



Annual Security Report

Reporting Period 2016

Eastern Virginia Career College Annual Security Report: Reporting Period 2016

Eastern Virginia Career College (EVCC) prioritizes the safety and security of its campus community, and publishes this Campus Safety and Security Report in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (485 [f] HEA), also known as the *Clery Act*, and the *Violence Against Women Reauthorization Act of 2013* [VAWA] (Public Law 113-114).

In addition to the required annual disclosure of campus crime statistics for the previous three years, this report includes information, policies, and/or procedures regarding:

- **Current measures undertaken for campus safety and security;**
- **Education programs** for students and staff to raise awareness of crime and/or sexual misconduct, encourage prevention of crime and/or sexual misconduct, raise awareness of and drug and alcohol abuse, and provide Bystander Intervention Training;
- **Emergency Alert, Evacuation Procedures, and Timely Warning procedures** and practices;
- **How to report crimes** and/or incidents of sexual harassment or sexual misconduct occurring on campus or at campus sponsored events;
- **Definition of Campus Security Authorities (CSA)** and their role in reporting crimes and/or incidents of sexual misconduct or sexual assault;
- **Definitions of Clery Act defined crimes** and VAWA defined incidents of sexual misconduct or sexual assault;
- **Policies and procedures of EVCC Administrative Disciplinary Proceedings** stemming from formal complaints regarding alleged acts of crime, sexual misconduct, or other infractions of student conduct policies (see *Course Catalog and Student Handbook* for other non-criminal or non-sexual misconduct conduct policies) reported to Campus Security Authorities;
- **Potential sanctions** against those found to have violated such crime, sexual misconduct or assault, and conduct policies;
- **The range of protective measures that EVCC may provide** to a victim of specific crimes and/or incidents of sexual misconduct;
- **Procedures and policies regarding campus safety and timely alerts** in times of emergency or threat;
- **Information regarding available counseling for victims** of sexual misconduct/assault;
- **Virginia State Police Sex Offender Registry (SOR)** database information;
- **Policies on Drug and Alcohol violations** and Standards of Conduct;

Introduction

Eastern Virginia Career College takes the safety, security, and well-being of the campus community seriously. In addition to the required annual disclosure of campus crime statistics for the previous three years, this report provides important information, guidance, instructions,

policies and procedures for all members of the EVCC community in regard to campus safety and security.

The processes for preparing the annual Campus Safety and Security Report crime statistics are as follows:

- The Title IX Coordinator or other Administration official as designated by the Academic Dean or President contacts the Spotsylvania County Sheriff's Office department of public records to request statistics for the campus and for properties adjacent to the campus as defined by the Clery Act.
- The sheriff's office provides a record of all incidents at the street addresses specified in the request. The Title IX Coordinator or designee will review the report sent in order to identify all incidents that may be considered as having occurred on campus, as defined by the Clery Act. Of those, the Title IX Coordinator or designee will determine which incidents may be considered crime statistics as defined by the Clery Act.
- The Virginia State Police will similarly be contacted for the same data. Data provided will be assessed in the same manner as the data provided by the sheriff's office or, in lieu of data, any formal response from the Virginia State Police resulting from EVCC's request will be documented to demonstrate EVCC's compliance with Clery Act requirements.

Campus Safety and Security Measures

EVCC has undertaken several measures to help keep the campus community safe. Access to the 4th floor campus suite can only be gained via the building elevators and the emergency stairs. The suite doors are kept unlocked between 7:30 a.m. and 6:00 p.m. During normal business hours, all campus visitors must sign in at the front desk. During this time, access to other parts of the campus will only be permitted when the visitor is accompanied by a campus official or is previously known to members of the staff.

Prior to and after normal business hours EVCC implements a secure Access Control System, which controls access to the entire campus suite from a centralized electronic automatic lock management system. After hours, access to the suite is granted through the use of electronic cards and/or fobs programmed with various schedules for locking and unlocking the doors as appropriate. The system is tied to the fire alarm system in accordance with county code.

Other security measures include:

- A video surveillance system consisting of 20 cameras positioned throughout the suite to monitor and record what is going on in the suite at all times.
- Photo ID badges are required to be worn at all times while on campus in order to recognize anyone who may not belong in the suite. This includes both staff and students.
- Portable two-way radios which are distributed to certain key staff members, all of whom are scheduled to be present at various times, in order to provide full coverage

during business hours. This radio system allows continual contact, if necessary, for a rapid response in the event an emergency situation occurs on campus.

- The faculty work spaces and employee lounge are only accessible through doors fitted with access code locks.

EVCC does not provide campus housing facilities or trained security personnel, nor does EVCC formally recognize any student organizations that meet at non-campus locations.

Emergency Notifications, Evacuations and Timely Warnings

Health, safety, and security at EVCC is undertaken in accordance with relevant institutional and governmental regulations and policies in order to promote a safe, secure, and healthful learning and work environment.

Every member of the campus community has the responsibility to observe and adhere to institutional policies and procedures relating to student conduct and campus wide health, safety, and security. Students as well as staff members are responsible for the personal safety and the safety of others in the classroom, laboratory, or common areas and for immediately reporting any health or related safety concerns to an instructor, staff member, or CSA as appropriate.

All health and related safety incidents will be recorded in an Occurrence Report, which allows EVCC to document the incident, evaluate the response, and determine if further action is required.

Emergencies: Emergencies may be reported at any time to the Spotsylvania County Sheriff's Office by calling 911.

Emergency Notification, Response, and Evacuation: In cases of emergency that pose an immediate threat to the health and safety of the campus community, students and staff will be notified via the intercom system, by email, and in person if possible and necessary. Two-way radio contact will be maintained by and between designated staff members and/or CSAs in emergency situations (information regarding CSAs can be found on page 5).

Confirmation of a significant emergency or dangerous situation occurring on campus that poses an immediate threat to the campus community will be verified, to the extent possible, through visual confirmation or receipt of communication from an authority outside of campus. Once a threat has been verified and/or confirmation of an emergency has been made, the campus will be notified of the nature of the threat or emergency and advised to take appropriate steps to evacuate or take shelter as appropriate.

In situations where law enforcement officials judge or perceive an increased risk of danger to individuals on campus should an emergency notification be made to the entire campus, EVCC officials will withhold such notification until law enforcement officials advise an emergency notification be issued.

Evacuation: Evacuation routes are posted in every classroom, laboratory, office, and common area. Evacuate the building following the route shown on the evacuation maps posted in each room. **DO NOT USE THE ELEVATORS.** Once evacuated, assemble on the far side of the west parking lot (nearest to Golden Corral restaurant). Faculty members are responsible for the evacuation of their students, and should conduct a head-count at the assembly point.

Fire: In case of fire, immediately inform an instructor or staff member and activate the fire alarm when possible. When you hear the fire alarm, evacuate the building following the route shown on the evacuation maps posted in each room. **DO NOT USE THE ELEVATORS.** Call 911. Fire extinguishers are stationed in each hallway. Faculty and staff should secure the building if possible. **Fire drills are held twice a year. Follow evacuation procedures.**

Medical and Health Emergencies: Report medical or health emergencies to a faculty or staff member. Make the ill or injured person comfortable. Seek a qualified healthcare professional on the campus, if possible. This person will assess the situation and take appropriate measures. If no qualified healthcare professional is available, call 911.

If an accident or illness occurs that requires a student, employee, or guest to be sent to a doctor or hospital, the immediate family will be notified. If unable to notify the family, emergency vehicles will be summoned at the student's, employee's, or guest's expense.

Safety Resources: Safety resources such as sharps disposal, eye wash equipment, and Emergency Kits are located in laboratory classrooms as appropriate. First aid kits are located in every laboratory and at the front desk in the fourth floor lobby.

Earthquake: Take cover under a sturdy desk, table, or in a doorway. If that is not possible, stand as close to a wall in a hallway as possible. Stay away from windows. Remember to wait for **TWO MINUTES** after tremors stop then evacuate as per evacuation instructions. Remember, **DUCK, COVER, HOLD, and DON'T PANIC.**

Tornado: Immediately move away from windows and glass and move into the stairwells or hallways. Crouch down facing the wall, with your hands locked over your head. Wait until high winds die down then evacuate the building as per evacuation instructions. Remember, **STAY AWAY FROM GLASS, PROTECT YOUR HEAD, and DON'T PANIC.**

Biohazard (Blood): If blood has been spilled onto the floor or other surfaces, immediately alert a faculty or staff member. Do not attempt to clean up the blood and do not allow another student to do so. For skin or open wound exposure to another person's blood, wash area thoroughly with soap and water. For blood splashed into eyes, nose, or mouth, rinse repeatedly with tap water. Instructors should refer to the Exposure Control Plan.

Environmental Hazard: Hazardous materials or substances can be in the form of chemical spills, gas leaks, or other materials. If you see or smell a substance that you believe may be hazardous, stay away from the substance and alert an instructor or staff member immediately. Direct others away from the immediate area. Do not touch or attempt to clean up an

unidentified substance. If evacuation is necessary, a faculty or staff member will initiate the notification system or activate the fire alarm, depending on the gravity of the incident. Evacuate the building as per evacuation instructions.

Timely Warning: In the event that a crime or alleged crime occurs, either on or off campus, that, in the judgment of EVCC Administration, constitutes a serious criminal event or an ongoing or continuing threat, a campus-wide “Timely Warning” will be issued by the Academic Dean, the Operations Director, or designee. The warning will be provided via bulletins posted throughout campus.

Behavioral Disturbance or Assault: A behavioral disturbance can be verbal or physical (assault). When a behavioral disturbance or suspicious behavior is observed, alert the nearest CSA, instructor, or staff member who will alert EVCC Administration who will assess the nature of the incident, determine the level of threat, and initiate appropriate notification measures if necessary. If no staff member can be found and you believe the threat to be dangerous, call 911.

Internal Threat: If you observe someone threatening with a weapon or other dangerous device, or hear a possible gunshot, inform EVCC Administration immediately. EVCC Administration will confirm the threat and alert the local authorities. EVCC will, without delay and taking into account the safety of the campus community, issue an emergency alert unless such an alert would, in the judgment of responsible authorities, compromise the efforts to assist victims, or to contain, respond to, or otherwise mitigate the emergency.

An evacuation may be ordered, depending on the nature of the emergency. If you cannot get out, move to a room where you can hide. Lock the door if possible. Make sure lights are turned off and stay clear of doors and windows. Silence, but do not turn off, all cell phones. Remain inside the room until you receive instructions from EVCC staff or first responders.

When the police arrive, follow all instructions and keep your hands visible. When evacuating the building, take all necessary items including keys. The building may be sealed as a crime scene and no one will be allowed in for several hours.

Procedures For Reporting Criminal Actions, Sexual Misconduct, or Other Emergencies Occurring on Campus

Any member or guest of the EVCC campus community may report a crime, incident of sexual misconduct/assault, or other emergency to any Campus Security Authority (CSA). A CSA is scheduled to be on campus from 8:00 a.m. to 7:00 p.m., Monday through Friday. CSAs are trained to assess the nature and threat of an incident being reported, and will take a statement or report unless the individual reporting the incident chooses not to make a statement or report.

CSAs are required to make a record of, report, and assess any ongoing threat to an individual or the campus as a whole regarding any crimes or incidents of sexual misconduct reported to

them. These reports are submitted to the Title IX Coordinator within 24 hours or the start of the next business day, whichever comes first.

In order to ensure the safety of victims or witnesses of domestic violence, dating violence, sexual assault, or stalking, and their families, EVCC will provide victims or witnesses of sexual or domestic violence the option of confidentiality and privacy, upon request from the victim or witness, when reporting an incident. Victims or witnesses who choose to file an anonymous report should be aware that EVCC cannot initiate disciplinary proceedings against an alleged perpetrator without the identity of the reporter. Criminal complaints may be filed with law enforcement officials by a reporting party at any time.

Identifying information will not be included when EVCC completes mandatory reporting of crimes and statistics of incidents of sexual misconduct to governmental agencies.

Confidentially protected information includes:

- First and last name;
- Home or other physical address;
- Contact information (including postal, email, or Internet protocol address);
- Telephone or fax number;
- Social security number, driver's license number, passport number, or student identification number;
- Any other information including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

EVCC may, in certain circumstances, disclose some or all identifying information of a victim or witness if doing so allows for necessary accommodations for the victim or witness. The Title IX Coordinator will make this determination should the need arise. EVCC is obligated to provide written notice to victims of alleged sexual offenses regarding options for a student's reasonable request for changes to academic accommodation following an alleged sex offense.

EVCC may, in certain circumstances, disclose some or all identifying information of a victim or witness when requested by law enforcement officials. Under such circumstances, EVCC will provide necessary accommodations or protective measures for the victim or other necessary parties to the extent possible. The Academic Dean and/or Title IX Coordinator will make this determination should the need arise. At that time the victim or witnesses whose identifying information is provided will be notified in writing of when the identifying information is provided, and why it was provided.

Victims or witnesses who choose to file a report with local law enforcement agencies will be brought to the agency's facility by an official of the agency. There, the victim or witness will be asked to make a formal statement. An official of the law enforcement agency will provide the victim or witness with information as to what the agency will do to follow up in regard to the victim or witness, or in regard to the incident itself.

Victims and/or witnesses to Clery Act crimes that voluntarily report such crimes to law enforcement officials may apply to the Virginia Courts to maintain the confidentiality of their

address and phone number during court proceedings, to the extent permitted by law. EVCC cannot guarantee that the reporting of such crimes to law enforcement officials will be kept confidential. However, when working with law enforcement officers, EVCC will maintain discretion in identifying victims or witnesses to the extent permitted by law.

EVCC is obligated to provide written notice to victims of alleged sexual offenses regarding options for a student's reasonable request for changes to academic accommodation following an alleged sex offense. EVCC does not provide confidential pastoral or professional counseling.

All reports of criminal acts or incidents of sexual misconduct are securely maintained in the office of the Title IX Coordinator. It is the policy of EVCC that all records of emergencies, reports of criminal acts, reports of sexual misconduct, or reports of alcohol or drug violations be reported to law enforcement officials as required by law.

Area Emergency Healthcare and Counseling Resources

Mary Washington Hospital Emergence Room

1001 Sam Perry Blvd.

Fredericksburg, VA 22410

Nurse Line: (540) 741-1000

Mary Washington Hospital has specially trained staff for victims of sexual assault.

Spotsylvania Regional Medical Center 24 Hour Emergency/Compassionate Care

4600 Spotsylvania Pkwy

Fredericksburg, VA 22408

(540) 498-22408

Primary and Urgent Care (PUC)

Hours: Mon-Fri. 8 a.m. – 9 p.m.

10009 Southpoint Pkwy

Sat. 8 a.m. – 6 p.m.

Fredericksburg, VA 22407

Sun. 9 a.m. – 6 p.m.

(540) 898-6600

Confidential sexual assault counseling services are available through the Rappahannock Council Against Sexual Assault (RCASA). Survivors and witnesses are encouraged to seek counseling for any incidents of sexual misconduct. RCASA provides services 24 hours a day. RCASA Hotline: (504) 371-1666

Spotsylvania County Sheriff's Office: 911 - or - (540) 582-7115

9199 Dean Ridings Lane

Spotsylvania, VA 22553

EVCC does not provide confidential pastoral or professional counseling, or other such support services.

Sex Offender Registry: EVCC is required to advise the campus community where information regarding the Virginia State Police Sex Offender Registry may be found online. This site provides information on sex offenders registered in the state of Virginia by geographical area, including the area in which EVCC is located. The Virginia State Police Sex Offender Registry online database can be found at <http://sex-offender.vsp.virginia.gov/sor/>

Definitions of Crimes

EVCC prohibits the crimes listed below:

Murder/Non-negligent Homicide

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

Negligent Manslaughter

The killing of another person through gross negligence.

Sex offense (forcible): Any sexual act directed against another person without the other person's consent (includes attempts). Must be recorded if reported, whether or not there is evidence of a lack of consent.

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 consent. This crime includes the rape of a victim regardless of the gender of the perpetrator or victim. Rape has occurred if the victim did not give consent to the penetration. If penetration was consensual but one of the individuals was under the statutory age of consent, the crime is recorded as Statutory Rape.

b. Statutory Rape: Consensual sex with a minor who, by definition, cannot give informed consent.

c. Incest: Where sex is consensual but is between related individuals who cannot legally marry.

d. Fondling: The touching of the intimate parts (sexual organ, anus, groin, or buttocks of any person, or the breast of a female) of another person for the purpose of sexual gratification without consent, including when the individual being touched is incapable of giving consent by virtue of age (under the age of statutory consent) or due to temporary or permanent mental capacity.

Robbery

The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear (includes attempts).

Armed Robbery

Robbery in which a weapon is used to intimidate victim. Includes acts commonly known as stickup, holdup, hijacking, heist, carjacking, etc.

Burglary

The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony (excludes vehicle burglary).

Motor vehicle theft

The taking of a motor vehicle without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle (includes attempts).

Aggravated Assault

An unlawful assault upon the person of another for the purpose of inflicting severe or aggravated bodily injury (includes attempts and whether or not an injury occurred).

Arson

The willful or malicious burning or attempt to burn (without the intent to defraud) a dwelling, house, public building, motor vehicle or aircraft, or personal property of another (includes attempts).

Drug/Narcotic Violation

The unlawful possession, distribution, use, transportation, cultivation or manufacturing of controlled substances and illicit drugs, as defined by the Virginia Drug Control Act, are prohibited.

Alcohol Violation

The unlawful possession, sale, transportation, manufacturing, or furnishing of alcohol to a minor (under 21 years), or maintaining an unlawful drinking place (alcohol violations will be referred for campus disciplinary action under the Standards of Conduct found in the *Course Catalog and Student Handbook*).

Weapons Violation

The unlawful possession or control of any firearm, deadly weapon (including nunchucks or billy club), illegal knife, or explosive device while on the campus (as defined above) of EVCC, except as required in the lawful course of business or by authorized law enforcement officials.

Definitions of Hate Crimes

In addition to the crimes listed above, incidents that include the following crimes in conjunction with those above may be regarded as Hate Crimes when there is evidence that the victim was intentionally selected because of the perpetrator's bias against the victim based on race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and/or disability.

Larceny/Theft

Theft where owner of the property is unaware of, or not present for, incident. Includes acts such as pocket-picking, theft from unoccupied room or vehicle, purse-snatching.

Simple Assault

To attempt or threaten to inflict bodily harm upon another, accompanied by the apparent ability of the perpetrator to carry out the attempt or threat if not prevented.

Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, without weapons or actual physical attack.

Destruction/Damage/Vandalism of Property

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without consent of owner, custodian, or individual(s) controlling the property.

Definitions of Sexual Misconduct or Sexual Assault Crimes**Dating Violence**

Violence committed by a person who is, or has been, in a social relationship of a romantic or intimate nature with the victim. The existence and nature of the relationship shall be defined by the victim, reporting party, or witness. ("Witness" may include third party individuals who have been informed of the incident by the victim.)

Domestic Violence

A crime of violence committed by a current or former spouse or intimate partner of the victim, against children of a current or former spouse or intimate partner, whether in common with the victim or not, or any other protected person with a domestic or family relationship to the victim under the laws of the Commonwealth of Virginia.

Stalking

Engaging in a course of conduct that would cause a reasonable person to fear for their own safety or the safety of others, or to suffer substantial emotional distress.

Sexual harassment

Verbal pressure to imply interest in or coerce sexual contact against victim's will using a position of authority (teacher, administrator, boss, supervisor, law or security enforcement representative) or threat of physical force (with or without a weapon);

Sexual contact without consent (fondling, kissing, caressing, embracing without penetration)

Using threat of or actual physical force (with or without a weapon), or by administering/providing alcohol or drugs to victim resulting in significant victim incapacitation, or victim was unconscious or "blacked out;"

Attempted intercourse without consent (penetration did not occur) Intercourse without consent (oral, anal, or vaginal penetration by penis or other object);

Exposure of perpetrator's genitals without consent.

Sexual Discrimination Policy Statement

In compliance with Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and all other applicable non-discrimination laws, EVCC does not discriminate on the basis of race, color, religion, national or ethnic origin, sex, gender identity, gender expression, sexual orientation, age, disability, veteran's status, or genetic information in its educational programs and activities, admissions, and with regard to employment.

EVCC will promptly and equitably respond to reports of sexual discrimination, sexual harassment, sexual exploitation, sexual assault, domestic and dating violence, stalking, and related retaliation in order to eliminate the misconduct, prevent its recurrence, and address its effects on any individual or the community.

All EVCC disciplinary proceedings are conducted in compliance with the requirements of Title IX, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act); the Family Educational Rights and Privacy Act (FERPA); and all other applicable federal and state laws, regulations, and guidance. In addition to contacting the complaint resources named in the Administrative Disciplinary Procedures Policy, any person with concerns regarding EVCC's response to his or her complaint may contact the following:

U.S. Department of Education
Washington DC (Metro)
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1475

Telephone: 202-453-6020
FAX: 202-453-6021; TDD: 800-877-8339
Email: OCR.DC@ed.gov

Protective Measures for Victims of Sexual Misconduct Crimes

EVCC is obligated to provide written notice to victims of alleged sexual offenses regarding options for a victim's reasonable request for changes to academic or working accommodation following an alleged sex offense, as appropriate.

For students such measures will be to permit changes to a student's academic scheduling. For employees, such measures will be to allow the employee to make a change to his or her working situation.

Administrative Disciplinary Procedures

These disciplinary hearing procedures cover conduct violations of alleged criminal acts, incidents of sexual misconduct/assault, substance abuse policies, weapons policies, and other conduct related rules and regulations as defined in the *EVCC Course Catalog and Student Handbook* and/or any applicable program student handbook. These procedures are not a substitute for any criminal complaints filed or hearings resulting from criminal proceedings.

Investigation of Incident: Within ten (10) business days after an alleged violation is reported to a CSA, the CSA shall complete a fact finding investigation into the alleged violation. Upon conclusion of the investigation, the reporting CSA shall refer the incident to the Academic Dean for an Administrative Conference or Disciplinary Hearing, as appropriate.

In cases where the alleged violator is a current student and there is evidence to support, or clear reason to believe, the alleged violator poses a potential threat to the campus community or to the public, the alleged violator may be suspended immediately from campus and classes by the CSA until a disciplinary hearing in the matter is convened within ten (10) business days from the date of suspension. In such proceedings, the alleged violator may present a defense against the complaint.

Administrative Conference or Disciplinary Hearing: Based on review of the alleged violations, the reporting CSA shall determine whether the case shall be resolved by an Administrative Conference or by means of an Administrative Disciplinary Hearing. Alleged violations resulting in suspension of the alleged student violator must result in a hearing as prescribed above.

Administrative Hearing

The reporting CSA shall meet with the student involved in the alleged violation along with the student's dean. If the reporting CSA is also the student's dean, the reporting CSA will meet with the alleged student violator and the Academic Dean. The student shall be provided with written notification of the allegations against him or her and will be informed of the basis for the allegations at that time. Based on the information produced in this meeting, the reporting

CSA will make a determination to dismiss the complaint as groundless or take administrative disciplinary action in one or more of the following forms:

- Counseling of the student regarding behavior/incident;
- Place the student on disciplinary probation;
- Require the student to formulate an improvement plan;
- Be suspended from the academic program, the length of suspension to be determined by an Administrative Disciplinary Hearing;
- Be dismissed from the academic program (this action automatically triggers an Administrative Disciplinary Hearing)

The student may request an Administrative Disciplinary Hearing regarding the complaint at any point in the process.

Administrative Disciplinary Hearing

Once a determination has been made by the reporting CSA to refer the complaint for an Administrative Disciplinary Hearing or, upon request of the student filing the complaint, a notice shall be sent to the accused student specifying date, time and place of the scheduled hearing. The notification shall also include the charges against the student, and the date, time and location that any available evidence may be inspected by the accused student. A copy of the hearing procedures shall also be enclosed for review by the accused student. In cases where the alleged violation was violently perpetrated upon another student or staff member, the student or staff member harmed shall receive simultaneous notification of the hearing and a copy of the hearing procedures.

Administrative Disciplinary Council

An Administrative Disciplinary Council, which will oversee the hearing and deliver a judgment on the complaint, shall be comprised of the following members:

- An academic program dean (other than the reporting CSA and the accused student's program dean);;
- Two faculty members selected from a pool of volunteers;
- A member of the administrative staff selected from a pool of volunteers, and;
- The Title IX coordinator who will be present to ensure the proper process is followed.

Disciplinary proceedings will be conducted with transparency to the accuser and the accused. No one shall sit on the council who is personally involved in the situation or who cannot act in an unbiased manner. The student accused of the violation(s) shall have the right to request the list of the council members and challenge any member for bias or other reasonable causes. The Academic Dean shall determine whether cause for disqualification of a council member exists. In the event of a disqualification, the council shall appoint a new member from the appropriate pool of volunteers.

Disciplinary proceedings regarding sexual misconduct will be conducted by officials who receive training at least annually. Training for officials may be role-specific, depending on what role an

official may play in the course of the proceeding. Broadly speaking, training will include, but need not be limited to, the following topics:

- Relevant evidence and how it should be used during a proceeding;
- Proper techniques for questioning witnesses;
- Basic procedural rules for conducting a proceeding;
- Avoiding actual and perceived conflicts of interest;

Such training may be delivered in person or by electronic means, such as a webinar or video.

The Administrative Disciplinary Council's task is to weigh the evidence presented at the hearing and to deliver a disciplinary recommendation to the convening program dean to be carried out within five (5) business days, to allow for student appeal.

Provisions for the extension of the timeframes for disciplinary proceedings may be made by the Administrative Disciplinary Council for good cause, with written notice to the accuser and the accused regarding the reason for the delay.

Notifications Regarding Sexual Misconduct Proceedings

EVCC will provide, in writing, simultaneous notification to both the accuser and the accused of:

- Results of an Administrative Disciplinary Council proceeding that arise from an allegation of dating violence, domestic violence, sexual assault, or stalking.
- Such results may include an initial, interim, or final decision by the Administrative Disciplinary Council.
- Such results will include any sanctions imposed by EVCC, and must include the rationale for the result and the sanctions, unless to do so would be in conflict with FERPA regulations.
- An explanation must be included that describes how the evidence was weighed and the information was presented, and how the evidence and information support the result and the sanctions.
- The explanation must explain how EVCC's standard of evidence was applied.
- Procedures for the accused and the victim to appeal the result of an institutional disciplinary proceeding must be included.
- Notification regarding any change resulting from an appeal, including when such results became final.
- This is the only way that any results will be initially communicated.

The Hearing Process

Selection of Chairperson: Prior to the hearing beginning, the Administrative Disciplinary Council shall elect a Chairperson who shall preside over the hearing.

Absence of the Accused: The hearing shall proceed in the absence of the student.

Overview of the Process: The Title IX Coordinator will read out a brief overview of the process so that everyone present may have an understanding of the process. The Title IX Coordinator shall act to ensure the process is adhered to throughout the proceedings.

Reading of the charges: The elected Chairperson shall read out the alleged violations against the student prior to testimony or presentation of evidence.

The plea: The accused student, if present, shall enter their plea of admitting the charges or denying them. If the student is not present the plea of denial shall be entered to protect the rights of the accused and guarantee a full and comprehensive hearing. If the accused student enters an admission of all charges and does not wish to present evidence of mitigating circumstances, the Council will excuse the accused student from the proceeding and retire to deliberate a decision.

Evidence: Formal rules of evidentiary process do not apply. All applicable and relevant information may be admitted as evidence for either side. This may include, but need not be limited to, witness testimony, police or security reports, other documents, physical evidence, and security camera footage. All presented information shall be entered for the record and the Administrative Disciplinary Council shall have the opportunity to examine the evidence and determine its weight and veracity in the matter.

Advisors to Accuser and Accused: EVCC will provide the accuser and the accused, whether either party is a student or an employee, the opportunity to be accompanied to hearings and proceedings by an advisor of their choice. This policy applies equally to the accused and the accuser. An advisor may be any individual who provides the accuser or the accused with support, guidance, or advice. The accuser or the accused must provide the Administrative Disciplinary Council with written notice of a request to include an advisor at the proceedings. Such notice will include identification of the requested advisor. EVCC is prohibited from limiting the choice of an advisor, or an advisor's presence, for either the accused or the accuser in any meeting or institutional disciplinary proceeding.

EVCC may limit the role of any such advisor as it deems necessary. Such limits may include, but are not limited to, speaking, questioning witnesses, or addressing EVCC officials involved in the proceedings. Advisors who become disruptive or who do not abide by restrictions placed on their participation may be removed from the proceeding. , EVCC will provide notification to all parties of any such limitations regarding an advisor's participation prior to scheduling a proceeding.

Witnesses and Observers: The accused student is allowed to have one silent observer present during the proceedings. A present accuser is entitled to have a silent observer present during their testimony. Witnesses shall only be present inside the hearing while giving testimony. As these hearings are an internal process there shall be no legal counsel allowed to represent participants at any time during the process.

The hearing shall be recorded with the college maintaining the only copy of the recording. Any witnesses not willing to be recorded shall be excluded from providing testimony as the recording will become part of the permanent record of the process and serve as evidence in any appeal.

The Deliberation: the Administrative Disciplinary Council shall deliberate in a private closed session and shall arrive at a decision based solely on the evidence and testimony given in the matter. The council shall deliver their decision to the reporting CSA, Title IX Coordinator, and the accused student's program dean. The decision shall include a recommended disciplinary action.

Notification of Decision

Within three (3) days of the decision being reached by the Administrative Disciplinary Council, the accused student's program dean will issue a written notification of the decision to the accused including the disciplinary action recommended. Within the same time frame, the Title IX Coordinator will issue a notification to the accuser of the Administrative Disciplinary Council's determination and disciplinary action. Both the accuser and the accused have five (5) business days from the date of notification to submit a written appeal to the Academic Dean.

Appeal to the Academic Dean

An appeal of the Administrative Disciplinary Council's decision to the Academic Dean may only occur if it addresses the due process of the hearing or if new information is discovered that was not available at the time of the hearing. The Academic Dean shall evaluate the appeal within five (5) business days and, upon reaching a decision, shall notify the appealing student, the Title IX Coordinator, the reporting CSA, and the accused student's program dean.

The Decision and Recommendation for Appeals

Upon an appeal of the Administrative Disciplinary Council's decision, the Academic Dean has the discretion to refer the matter back to the Administrative Disciplinary Council for review of new evidence, to order a new hearing if due process was violated, bring new charges against the accused student based upon new evidence, or dismiss the complaint based on new evidence.

- **Grounds for appeal on the basis of due process:** If an accused student believes that the conduct of the Administrative Disciplinary Council violated the impartial nature of the hearing, the hearing was not conducted fairly and according to proper processes per accused student's claims, or the accused student was in some way barred from an adequate opportunity to prepare and present a response to the allegations, the accused student may file an appeal.
- **Grounds for appeal on the basis of new information:** The accused student or other member of the campus community may appeal the decision of the Administrative Disciplinary Council if new information that was not reasonably available or previously known to the accused, which would likely alter the outcome of a disciplinary hearing, becomes available. Such information will not be considered as new information if it

could have been previously discovered through reasonable avenues available to the accused student.

Sexual Harassment Conduct Complaints Filed Against an EVCC Staff Member

Sexual harassment of a member of the EVCC community toward another member of the campus community is a violation of EVCC policy and constitutes unfair treatment. Staff members found to be responsible or who are aware of such treatment by a member of the EVCC staff and do not disclose it to EVCC administration may be subject to disciplinary action, up to and including dismissal from employment with EVCC and/or criminal charges.

Student complaints of unfair treatment by a staff member will be managed according to the Student Grievance policies and procedures, which may be found in the *Course Catalog and Student Handbook*. If the alleged harasser is also the student's academic dean, the grievance must be filed directly with the Academic Dean, who will provide the Title IX Coordinator with a report. In such situations, with the exception of the initial filing of the grievance, formal grievance policies and procedures will be followed.

EVCC Policies Regarding Alcohol and Drugs/Substance Abuse and Related Standards of Conduct

EVCC takes a strong stand on substance abuse and will vigorously enforce institutional rules regarding alcohol and drugs. We also support and will cooperate with authorities of the Federal government, the Commonwealth of Virginia, and the County of Spotsylvania in the enforcement of public laws and regulations regarding alcohol and drugs.

EVCC has adopted policies in compliance with the *Federal Drug-Free Schools and Communities Act and the Federal Drug-Free Workplace Act*. Students are prohibited from the unlawful manufacture, distribution, possession, sale or use of illicit or illegal drugs or alcohol while on campus, in the parking lots, or in common areas in and around the building. EVCC prohibits underage drinking. This prohibition applies while on the property of the school or when participating in any institutional activity. Students will not report or return to class under the influence of drugs or alcohol. Students who violate these policies or Federal and State laws regarding drugs or underage drinking will be subject to disciplinary action up to, and including, expulsion from the college and may be subject to criminal prosecution. Students are required to provide written notification of drug or alcohol related convictions to their program directors no later than five calendar days after the conviction.

Students and employees are prohibited from appearing on campus, attending EVCC-related activities, or working while under the influence of alcohol or non-prescribed controlled substances. Students and employees are prohibited from the unlawful possession, use, consumption, sale, dispensing, distribution, or manufacture of alcohol or controlled substances while on campus, in the parking lots, or in common areas in and around the building. EVCC prohibits underage drinking. This prohibition applies while on the property of the school or when participating in any institutional activity. Further, employees and students are obligated to report any drug-related or alcohol-related misdemeanor or felony conviction to the Academic Dean.

Employees who are age 21 or older may consume alcohol on campus during well-defined campus events when alcohol is supplied and served by the college. Employees may not otherwise provide or consume alcohol on campus.

Students and employees who violate these policies or Federal and State laws regarding drugs or underage drinking will be subject to disciplinary action up to, and including, termination of enrollment or employment, may be subject to disciplinary proceedings, and/or criminal prosecution.

Alcohol or Substance Abuse Treatment Programs

EVCC does not offer formal substance abuse treatment programs. We do, however, strongly encourage all students and employees to seek counseling, treatment, or rehabilitation if substance abuse is suspected or known to be a problem. If you believe that you, a fellow student, or a colleague, has a substance abuse problem, please call the national hotline number, below, or visit the following website:

- **www.samhsa.gov/treatment/index.aspx**
- **24 hour national hotline: 1-800-662-HELP (4357)**

Locally, the ***Rappahannock Area Community Services Board*** has offices in the city of Fredericksburg and the counties of Caroline, King George, Spotsylvania, and Stafford. They offer help and support in dealing with alcohol and drug abuse, including outpatient and case management services, inpatient and emergency services, and residential services. They provide emergency therapy services 24 hours a day, 365 days a year.

- **In Fredericksburg, Stafford, Spotsylvania call: 540-373-6876**
- **In Caroline County call: 804-633-4148**
- **In King George County call: 540-775-5064**

Local or Statewide Support Groups: In addition, there are local and statewide support groups available to anyone at any time:

- **Alcoholics Anonymous:**
HOTLINE (540) 752-2228 <http://www.aavirginia.org/hp/>
- **Al-Anon and Alateen:**
District Rep. (540) 842-9072 <http://al-anonfredericksburg.org/>
- **Narcotic Anonymous:**
HOTLINE (800) 777-1515 <http://www.rappahannockareaofna.com/>

On the following pages you will find the current crime statistics. Appended to this document are examples of the Clery Crime Report Form and the Sexual Misconduct Report Form used at Eastern Virginia Career College. Staff and faculty may download these from the Forms directory on the Administrative server.

Eastern Virginia Career College Crime Statistics for 2016

Criminal Offenses Reported	2014		2015		2016	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder/Non-Negligent Manslaughters	0	0	0	0	0	0
Negligent Manslaughters	0	0	0	0	0	0
Sexual Assaults that were Rape	0	0	0	0	0	0
Sexual Assaults that were Fondling Incidents	0	0	0	0	0	0
Sexual Assaults that were Incest	0	0	0	0	0	0
Sexual Assaults that were Statutory Rape	0	0	0	0	0	0
Robberies	0	0	0	0	0	0
Aggravated Assaults	0	0	0	0	0	0
Burglaries	0	0	0	0	0	0
Motor Vehicle Thefts	0	0	0	0	0	0
Arsons	0	0	0	0	0	0
Hate Crimes						
Hate Crimes	2014		2015		2016	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder/Non-Negligent Manslaughters	0	0	0	0	0	0
Rapes	0	0	0	0	0	0
Fondling Incidents	0	0	0	0	0	0
Incest Incidents	0	0	0	0	0	0
Statutory Raps	0	0	0	0	0	0
Robberies	0	0	0	0	0	0
Aggravated Assaults	0	0	0	0	0	0
Burglaries	0	0	0	0	0	0
Motor Vehicle Thefts	0	0	0	0	0	0
Arsons	0	0	0	0	0	0
Simple Assaults	0	0	0	0	0	0
Larceny-Thefts	0	0	0	0	0	0
Intimidation Incidents	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0
“Violence Against Women Act” Crimes						
“Violence Against Women Act” Crimes			2015		2016	
			On Campus	Public Property	On Campus	Public Property
	Domestic Violence		0	0	0	0
	Dating Violence		0	0	0	0
Stalking		0	0	0	0	

Eastern Virginia Career College Crime Statistics for 2016

Arrests	2014		2015		2016	
	On Campus	Public Properly	On Campus	Public Properly	On Campus	Public Properly
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0
Disciplinary Actions	2014		2015		2016	
	On Campus	Public Properly	On Campus	Public Properly	On Campus	Public Properly
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0

