) Any building or property that is within or \*reasonably contiguous to the area identified in paragraph (1), that is owned by the institution, but controlled by another person, is frequently used by students and supports institutional purposes (examples include food or retail vendor).

### **Residential Facilities:**

(1) Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus. These numbers are also included in the On-Campus category and do not represent additional violations.

### **Non-Campus Building or Property:**

(1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

(2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

The following charts reflect the number of crimes reported on the Ferrum College campus from January 1, 2020 to December 31, 2022. The statistics are based upon the calendar year in which the crime was reported.

## CRIME STATISTICS 2020- 2021 -2022

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities*</b>	<b>Unfounded Crimes</b>
Murder/Non-Negligent Manslaughter	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Negligent Manslaughter	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Rape	2022	1	0	0	1	1	0
	2021	2	0	0	2	2	0
	2020	1	0	0	1	1	0
Fondling	2022	1	0	0	1	1	0
	2021	0	0	0	0	0	0
	2020	1	0	0	1	1	0
Incest	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Robbery	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0

Aggravated Assault	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Burglary	2022	6	0	0	6	5	0
	2021	4	0	0	4	4	0
	2020	2	0	0	2	2	0
Motor Vehicle Theft	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Liquor Law Violation Arrests	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Drug Law Violation Arrests	2022	0	0	0	0	0	0
	2021	2	0	0	2	2	0
	2020	0	0	0	0	0	0
Weapons Law Violation Arrests	2022	0	0	0	0	0	0
	2021	2	0	0	2	2	0
	2020	0	0	0	0	0	0
Liquor Law Violation Referrals for Disciplinary Action	2022	11	0	0	11	11	0
	2021	14	0	0	14	14	0
	2020	19	0	0	19	17	0
Drug Law Violation Referrals for Disciplinary Action	2022	15	0	0	15	15	0
	2021	19	0	0	19	19	0
	2020	25	0	0	25	25	0

Weapons Law Violation Referrals for Disciplinary Action	2022	3	0	0	3	3	0
	2021	1	0	0	1	1	0
	2020	0	0	0	0	0	0

<b>Offense (Not Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities*</b>	<b>Unfounded Crimes</b>
Arson	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Domestic Violence	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Dating Violence	2022	3	0	0	3	3	0
	2021	2	0	0	2	2	0
	2020	2	0	0	2	2	0
Stalking	2022	2	0	0	2	2	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
						<b>Total Unfound:</b>	0

*\*Residential Facility crime statistics are a subset of the on-campus category, i.e. they are counted in both categories.*

## **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 law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime.

## **HATE CRIME REPORTING: (not included in the charts above)**

**2022** - There were no hate crimes reported.

**2021** - There were no hate crimes reported.

**2020** - There were no hate crimes reported.

## **ANNUAL FIRE SAFETY REPORT**

On August 14, 2008, the Higher Education Opportunity Act was signed into law. In order to comply with this Act, the College has prepared the 2021 Annual Fire Safety Report on Student Housing, which includes required information about student housing fire safety systems, fire drills, fire safety policies and education and training programs.

A written log of all fires occurring during the current calendar year will be maintained at the Ferrum College Police Department, and may be viewed by any member of the public or the college community at large during normal business hours. The fire log records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. The log must include the nature, date, time, and general location of each fire. The College will make an entry or an addition to an entry, to the log within 2 business days of the receipt of the information. The information from the prior year's fire log will be incorporated into each revised Fire Safety Report.

### **Definitions Used in this Report**

The following definitions, as provided by federal law, are provided to aid you in understanding how the data in this report have been accumulated and developed:

**Student Housing Facility:** any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, **and** is within the reasonably contiguous geographic area that makes up the campus. Clery defined this as within one mile of campus in the updated 2016 Clery Handbook

**Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**\*\* indicates Fire equipment is checked for functionality each month by Resident Life Staff**

<b>Facility</b>	<b>Year</b>	<b>Number of Fires</b>	<b>Injuries</b>	<b>Deaths</b>	<b>Amount of Damage</b>	<b>Cause of Fire</b>	<b>Drills Conducted</b>
Dyer Hall	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2
Clark Hall	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2
Susannah Wesley	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2
Bassett Hall, East / North	2022	0	0	0	0	0	2
	0	0	0	0	0	0	2
	0	0	0	0	0	0	2
Moore Hall	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2
Arthur Hall	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2
Roberts Hall	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2

Chapman Hall	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2
Riddick Hall	2022	0	0	0	0	0	2
	2021	0	0	0	0	0	2
	2020	0	0	0	0	0	2
602 Apartments	2022	0	0	0	0	0	**0
	2021	0	0	0	0	0	**0
	2020	0	0	0	0	0	**0
Hillcrest Apartments	2022	0	0	0	0	0	**0
	2021	0	0	0	0	0	**0
	2020	0	0	0	0	0	**0
Village West Apartments	2022	0	0	0	0	0	**0
	2021	0	0	0	0	0	**0
	2020	0	0	0	0	0	**0
Village East Apartments	2022	0	0	0	0	0	**0
	2021	0	0	0	0	0	**0
	2020	0	0	0	0	0	**0



## **Fire Statistics Housing Facilities**

### CLARK HALL, 125 Museum Dr

Sprinkled, hardwired smoke and heat detectors throughout and building audio and visual fire alarm.

### DYER HALL, 135 Museum Dr

Sprinkled, hardwired smoke and heat detectors throughout and building audio and visual fire alarm.

### CHAPMAN HALL, 165 Museum Dr

Not Sprinkled, monitored smoke detectors in hall, stairways and mechanical room and all student room has an independent smoke detector

### RIDDICK HALL, 110 Museum Dr

Not Sprinkled, monitored smoke detectors, each room, in hall, stairways and mechanical room. All student room has an independent smoke detector

### SUSANNAH WESLEY HALL, 210 Museum Dr

Not Sprinkled, monitored smoke detectors in hall, stairways and mechanical room. All student room has an independent smoke detector

### BASSETT HALL, East, 575 Ferrum Mountain Rd

Sprinkled, hardwired smoke and heat detectors throughout and building audio and visual fire alarm.

### BASSETT HALL, North, 575 Ferrum Mountain Rd

Not sprinkled, monitored smoke detectors in hallways, stairways elevator and mechanical room. All student rooms have independent smoke detectors.

### ARTHUR HALL, 315 Ferrum Mountain Rd

Sprinkled, monitored smoke detectors in rooms, common areas, stairways and mechanical room. All student room has an independent smoke detector.

MOORE HALL, 325 Ferrum Mountain Rd

Sprinkled, monitored smoke detectors in rooms, common areas, stairways, and room, each student room and living areas have independent smoke detectors.

ROBERTS HALL, 295 Ferrum Mountain Rd

Sprinkled, monitored smoke detectors in common areas, stairways and mechanical room, student rooms and living area.

\*\*602 APARTMENTS -

142-144 - 13 Ferrum Mountain Rd

146-149 – 45 Ferrum Mountain Rd

150-151 – 67 Ferrum Mountain Rd

Each apartment has smoke detector and fire extinguisher. Not sprinkled. Not monitored.  
(Equipment is checked every month by Resident Life Staff)

\*\*HILLCREST APARTMENTS -

308-315 – 60 Fieldview Dr.

316-323 – 270 Arthur Cir,

324-331 – 100 Fieldview Dr.

Each apartment has smoke detector and fire extinguisher. Not sprinkled. Not monitored.  
(Equipment is checked every month by Resident Life Staff)

\*\*VILLAGE WEST APARTMENTS -

215 Nolen Hills Rd

205 Nolen Hills Rd

Each apartment has smoke detector and fire extinguisher. Not sprinkled. Not monitored.  
(Equipment is checked every month by Resident Life Staff)

**\*\*VILLAGE EAST APARTMENTS -**

55 Woodcott Rd

45 Woodcott Rd

Each apartment has smoke detector and fire extinguisher. Not sprinkled. Not monitored.  
(Equipment is checked every month by Resident Life Staff)

**Drills Conducted:**

- March 25, 2022
- September 8, 2022
- March 21, 2021
- November 3, 2021
- March 11, 2020
- October 20, 2020

**Residential Facility Appliance, Smoking and Open Flame Policies**

**Appliances:**

Only approved appliances may be used in the residence halls. Be sure to turn off and unplug all appliances immediately after use. Remain in your room when an electrical appliance is in use. In designated locations roommates may have one microwave that is 700 watts or less and one refrigerator that is 2 amps or less per room.

Because of fire safety regulations, toasters and toaster ovens are not permitted in any of the residence halls.

Any item that has a hot surface (candle warmers, hot plates, Foreman grills, etc.), are strictly forbidden.

Candles/Open Flames: Candles, with or without wicks, and other open flame objects are not permitted.

Multiple Plug Adapters/Extension Cords: Extension cords are prohibited. ONLY Underwriter's Laboratory (UL) approved power strip (or box) with a built-in circuit breaker and/or reset button

is permitted. These strips must not have a cord longer than fifteen feet and should not exceed 15 amps.

### **Decorations:**

To comply with international fire code no more than 10% of room walls and doors can be covered with flammable items. Also, nothing can be attached to or hanging from the ceiling. Purchasing shelves to display items is a good way to personalize your room. Consult your RA for further details on decorations.

### **Furniture Placement:**

The narrow corridor that leads to the doorway should not be obstructed in any way to impede the exit from your room.

### **Smoking Policy:**

Smoking is prohibited in all College-owned and operated buildings and enclosed spaces. The right of the non-smoker to protect his or her health will take precedence over an individual's desire to smoke.

### **The following specific guidelines shall apply:**

- Smoking is prohibited in all indoor and enclosed locations owned or operated by the College;
- Smoking is prohibited in all outdoor athletic and other facilities and spaces that are defined by a fence or wall;
- Smoking is prohibited within 100 feet of the entrance of any such building or facility;
- Smoking is prohibited in all College vehicles, whether owned or leased;
- Smoking is prohibited in any area in which a fire or safety hazard exists.

### **Student Housing Evacuation Procedures**

Any time a fire alarm sounds, you should always assume that a fire exists! College policy mandates that you must evacuate the building and remain evacuated until notified by College officials that it is safe to reenter.

**As you leave your room for evacuation:**

- Close all windows and doors.
- Lock door and wear a coat and shoes.
- Take a towel to place over your face in case of smoke.
- Alert your roommate and suitemates if they have not exited the building.
- Exit the building as calmly and quickly as possible using the nearest safe exit.
- Do not use the elevator!
- Proceed to designated area and remain until "All Clear" signal is given.

If an exit is blocked, proceed to the nearest safe exit. If ALL exits are blocked go back to your room, close the door, and call 540-365-4444 (Ferrum College Police Department) to report your location.

**If room exit is blocked:**

- Stay calm.
- Seal cracks around door.
- Open window slightly, if there is no smoke outside.
- Tie a wet cloth over nose and mouth
- Stay low where air is fresher.
- Signal rescuers by waving a sheet or clothing out of window.
- Do not jump if you are higher than 2 stories.
- If your clothing should catch on fire, do not run! Stop, Drop & Roll to smother flames.

**Fire Safety Education Program**

Ferrum College Fire Safety Education Program is multi-faceted. Initial training on the fire safety program is provided to student residential life staff prior to classes by the Resident Hall Educators. Staff then conducts fire safety training and periodic inspections on all other residential students. New employees receive training on fire safety procedures by their supervisors on the job. Fire safety education for staff and faculty is offered at the beginning of each school year by Franklin County. Fire Safety.

**If fire is discovered, students and staff are instructed to:**

1. Pull the fire alarm if available and call the Fire Department at 9-911.
2. Report the fire to the Campus Police at 540-365-4444.
3. Evacuate the building as calmly and quickly as possible going to the nearest safe exit.  
Alert all persons in your area.
4. Housekeeping and Physical Plant staff will assist in the evacuation of the building by directing occupants to the nearest usable exit. They will be trained in the proper use of fire extinguishers and the location of fire alarm pull stations and will know the location of all approved exits.
5. If the fire is small, Housekeeping and Physical Plant staff who are trained will attempt to put the fire out using the proper fire extinguisher, but only after the building has been evacuated and the Fire Department notified.
6. If the fire involves a laboratory or hazardous waste storage area the Campus Police will call Franklin County Public Safety.

If a member of the Ferrum College community finds evidence that a fire occurred and is extinguished, they should still report the fire to Ferrum College Police at 540-365-4444 so that the incident can be investigated and included in the annual fire safety statistics.

**Plans for Future Improvements to Fire Safety**

There are no plans for improvement at this time.

## Quick Reference Telephone Directory

### Ferrum College Police Department

All Calls:	On Campus Phones	“4444”
	Local Phones	540-365-4444
	Non-local Phones	540-365-4444

### Franklin County Sheriff’s, Fire, Rescue

Emergencies:	On Campus Phones	9-911
	Non-Campus Phones	911
	Non-local Phones	911

### Medical, EMS, Fire

Tri-Area Community Health Center	540-365-4469
Carillion Franklin County Memorial Hospital	540-483-5277
Franklin County EMS	911

### Counseling and Support

Student Counseling Services	540-365-4219
Dean of Students	540-365-4541
Residential Life	540-365-4541
Women’s Resource Center	540-483-5088
Legal Aid of Franklin County	540-344-2088
SARA (Sexual Assault Response and Awareness)	540-981-9352