



# Richard Bland College

*of* WILLIAM & MARY

## **2021 Annual Campus Security and Fire Safety Report**

**For January through December 2020**

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# Richard Bland College of William & Mary

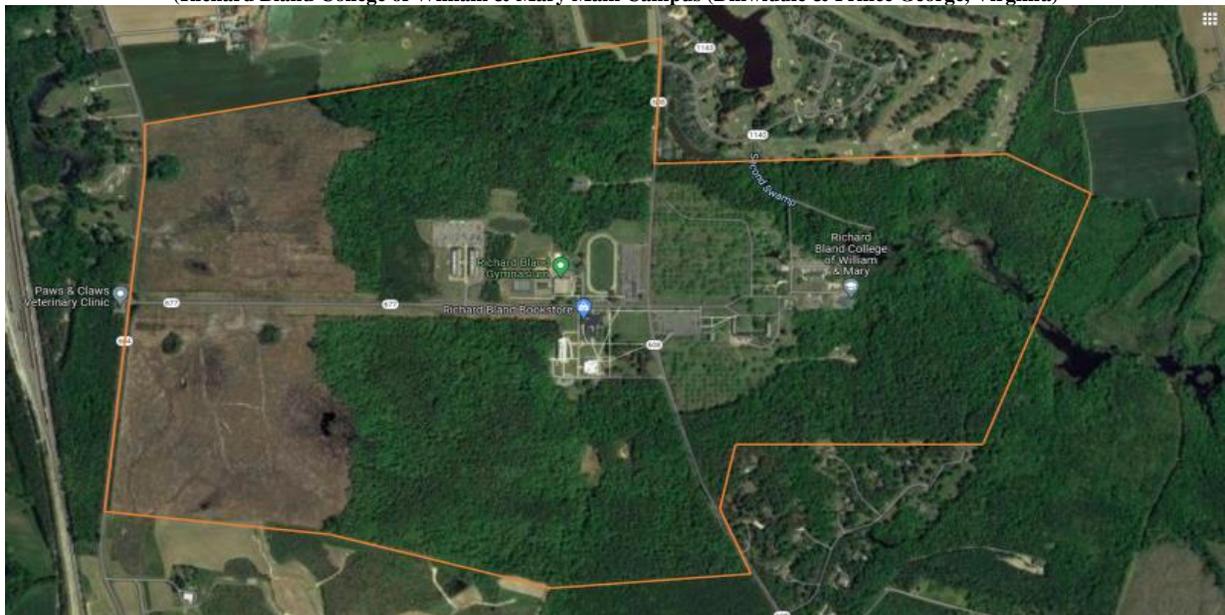
## 2021 Annual Campus Security and Fire Safety Report

This report serves as the annual campus security and fire safety report as required by the Higher Education Opportunity Act and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Richard Bland College (“College”) Department of Campus Safety & Police (“Department”) is responsible for compiling and publishing the College’s annual campus security and fire safety report. The purpose of the report is to provide an overview of the College, policy information on public safety, campus and community crime statistics, phone numbers for resources, and certain safety tips. All the information provided was compiled from departments from within the College including but not limited to: Department of Campus Safety and Police, Office of Residential and Student Life, Office of Enrollment Management and Student Success, Office of Institutional Research, and other surrounding law enforcement agencies, including the Dinwiddie County, Virginia, Sheriff’s Office and the Prince George County, Virginia, Police Department.

### Overview of the College

Richard Bland College is a two-year residential junior college and a branch of the College of William and Mary in Virginia. The College was established in 1960 to offer students a traditional curriculum in the liberal arts and sciences fields leading to the Associates Degree and preparation for transfer to a four-year college or university. The East Campus, located in Prince George County, is notable for its signature pecan groves and the historic, white washed buildings that supported a dairy farm until the early 1900’s and later a state hospital. Today, in addition to the Asian Water Garden and Barn Theatre, student services, facilities operations, Department of Campus Safety & Police, and the College administration occupy the buildings on East Campus. The West Campus, located in Dinwiddie County, is the center of student and academic life. In addition to the library and academic buildings, athletic and recreational facilities and two full-service residence halls are located on the West Campus.

(Richard Bland College of William & Mary Main Campus (Dinwiddie & Prince George, Virginia))



The College is situated on 825 acres, with only 225 acres developed, in the Counties of Prince George and Dinwiddie, Virginia, and 25 miles south of the state capital. The College opened its first residential housing to approximately 250 students in August of 2008. Fall 2020 enrollment showed a total student population of 2,354 which included 262 resident students, 740 commuters students, and 1,352 off-campus, dual enrollment students.

Richard Bland College had 36 full-time and 32 adjunct faculty, and 75 full-time and 34 part-time staff members, as of December 31, 2020. The regular teaching load was fifteen credit hours per semester. The College conferred 217 degrees and 8 certificates in 2020. The College recognizes its responsibility to serve the public by providing educational and cultural opportunities for the community at large.

The College is the home of a successful National Junior College Athletic Association (NJCAA) student athletic program and supports intercollegiate athletic sports. The men's program includes basketball, and soccer and the women's program include, soccer, volleyball and softball. Statesman Hall, which houses the Athletic Department offices, is also the home of the College's Region X Conference Tournament men's championship basketball (2015) and soccer (2016) teams.

With so many activities and special events occurring on campus, students, faculty, and staff must be aware of the opportunities in which crime may occur and be familiar with techniques to prevent criminal incidents. Crime prevention is a shared responsibility. The College's Department of Campus Safety and Police works in partnership with students, faculty, and staff and the members of many clubs and organizations to reduce criminal incidents and violations of College policy.

### **Richard Bland College Department of Campus Safety and Police**

It is the mission of the Department of Campus Safety and Police to provide a safe and secure living, learning, and working environment for the students, faculty, staff, and visitors to the College by actively pursuing a positive relationship with the campus community, preserving public order, providing emergency medical response, protecting the life and property, and providing innovative education and training to law enforcement personnel and the College community. To achieve the mission, the Department of Campus Safety and Police maintain twenty-four-hour police patrols of the campus grounds, utilize modern security technologies, including card access and security camera monitoring, enforce state laws and College regulations, implement proven crime prevention methodologies, ensure compliance with safety regulations, implement identified best practices, and initiate community programming that enhances police-community relationships.

The Department of Campus Safety and Police employ police officers who have full law enforcement authority and responsibility on all properties owned, leased or operated by the College including all roads that pass through the campus. The Department police officers enforce all state laws and College regulations and prevent, detect, and investigate any criminal activity on campus. In addition, the Department employs Campus Security Officers (CSO) who are certified through the Virginia Department of Criminal Justice Services. The College contracts with RMC Events, Richmond, Virginia, to provide security and crowd control for special events or activities on campus.

The Department is managed by a Director of Campus Safety and Chief of Police who is responsible for providing law enforcement and security services to the College community

twenty-four hours a day. The Department is comprised of five full-time, six part-time police officers and a full-time records manager. All police officers are sworn and certified by the Virginia Department of Criminal Justice Services (DCJS) after successfully completing the rigorous 480-hour law enforcement training requirements. In addition, all sworn personnel must complete 40 hours of training biannually and are re-certified in the use of their handguns, annually. The basic training process includes establishing proficiency in legal issues, communication, patrol, investigations, defensive tactics, use of force, driver training and weapons, including the handgun, shotgun, and rifle. Department personnel utilize multiple forms of lethal and non-lethal weapons, including departmental issued firearms and OC pepper spray and maintain their proficiency and certification through the Crater Criminal Justice Academy, located in Prince George County, Virginia.

The Department's 11 part-time campus security officers (CSO) are supervised by a police sergeant. These personnel provide front desk security for the College's two residence halls, Patriot (opened, 2008), Freedom (opened, 2008). The CSO's staff the front desk from midnight until 8:00 am every day during the academic year.

The Department of Campus Safety and Police jurisdiction includes all College owned, leased, and controlled property and the adjacent streets, highways, and sidewalks. Primarily, the police jurisdiction is on the campus owned and controlled properties, known as the "core campus" that includes the streets, sidewalks, and highways adjacent to those properties known as "public properties" (see campus map at <http://www.rbc.edu/admissions/visit-campus/campus-map/>). These jurisdictional terms are used when collecting crime statistics and are referred to in the statistics chart provided in this document.

The Department of Campus Safety and Police works cooperatively with both the Prince George County Police Department and the Dinwiddie County Sheriff's Office, the law enforcement agencies for the two jurisdictions in which the College is located. In addition, the Department works with the Federal Bureau of Investigation (FBI), the Virginia Department of Alcohol Beverage Control (ABC), the Virginia State Police (VSP) and other surrounding campus and local police agencies. Formal meetings are held between the leaders of these agencies through the Virginia Chiefs of Police Association (VCPA), Central Virginia Chief of Police Association (CVCPA) and the Virginia Association of Campus Law Enforcement Administrators (VACLEA).

The police officers of the Department, the Dinwiddie County Sheriff's Office, and the Prince George County Police Department communicate regularly on the scene of incidents that occur on and around the campus. The Department investigator works closely with the investigators from Dinwiddie and Prince George or the Virginia State Police (or applicable agency) when an incident takes place that would require joint investigative efforts and resources for the investigation of alleged criminal offenses. Crime related reports and information are shared between agencies, as necessary. The College maintains mutual aid agreements with the Virginia Department of State Police, Prince George County Police and the Dinwiddie County Sheriff's Office to provide additional law enforcement services in the event of an emergency.

Located at 510 Carson Drive (across from the Barn Theatre), the Department is available and open for all criminal matters 24 hours a day, 365 days a year. For general public business, the office is open from 8 am until 4 pm, Monday through Friday, excluding holidays. Recovered property can be collected by owners during these office hours. After hours, contact may be made with a police officer through a variety of ways, including using the emergency telephone

number, (804) 862-6111, the non-emergency telephone number, (804) 863-4085, or any one of the College's 18 emergency call boxes located across the campus.

### **General Procedure for Reporting Crimes or Emergencies**

Community members, students, faculty, staff, and guests are encouraged to report all crimes, traffic collisions, medical and fire incidents, suspected hazardous materials, spills or leaks, after-hour building power outages, and suspicious activity in a timely manner to the Department of Campus Safety and Police.

In an emergency, police may be contacted on campus at extension 6111, or from outside the College telephone system at (804) 862-6111. You may also drive or walk to the police office to meet with a police officer or a police officer will respond to your location.

To report a non-emergency security or public safety related matter, the police may be contacted on campus at extension 4085, or from outside the College telephone system at (804) 863-4085.

The Department's dispatcher and police officers are available at these respective numbers twenty-four hours a day to answer calls for service.

Upon receipt of a call for service, the police officer will respond to the caller's location. All criminal matters, policy violations and suspicious incidents will result in the filing of an incident report. When appropriate, incidents involving students will be forwarded to the Director of Student Success for potential disciplinary action. Police officers will investigate an incident when defined investigative leads are present.

Reporting a crime immediately, especially sexual assaults, assists in the preservation and collection of evidence that may be necessary to convict a person involved in criminal activity. Information on crimes that may affect or relate to the surrounding community is shared with appropriate law enforcement agencies.

### **Emergency and Timely Warning Notification**

In compliance with the Higher Education Act of 1965 as amended and §23.9.2-11 of the Code of Virginia, the College has implemented a comprehensive emergency notification system, identified as "RBCAlert." This system consists of several notification technologies including:

- Text messaging
- Voice telephone messaging
- Outdoor siren and public address
- Webpage with servers on and off-campus
- E2Campus desktop client for computers
- Social media
- Alertus Beacons
- Computer interrupt
- Email to registered users
- Flyers or similar posting
- Fire alarms

This notification system allows the prompt disclosure of information about crimes on and near the campus that may pose an ongoing threat to the College community. RBCAlert is an opt-out

notification system. As an opt-out system, student, faculty and staff contact information is added to the notification system and is updated every 24 hours. Community members may opt-out of the system by notifying the Department of Campus Safety and Police at [police@rbc.edu](mailto:police@rbc.edu). In lieu of the electronic format, the Chief of Police or designee may post paper flyers on building doors of the College community in the event of a power interruption or for sharing specific information to a particular group or for other reasons.

Emergency Notification and Timely Warning Notification alerts are considered for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications, including but not limited to, murder, non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, and statutory rape), robbery, burglary, aggravated assault, motor vehicle theft, and arson. The College's Director of Campus Safety and Chief of Police or designee will review all reported incidents to determine if there is an on-going threat to the community or if there is a significant emergency or dangerous situation involving an immediate threat to the community.

Timely Warning Notification is defined as an alert notice provided to inform the campus community about a "serious or continuing threat to students, faculty, staff, and guests." It is a warning that is provided to enable those individuals to protect themselves and will be issued as soon as the pertinent information is available. Timely warnings are provided to alert the community to threats related to or arising from crimes specified in the Clery Act. The warning will always withhold the name(s) or identifying information of any victim but may have identifying information for a possible suspect(s). Timely warnings are typically written by the Director of Campus Safety and Chief of Police or designee and are generally distributed to the campus community via email to anyone who has a rbc.edu address but may also go out as a text message when determined to be necessary. Timely warnings may also be posted on the College website.

Emergency Notifications are defined as an alert notice provided to inform the campus community about a "significant emergency or dangerous situation involving an immediate threat to the health and safety of students, faculty, staff and guests." If an emergency notification is issued, the College does not issue a timely warning about the same incident or situation. Emergency notifications are made by the Director of Campus Safety and Chief of Police. If the Director of Campus Safety and Chief of Police is unavailable, the designated order of succession will be followed. Authorized College personnel, to include police officers, dispatchers, records manager and trained information technology personnel may activate any of the emergency notification system components through the E2Campus encoder, on or off campus, using mobile technologies. Emergency notification alert notice(s) may be posted on the College's website and will be sent via email and text message. In addition, activation of Alertus beacons, computer interrupt and outdoor siren may be initiated. Once the situation has been resolved and it is determined to be safe to return to normal activities, an "all clear" message will be distributed via the same method of notification previously used for that incident.

In addition to these Timely Warnings and Emergency Notifications, the College may issue a notification known as a "crime alert" to the community, typically via email or flyer, for any crime that is not specifically defined in the Clery Act but would be deemed as a potential threat to people or property. This notice will be authorized by the Director of Campus Safety and Chief of Police or designee.

Prior to activating an emergency notification, the authorized personnel will consider the safety of the community, determine the content of the notification, and initiate the applicable systems, unless issuing a notification will, in the professional judgement of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The system is tested each semester to ensure readiness and to familiarize new students and staff with the system. The outdoor siren is tested daily through a silent system test. Information on how to receive alerts is provided to the College community upon hire, through new employee orientation, and annually through e-mail, faculty and staff meetings, student orientation, and during vehicle registration. Additional information can be found at:

<http://www.rbc.edu/campus-police-safety-security/rbc-alert/>.

### **Emergency Response and Evacuation Information**

The College's emergency operations plan was originally established in 2008 and was most recently revised in June 2020. The Emergency Action & Fire Prevention Plan was updated and revised in April 2021. The plan was submitted and approved by the Virginia Department of Emergency Management. Revisions are made annually to reflect the changes in the College's organizational structure and mission. The plan provides guidance and essential support functions to key administrators and staff personnel in the planning, mitigation, response, and recovery regarding emergencies and potential threats on or near the College campus. The emergency operations plans are integrated with the jurisdictions of Prince George and Dinwiddie Counties, in which the College is located.

The College President appoints appropriate College staff to the Emergency Management Team (EMT) annually. The EMT is chaired by the Director of Campus Safety and Chief of Police. The members include the Chief Operating Officer, Provost, Financial Operations, the Communications Office, Information Technologies and a faculty representative.

In the event of an emergency, the College's Director of Campus Safety and Chief of Police may activate the Emergency Operations Center (EOC), located at the Campus Safety & Police Department, and notify the Emergency Management Team via the College's E2Campus notification system. The EMT would engage in a conference call and the Chair would provide a brief summary of the incident. The EMT would begin to develop strategies to manage the incident.

The Director of Campus Safety and Chief of Police serves as the Emergency Management Coordinator and is a member of the Dinwiddie Local Emergency Planning Committee and the Prince George Local Emergency Planning Committee. The Coordinator also serves as the College Safety Officer and reports building code, fire code, and other OSHA and safety violations. These violations are forwarded to the appropriate departments for resolution.

Richard Bland College conducted a functional-scale exercise on October 8<sup>th</sup> of 2020. The state-wide tornado drill was cancelled in 2020 as a result of the State of Emergency declared for the coronavirus response. A test of the RBCAlert notification system was conducted in January and October of 2020. This test included activation of all systems to include;

- Text messaging
- Voice telephone messaging
- Outdoor siren and public address

- Webpage with servers on and off-campus
- E2Campus desktop client for computers
- Alertus Beacons
- Computer interrupt
- Email to registered users
- Fire alarms

Emergency preparedness information on what to do in an emergency is essential to keeping our College community safe. A section of the College website and a portion of the SharePoint Intranet is dedicated to emergency management. This site provides useful information on many types of hazards along with key terms that will be used during an emergency. The emergency management site can be viewed at:

<http://www.rbc.edu/campus-police-safety-security/emergency-response-2/>.

All residence halls are required to participate in emergency evacuation procedures twice a year, during each semester. The emergency evacuation procedures are tested through planned, unannounced fire drills. These drills prepare the occupants of the building for an organized evacuation in the case of an emergency. During the evacuation drills, the occupants familiarize themselves with the most direct route to exit each building. All drills are coordinated by the Department of Campus Safety and Police and the Office of Residence Life. These exercises were conducted in the fall of 2020 and spring of 2021 in the Student Village. These drills are conducted within the first 10 days of the semester.

### **Off-Campus Crime**

If another law enforcement or security agency, outside of the Department of Campus Safety and Police, is contacted about criminal activity occurring off-campus in which an RBC student is involved, that agency may notify the Department of Campus Safety and Police about the incident; however, there is no written policy by any department with Richard Bland College that requires such notification. Students in these cases may be subject to the College's disciplinary process through the Student Conduct Board even if they also received some form of punishment from the outside jurisdiction. The Department of Campus Safety and Police will notify the Director of Student Success of any notification of such incident that involves a student.

### **Academic and Public Use Building Security**

All academic and public use buildings are patrolled by the Department of Campus Safety and Police on a regular basis and are secured by police officers or are automatically secured through the College's building access system. Access to secure academic and public use buildings is restricted to individuals authorized to have keys or card access.

### **Motor Vehicle Security**

All faculty, staff, and students are required to display a valid College parking decal on their vehicle and park in their designated parking lot(s). Guests must display a temporary decal or special event placard. Parking tickets for violations may be issued by police officers. Parking regulations and other related information may be found in the College's Policy Manual and in the Student Handbook. All persons parking their vehicle on campus are reminded to always lock their doors and secure any valuables in the trunk or other safe place.

## **Residential Housing Security**

Approximately 250 undergraduate students reside in two West Campus residence halls, Patriot Hall and Freedom Hall. Each residential facility is managed by a Residence Life Coordinator (RLC), a professional staff member from the Office of Residence Life who resides in the building. The RLC maintains a staff of student resident assistants (RAs) and student resident assistant apprentices (RAAs). It is their responsibility to confront, review, and report certain conduct issues, mediate disputes, encourage conflict resolution, and promote community development. There are 8 RAs and 15 RAAs.

Both Patriot Hall and Freedom Hall have a reception desk in the main lobbies that are staffed by RAs and RAAs, from 5 pm until midnight, and security officers from midnight until 8 am, every day except when the buildings are closed and during breaks when the buildings are not inhabited. The Office of Residence Life is located on the first floor of Freedom Hall, and is open from 8 am until 5 pm. Security cameras record the activities in each lobby and in the hallways and elevators of the buildings. The cameras are not normally monitored and the images may be used for investigative purposes.

Access to the residence halls is restricted to residents and their approved guests. In the building lobbies, residents must show their RBC identification card to the front desk personnel and are required to sign in their guests during certain hours. Residents are cautioned against permitting strangers to enter the buildings. Police officers, security officers, RLCs, RAs and RAAs patrol the exterior of the residence halls on a regular basis.

Residence Life staff, including the RLCs, RAs and RAAs also enforce security measures in the halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. The Department of Campus Safety and Police works closely with RAs to provide educational sessions on alcohol and drug abuse as well as the prevention of various crimes, including sexual assault.

All members of the Residence Life staff have been carefully chosen through a selection process established by the Office of Residence Life. The staff has the skills, knowledge, and information to help residents learn about and adjust to the College community living environment. Training for RAs is conducted by the Office of Residence Life in conjunction with various departments on and off campus, to include the Department of Campus Safety and Police.

## **Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that reduces hazardous conditions. The Department of Campus Safety and Police personnel regularly report malfunctioning lights and emergency call boxes, and other unsafe physical conditions to the Director of Operations and Capital Assets. Members of the College community are encouraged to report deficiencies to the Department of Campus Safety and Police as soon as they are observed.

## **Security Awareness and Crime Prevention Education Programs**

Recognizing the importance of community crime prevention, the Department initiated a focused effort to develop a police officer in the specialized field of crime prevention. With the completion of a rigorous training program, the Department worked with the Virginia Department of Criminal Justice Services to certify a police officer as a “Crime Prevention Specialist,” in 2017. The Crime Prevention Specialist is responsible for the coordination of the Department’s crime prevention programming.

In January 2018, the College began the enrollment phase of the Certified Crime Prevention Community with the Virginia Department of Criminal Justice Services. In October 2019, the College was approved by the Virginia Justice Services Board and received certification as Certified Crime Prevention Community. The Crime Prevention Campus certification program is administered by the Virginia Department of Criminal Justice Services (DCJS) to develop and set standards for community safety initiatives.

All members of the Department of Campus Safety and Police document security and safety violations found during routine patrol of buildings and grounds. This information is distributed to the appropriate College department for corrective action. Crime prevention and emergency preparedness lectures and programs are scheduled each semester for all students, faculty, and staff. Crime prevention materials are available at the Campus Safety and Police building and are made available at new student, faculty and, staff orientation programs. At a minimum of one time each semester, several programs aimed at students are presented in the residence halls and community, to include:

- “If You Love it, Lock It!”
- Holiday Safety Training
- Campus Safety Programming
- Drug Awareness Training
- Alcohol Awareness training
- Virginia “Heads Up” Alcohol & Drug Awareness
- “Movie Night” – Crime Prevention
- “Operation Sweet Tooth” – Halloween safety awareness

The Department of Campus Safety and Police encourages all students and employees to be responsible for their own security and the security of others, and to be good stewards of the campus community. Safety is a community responsibility and all students and employees should work with the Department of Campus Safety and Police in a collaborative effort to deter and report criminal and suspicious activity.

The Department of Campus Safety and Police provides a series of “Campus Watch” programs for students, faculty, and staff at a minimum of one time each semester, aimed at students presented in the residence halls and community, to include:

- Silent Witness Program (always available on line)– provides members of the community with the opportunity to report criminal activity to the Department of Campus Safety and Police anonymously.
- Alcohol Awareness Program – provides students with information about the effects of alcohol, making good decisions, and consequences of actions.
- Drug Awareness Program - provides students with information about the effects of illegal narcotics/drugs, making good decisions, and consequences of actions.
- Rape Aggression Defense (RAD) Program– a national standard self-defense course that provides both basic crime prevention skills and physical moves that help prevent becoming a victim of a violent crime. The College presents the male and female version of this respected program.
- Safety Escort (always available by request) – a walking police escort is available to all students, faculty, and staff throughout all areas of on-campus property.

## **Statistical Disclosure of Reported Incidents**

Incidents reported to the Department of Campus Safety and Police or a Campus Security Authority (CSA) that fall into one of the required reporting classifications will be disclosed as a statistic in this annual report published by the College.

Crimes or incidents that are reported for this report include, but are not limited to, all Uniform Crime Report (UCR) Part 1 Criminal Offenses (in hierarchical order) and incidents defined by the Department of Education:

### *Criminal Homicide*

- Murder and Non-Negligent Manslaughter – The willful killing of one human being by another.
- Manslaughter by Negligence – The killing of another person through gross negligence.

### *Sexual Assault*

- Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling – The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.
- Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.

### *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 putting the victim in fear.

### *Aggravated Assault*

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

### *Burglary*

The unlawful entry of a structure to commit a felony or theft.

### *Motor Vehicle Theft*

The theft or attempted theft of a motor vehicle.

### *Arson*

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

### *Domestic Violence*

Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner, a person with whom the victim shares a child in common, a person who is

or has cohabitated with as a spouse and/or a person, adult or youth, who is protected under the domestic or family violence laws of the Commonwealth of Virginia.

#### *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 and the existence of the relationship is determined based on the consideration of the length of the relationship, type of relationship, and the frequency of interaction between the persons involved.

#### *Stalking*

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts of communication that includes but is not limited to direct, indirect or through a third party by any actions, method, device, physically following, monitoring, observing or threatening.

#### *Arrests*

Statistics related to criminal arrests for violations of drug, liquor, and weapons laws.

#### *Judicial Referral*

Statistics related to referrals to the Office of Residence Life for both criminal and policy violations of drug, liquor, and weapons laws or policies.

### **Confidential Reporting Procedures**

Crime victims that do not want to pursue any action within the College disciplinary system or the criminal justice system may still consider making a confidential report. With the victim's permission, a police officer can file a report as to the details of the incident without revealing the victim's identity. The purpose of the confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of others. With such information, the College can keep an accurate record of the number of incidents involving students, employees, and guests to determine where there is a pattern of crime regarding a particular location, method or assailant and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the College. When the reports involve allegations of sexual violence (including sexual assault, domestic violence, dating violence, stalking, and sexual harassment), the information is made available to the College's Title IX Coordinator. A confidential report may also be made to a pastoral counselor or a professional counselor where the information will not be provided to the College, campus police officer or local law enforcement without the consent of the reporting party.

A crime victim should also be aware that, although the report is confidential, a Timely Warning notification may be required to be posted according to federal law. If such a warning is required, the victim may be made aware, where applicable, prior to the dissemination and will not include the victim's name or any other specific information that would otherwise cause the victim to be identified.

### **Silent Witness Website**

The Silent Witness Program is a web-based reporting tool that allows community members to anonymously report crimes to the Department of Campus Safety and Police. Information about a suspicious incident or person, a College policy violation, a potential crime, information regarding a crime that has already been committed or that has the potential to be committed in

future times can be reported to the Department of Campus Safety and Police for action. The Silent Witness reports are monitored by the Department of Campus Safety and Police on a daily basis and all reports are reviewed and assigned for action by the Department of Campus Safety and Police as appropriate. The Silent Witness program should not be used in an emergency or for an “in progress” situation. For an emergency, community members should call extension 6111 on-campus, or (804) 862-6111 if off-campus.

### **Crime Statistics**

The information below describes context for the crime statistics reported as part of Clery Act compliance.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the College community obtained from the following sources: the Richard Bland College Department of Campus Safety and Police, the Dinwiddie County Sheriff’s Office, the Prince George County Police Department, and non-police officials (as defined below). For statistical purposes, crime data reported to any of these sources are recorded in the calendar year the crimes were reported. A written request for criminal incidents is made on an annual basis to all Campus Security Authorities (CSAs) as defined by federal law. A CSA has a primary responsibility to report allegations to the reporting structure established by the institution. The reporting structure established by Richard Bland College is the Department of Campus Safety and Police. For purposes of collecting statistical information for the annual security report, the CSAs at Richard Bland College include, but are not limited to, the following staff positions:

- Provost
- Chief Operating Officer
- Director of Student Life and Athletics
- Director of Campus Safety and Chief of Police
- Director of Human Resources
- Director of Online and Continuing Education
- All Faculty
- Contract Event Security (not employed by the College)

All Campus Security Authorities are trained annually in their role and responsibilities as a CSA. Statistics are gathered, compiled, and reported to the College community through this report, which is entitled, “2021 Annual Campus Security and Fire Safety Report.” The Department of Campus Safety and Police submits the annual crime statistics published in this report to the United States Department of Education (USDOE). The statistical information gathered by the USDOE is available to the public through the USDOE website:

<http://ope.ed.gov/campussafety/#/>.

The College will distribute an email regarding the report to every enrolled student and current employee on an annual basis. In addition, information about the report is also provided to prospective students and employees by the Office of Admissions and the Office of Human Resources. The email will include the address for the Department of Campus Safety and Police website where the “2021 Annual Campus Security and Fire Safety Report” publication can be viewed and information on how to obtain a hard copy of the report.

### **Specific Information about Classifying Crime Statistics**

The statistics in this report are published in accordance with the standards and guidelines used by the Federal Bureau of Investigations Uniform Crime Report Handbook, relevant federal law, and the guidelines as set forth by the United States Department of Education.

The statistics for all Part 1 Offenses (as listed in the section titled “Statistical Disclosure of Reported Incidents) are counted as follows:

- Murder, Non-Negligent Manslaughter, and Manslaughter by Negligence are counted as one offense per victim.
- Sexual Assault (all four categories) is counted as one offense per victim.
- Robbery is counted as one offense for each distinct operation (i.e., incident), including attempts. The number of victims robbed, the number of those present at the robbery, or the number of offenders is not individually counted.
- Aggravated Assault is counted as one offense per victim. However, if a number of persons are involved in the incident, and the aggressors cannot be distinguished from the victims, the number of persons assaulted will be counted as the number of offenses.
- Burglary is counted as one offense per each distinct operation.
- Motor Vehicle Theft is counted as one offense for each stolen vehicle.
- Arson is counted as one offense per each distinct operation.
- Domestic Violence, Dating Violence, and Stalking are all counted as one offense for each incident.

The statistic captured under the “Referred for Disciplinary Action” section for liquor, drug, and illegal weapon laws violations indicates the number of people referred to the Director of Student Success for disciplinary action for violations of those specific laws. Being found responsible for a violation includes a referral and resulted in a student being charged by a Residential Director or the Student Conduct Board and a record of the action being kept on file. Alcohol and drug violations that are considered policy violations (a student is of age to possess alcohol, but the College policy prohibits alcohol in a residence hall) and are not criminal violations are not counted in the statistics. In addition, criminal incidents involving driving under the influence of alcohol and public intoxication are also not counted in the statistics in accordance with the guidelines provided by the United States Department of Education.

The statistics in the Hate Crime chart are separated by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a Hate Crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault, or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender’s bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his or her bias against the victim’s race, the assault is then also classified as a hate/bias crime.

The column titled “Unfounded” in the crime statistics refers to those incidents where police personnel make a formal determination that the report is false or baseless. A report can be determined to be false if the investigation reveals that the crime that was reported was in fact never attempted or completed. Such determinations may include but are not limited to the report not meeting the elements of the crime or the crime being improperly classified.

Statistics for residential facilities are also counted in the “on-campus” crime category. The law requires institutions to break out the number of “on-campus” crimes that occur in residential facilities. Crime statistics for the categories of larceny and vandalism are not included in this report (except for the hate crime category).

### **Crime and Fire Log**

The Department of Campus Safety and Police makes available a crime and fire log of incidents for the most recent 60-day period. The log may be viewed at the Police Building, located at 510 Carson Drive. Any portion of the log older than 60 days, if not immediately available, is made accessible usually within two business days of a request for public inspection. The information in the crime and fire log generally includes the incident classification, date and time reported, date and time of the offense, general location of the offense, general description of the offense, and the disposition.

### **Disciplinary Actions**

In cases where probable cause exists to believe that a student may be involved in a violation of the laws of the Commonwealth of Virginia, the police officer may initiate charges through the Dinwiddie or Prince George County criminal court system and/or through the College’s Student Conduct Board. It is possible that charges may be filed through the appropriate County criminal court system and through the College’s Student Conduct Board simultaneously. Violations of the College’s policy may result in a charge filed through the Student Conduct Board. The Director of Student Success may initiate disciplinary action for violations committed by College students.

Crimes alleged to have been committed by a College student at off-campus locations may be reported to the Department of Campus Safety and Police by local authorities. The Department has established an informal reporting procedure with area law enforcement through which local criminal incidents that may affect the College are promptly reported. Off-campus crimes and policy violations may be adjudicated by the Student Conduct Board.

### **Missing Person (Code of VA §15.2-1718 and §52-32 and Richard Bland College Policy approved 2/2018)**

If a member of the College community has reason to believe that any member of the College community is missing, he/she must immediately notify the Department of Campus Safety and Police at 804-862-6111. The Department will initiate an investigation and generate a missing person report, as required by the Code of Virginia. The reporting member of the College community shall provide as much information as possible about an incident, especially if a description is available of the suspect, victim, and/or a vehicle. The Department of Campus Safety and Police will send out an alert via shared crime information networks with surrounding law enforcement agencies (Prince George and Dinwiddie Counties).

If a member of the College community becomes aware of or has reason to believe that a student who resides in residential housing is missing, he/she immediately shall contact the Department of Campus Safety and Police at 804-862-6111. The Department will initiate an investigation and

generate a missing person report, as required by the Code of Virginia. If during the investigation it is determined that the student may have been missing for at least 2 hours or there is formidable information prompting immediate action, the Department will notify the student's confidential emergency contact. Pursuant to the Federal Higher Education Opportunity Act, if the missing student residing in residential housing is under the age of 18, the Department will notify the student's parent or legal guardian immediately after it is determined that the student has been missing for at least 2 hours or there is formidable information prompting immediate action.

Students residing on campus have the option to register a confidential emergency contact with the Office of Residence Life. The confidential emergency contact will be notified by the Office of Residence Life, Campus Police or other authorized campus official if the student is determined to be missing. This confidential contact information will be accessible only to authorized campus officials and law enforcement officers and it will not be disclosed outside of a missing person investigation.

### **Sex Offender Registry**

The federal Campus Sex Crimes Prevention Act was enacted in 2000 and went into effect in 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student. Information about the sex offender registry in Virginia can be found at <http://sex-offender.vsp.virginia.gov/sor/> or can be accessed through the Department of Campus Safety and Police homepage.

### **Alcohol and Controlled Substance Policy**

Richard Bland College takes violations of its alcohol and drug policies seriously. Use of alcohol on College property is prohibited by policy. The College enforces all state laws and College regulations that penalize the possession, distribution, and use of controlled substances and illicit drugs. Offenders of such charges are subject to arrest, summons and/or student discipline. Drug violations will typically result in suspension or expulsion. Violations of College policy are addressed through the Student Conduct Board Policy, and criminal prosecution is addressed through the appropriate general district and circuit courts in Prince George County or Dinwiddie County.

Students must be mindful of the health risks associated with the abuse of alcohol and drugs. The following are consequences of substance abuse:

- Risk of overall health and well-being
- Impairment of judgment and coordination
- Decreased motivation
- Damage to the brain, heart, and liver
- Decreased attention, comprehension, and ability to recall information.
- Physical and psychological dependence
- Overdose and alcohol poisoning
- Fainting/blackouts

Students are encouraged to visit a counselor, located in the Academic Success Center, if they (or their peers) are struggling with alcohol or drug abuse. The Academic Success Center has Community Service Referral Guides available in hardcopy. The guide provides a list of various counseling agencies that assist individuals struggling with substance abuse.

### **Campus Building Access**

The classroom facilities and administrative facilities are locked and unlocked by either electronically controlled security systems, managed through the College's Information Technology Services or by the Department of Campus Safety and Police. Most College buildings are open to the public during normal operating hours. The classroom facilities are locked after the evening courses have concluded and are opened at 7:30 a.m. for classes to begin during weekdays. Most College buildings are locked on Saturdays, Sundays, and recognized holidays unless a sanctioned event is scheduled. The administrative offices are locked from 5:00 p.m. to 8:00 a.m. during weekdays and are closed on Saturdays, Sundays, and recognized holidays.

Residential apartments on campus are secured at all times. Only students who reside in the residence halls are permitted access using an assigned proximity card. This is controlled by an electronic security system. All visitors must be escorted by a residential student or staff member. All exterior emergency doors are alarmed. The residential facilities have video surveillance cameras located at each exit and entry. Cameras are also located in each hallway, on every floor, and in the elevators. Cameras are recorded and monitored occasionally by police and at night by Campus Security Officers. All interior apartment doors are controlled by proximity card access. Only students who reside in the apartment have access. A student's individual room is secured by a key lock issued to the student only. Resident Advisors (RAs), Residence Life Coordinators (RLCs) and police officer's conduct hallway tours during the evening hours to ensure the safety and security of the buildings.

### **Student Identification Cards**

All students must have a College identification card each year to use in the library, to access their meal plan, to participate in intramural or club sports, and to use for other College related activities. All residential students must have College identification cards for access to the residential village. Student identification cards are produced by the Department of Campus Safety and Police and can be obtained each year during student orientation or during specified days and hours during the academic year. Lost ID Cards may be replaced, but only after paying the replacement fee to the Business Office.

### **Student Counseling**

All students are advised on academic courses by the Learner Mentors at the Student Success Center, which is located on the first floor of the Library. The Student Success Center and Office of Residence Life staff are also available for students who need counseling on other issues or problems occurring on campus or in reference to everyday life. Students who have an addiction or other problems that may need further counseling may obtain information for outside resources from these staff members as well. The College works closely with the counseling staff of the James House and maintains a memorandum of understanding for services. Contact can be made with one of their counselors by contacting the James House directly or through the Department of Campus Safety and Police and/or Student Success Center.

## **Student Escort**

Department of Campus Safety and Police personnel are available to escort students to and from buildings on campus to their cars and/or the residence halls in the evening hours. This service is offered to those who must cross campus during the nighttime alone. The Department of Campus Safety and Police can be contacted for this service by calling the Department of Campus Safety and Police at (804) 862-6111.

## **Medical**

Emergency Medical Services (EMS) is available 24 hours a day from Dinwiddie County Fire & EMS and/or Prince George County Fire & Rescue. To contact EMS, call the Department of Campus Safety and Police at (804) 862-6111 or 911.

## **Policy Details Regarding Title IX, Discrimination, Harassment, Sexual Misconduct, and Retaliation**

### **A. Policy Statement**

Richard Bland College (RBC or College) is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, sex, color, national origin, religion, age, veteran status, sexual orientation, gender identity, pregnancy, genetic information, against otherwise qualified persons with disabilities, or based on any other status protected by law. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among everyone on campus. RBC does not discriminate on the basis of sex in education programs and activities, as required by Title IX.

Our community of trust requires that its members treat one another with respect, dignity, and fairness. This policy is designed to ensure a safe environment for the members of the Richard Bland College community. In pursuit of this goal, this policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972 (“Title IX”); Title VII of the Civil Rights Act of 1964 (“Title VII”); and/or the Virginia Human Rights Act. Such behavior also requires the University to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 (“VAWA”) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”).

This policy also addresses complaints or reports of retaliation against those who have opposed practices prohibited by this policy, those who have filed complaints or reports under this policy, and those who have testified or otherwise participated in enforcement of this policy.

### **B. Reason for Policy**

This policy helps RBC comply with federal and state laws, including the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex (including sexual violence) in education programs or activities. It also helps RBC comply with the Civil Rights Act of 1964, which prohibits discrimination based on

race, color, religion, sex, or national origin and with the Violence Against Women Reauthorization Act of 2013 (VAWA), which amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) and requires institutions to prohibit dating violence, domestic violence, sexual assault, and stalking. RBC also is committed to complying with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Higher Education Opportunity ACT (HEOA) relating to military and veterans' issues.

### **C. Applicability of the Policy**

This policy applies to on-campus conduct involving students, employees, faculty and staff, visitors to campus (including, but not limited to, students participating in camp programs, non-degree seeking students, exchange students, and other students taking courses or participating in programs at Richard Bland College), and contractors working on campus who are not Richard Bland College employees, and to students, visiting students, employees, faculty, and staff participating in Richard Bland College-sponsored activities within the United States. This policy is applicable to any conduct that occurs off campus that has continuing effects that create a hostile environment on campus. This policy also is applicable regarding the College's various technological resources.

This Policy is effective August 14, 2020. This policy supersedes any and all previously adopted policies or procedures for Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence, except those that fall within the purview of the College's Policy on Discrimination, Harassment and Retaliation. Allegations of either on-campus or off-campus violations of this policy should be reported to the Title IX Coordinator's office as stated herein. Allegations of sexual and gender-based harassment occurrences through the use of campus or personal technology also should be reported to the Title IX Coordinator's office.

Should an allegation of conduct not constitute "sexual harassment," does not occur within an "educational program or activity," or does not occur in the United States, the College must dismiss the complaint for purposes of Title IX. However, the College is permitted to address such allegations through its code of conduct or other disciplinary code or policy.

### **D. Definitions**

**1. Discrimination:** Inequitable and unlawful treatment based on an individual's protected characteristics or statuses -- race, sex, color, national origin, religion, age, veteran status, sexual orientation, gender identity, pregnancy, genetic information, disability, or any other status protected by law -- that excludes an individual from participation in, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment, or participation in an educational program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.

**2. Harassment:** A form of discrimination in which unwelcome verbal, written, or physical conduct is directed toward an individual on the basis of his or her protected characteristics or statuses, by any member of the campus community. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

**3. Prohibited Conduct:** Any form of discrimination, harassment, sexual misconduct, or retaliation mentioned in this policy is Prohibited Conduct and is strictly forbidden and subject to investigation and sanctions. Students who violate this policy may receive sanctions up to and including permanent removal from the residence halls and expulsion from Richard Bland College. Employees who violate this policy may receive sanctions up to and including employment termination.

**4. Complainant:** The individual, who is the alleged to the victim or survivor of conduct that could constitute sexual harassment.

**5. Respondent:** The individual, who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**6. Sexual Harassment:** Under Title IX, there are three types of conduct which constitute sexual harassment. The types are:

1. Quid pro quo harassment (by an employee);
2. Unwelcomed conduct determined by a reasonable person to be so severe, pervasive, And objectively offensive that it effectively denies a person equal access to the institution's education program or activity; and
3. Sexual assault, dating violence, domestic violence, or stalking.

For these types of conduct to constitute Title IX sexual harassment, they must occur within an institution's education program or activity against a person in the United States.

**7. Education program or activity:** Any academic, extracurricular, research, occupational training, or other education program or activity operated by the College. Educational program or activity also includes locations, events, or circumstances over which the College exercised substantial control as to both the respondent and the context in which the sexual harassment occurred.

**8. Supportive Measures:** Individualized services reasonably available that are nonpunitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

**9. Formal Complaint:** any document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment.

**10. Quid pro quo:** This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment, or participation in a Richard Bland College activity are conditioned upon, either explicitly or

implicitly, submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting that individual's employment, education, living environment, or participation in a Richard Bland College program or activity.

**11. Hostile environment:** A hostile environment may be created by unwelcomed oral, written, graphic, or physical conduct that is sufficiently severe, pervasive and objectively offensive that effectively denies a person to participate in or benefit from educational programs, services, activities and opportunities or the individual's employment access, benefits, or opportunities. Mere subjective offensiveness is not enough to create a hostile environment. In determining whether conduct creates a hostile environment, the following factors will be considered:

- a. The degree to which the conduct affected one or more individuals' education or employment,
- b. The nature, scope, frequency, duration, and location of the incident(s),
- c. The identity, number, and relationships of persons involved,
- d. The perspective of a "reasonable person" in the same situation as the person subjected to the conduct, and
- e. The nature of higher education.

**12. Sexual misconduct:** includes sexual assault, sexual exploitation, dating violence, domestic violence, and stalking.

a. **Sexual Assault** is intentionally engaging or attempting to engage in nonconsensual bodily contact of a sexual nature. It includes sexual contact or sexual intercourse or penetration achieved by the use of physical force, threats, intimidating behavior, or coercion or when an individual is incapacitated or otherwise incapable of providing consent. Sexual Assault is:

i. **Non-Consensual Sexual Contact** is any intentional or attempted touching of a sexual nature. Non-consensual sexual contact includes, but is not limited to: any intentional or attempted touching of a person's genitalia, groin, breast, or buttocks, or the clothing covering any of these areas without consent; any intentional or attempted touching of another with any of these body parts without consent; making another person touch you or themselves with or on any of these body parts without consent; or any intentional or attempted bodily contact of a sexual nature, though not involving contact with/of/by a person's genitalia, groin, breast, or buttocks without consent.

ii. **Non-Consensual Sexual Intercourse or Penetration** is any penetration (anal, oral, or vagina) or attempted penetration (anal, oral, or vaginal), however slight, with any object (finger, tongue, penis, inanimate object, etc.) without consent or forcing someone to penetrate himself or herself with any object, however slight, without consent.

**b. Sexual exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault.

Sexual exploitation includes prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos or other images of an individual's sexual activity or intimate body parts, non-consensual voyeurism, knowingly transmitting HIV or an STD to another, or exposing one's genitals to another in non-consensual circumstances.

**c. Dating violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. A social relationship of a romantic or intimate nature means a relationship which is characterized by the expectation of affection or sexual involvement between the parties. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual or physical abuse. Dating violence does not include acts covered under the definition of domestic violence.

**d. Domestic violence** is a felony or misdemeanor crime 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 laws of the Commonwealth of Virginia; 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 laws of the Commonwealth of Virginia.

Domestic violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual or physical abuse.

**e. Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- i. fear for his or her safety or the safety of others; or
- ii. suffer substantial emotional distress, meaning significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

A "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about, a person, or interferes with a person's property.

**13. Sexual Violence** refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent including the criminal acts of rape, sexual assault, sexual battery, sexual abuse, and sexual coercion as found under Virginia Law (Virginia Code Article 7 of Chapter 4 of Title 18.2).

**14. Consent** is given by voluntary words or actions that communicate a willingness to engage in a specific sexual activity. The existence of consent will be inferred from all of the facts and circumstances. Consent may be withdrawn at any time. Silence, in and of itself, is not consent. Lack of protest or resistance is not consent. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. A previous or current relationship does not imply consent to sexual activity. Past consent does not imply future consent. Consent cannot be obtained by the use of force, which includes physical violence, threats, intimidating behavior, and/or coercion.

**a. Physical Violence** means that a person is exerting control over another person through the use of physical force. Examples of physical violence include, but are not limited to, hitting, punching, slapping, kicking, restraining, choking, strangling, and brandishing or using any object as a weapon.

**b. Threats** are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include, but are not limited to, threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.

**c. Intimidation** is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person can use their size or physical power in a manner that constitutes intimidation (e.g., by blocking access to an exit.)

**d. Coercion** is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear that they do not want to participate in a particular form of sexual contact or sexual intercourse, that they want to stop, or that they do not want to go beyond a certain sexual activity, continued pressure can be coercive. In evaluating whether coercion was used, the frequency of the application of pressure, the intensity of the pressure, the degree of isolation of the person being pressured, and the duration of the pressure are all relevant factors.

Consent can never be obtained from someone who is incapacitated, either voluntarily or involuntarily, or through the acts of others. Consent cannot be given by the following individuals:

- Individuals who are asleep or unconscious;
- Individuals who are incapacitated due to the influence of drugs, alcohol, medication, or other substances;
- Individuals who are unable to consent due to a mental or physical condition; and
- Individuals who are minors.

If an individual knows or reasonably should know someone is incapable of giving consent, it is a violation of this policy to engage in sexual activity with that person.

**15. Incapacitation:** An incapacitated person is incapable of giving consent. Incapacitation means that a person lacks the ability to make informed, reasonable judgments about whether or not to engage in sexual activity. An incapacitated person lacks the ability to understand the who, what, when, where, why, and/or how of the sexual interaction. A person is not necessarily incapacitated merely as a result of consuming alcohol, drugs, medications, and/or other substances. The impact of alcohol, drugs, medications, or other substances varies from person to person.

**16. Alcohol, Medications, and Other Drugs:** The use of alcohol, medications, and other drugs by the Responding Party is not an excuse for being unable to assess if the Reporting Party gave consent.

**17. Complicity** is any act taken with the purpose of aiding, facilitating, promoting, or encouraging the commission of a violation of this policy by another person. Complicity is prohibited by this policy.

**18. Retaliation** is intimidation, threats, harassment, and other adverse action taken or threatened against (1) any Reporting Party or person reporting or filing a complaint alleging Prohibited Conduct or (2) any person cooperating in the investigation of an allegation of Prohibited Conduct including testifying, assisting, or participating in any manner in an investigation pursuant to this policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy. Retaliation may result in disciplinary or other action independent of the sanctions or Supportive Measures imposed in response to the underlying allegations of Prohibited Conduct.

## **E. Role of the Title IX Coordinator**

The Title IX Coordinator (Coordinator) oversees the assessment of allegations of sexual and gender-based discrimination and interpersonal violence as well as the investigation and resolutions of all reports and complaints made by all students, employees, and visitors to the campus of the alleged Prohibited Conduct in accordance with this policy. The Coordinator may delegate certain investigative responsibilities while maintaining oversight of the investigation.

The Coordinator does not serve as an advocate for either the Reporting Party or the Responding Party.

### **The Coordinator is charged with**

- Coordinating RBC's compliance with federal civil rights laws.
- Explaining to all identified parties the procedures for the investigation including required confidentiality.
- Providing all identified parties with information about obtaining medical and counseling services.
- Providing information regarding making a criminal report.
- Providing information related to receiving advocacy services off-campus, and guidance on other RBC and community resources.
- Offering to coordinate with other RBC leadership, when appropriate, to implement Supportive Measures.
- Explaining to all involved parties the process of a prompt, adequate, reliable, and impartial investigation, including the opportunity for both Reporting Party and the Responding Party to identify witnesses and provide other evidence.
  
- Explaining to all identified parties the right to have a personal advisor present and to review and respond to the allegations and evidence.
- Explaining to the parties and witnesses that retaliation for reporting alleged Prohibited Conduct, or participating in an investigation of an alleged violation, is strictly prohibited and that any retaliation should be reported immediately and will be promptly addressed.
- Conducting annual training to students and RBC employees.

Allegations of Prohibited Conduct against the Coordinator should be made to the RBC Provost or President.

### **F. Expectations**

Under this policy, all parties can expect:

1. Written notice of an investigation, including the potential policy violation and nature of the allegation;
2. An academic record hold and academic transcript notation for alleged violations of this policy during the investigation when the Responding Party is a student. An academic transcript notation will remain if the sanction at the conclusion of the investigation is suspension or dismissal;
3. The opportunity to offer information, present evidence, and/or identify witnesses relevant to the allegation;
4. Reasonable notice of any meeting where the party's presence is requested;
5. The opportunity to have an advisor of choice for matters involving Sexual Misconduct, including the right to have that advisor attend any meetings where the party's presence is requested;
6. Timely and equal access to any information that will be used during the investigation and related meetings;
7. A reasonable length of time to prepare any response;
8. Prompt and equitable resolution;
9. Written notice of any extension of time for good cause;

10. Privacy to every extent possible in accordance with this policy and legal requirements;
11. The opportunity to challenge a member of the Coordinator's Office for actual bias or conflict of interest;
12. Written notice of the outcome, imposition of any sanction(s) and the rationale for each, appeal procedures, changes to the finding and/or sanction(s), if any, after an appeal, and when the outcome and sanctions become final;
13. Reasonably available Supportive Measures;
14. Limited amnesty as stated in Section O;
15. No tolerance for false information as stated in Section P; and
16. Protection against retaliation, harassment, or intimidation.

Under this Policy, the complainant's prior sexual behavior will be considered irrelevant and any similar evidence will be inadmissible unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove to consent.

### **G. Privacy and Confidentiality**

RBC is committed to protecting the privacy of any individual involved in the investigation and resolution of a report or complaint under this policy. With respect to any report or complaint under this policy, RBC will make reasonable efforts to protect the privacy of participants while balancing the need to gather information to assess the matter, take steps to eliminate the reported conduct, prevent its recurrence, and address its effects.

Privacy and confidentiality have distinct meanings under this policy.

**Privacy:** Privacy means that information related to a report or complaint will be shared with a limited circle of RBC employees identified as needing to know in order to assist the assessment, investigation, and resolution of the matter. While not subject to a legal obligation of confidentiality, these individuals will respect the privacy of all individuals involved in the process and will not share information except as necessary to effectuate this policy or as required by law.

The privacy of student education records will be protected in accordance with RBC's policy for compliance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual's medical and related records generally is protected by various federal and state laws depending upon the situation. Access to an employee's personnel records in Virginia may be restricted in accordance with the Virginia Freedom of Information Act, and, where applicable, Department of Human Resources Management (DHRM) Policy 6.05.

**Confidentiality:** Confidentiality exists in the context of laws that protect certain relationships, including licensed health-care professionals and employees providing administrative support for such licensed health-care professionals, mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under Virginia law. These individuals cannot violate their obligation of confidentiality unless (i) given written consent to do so by the person who disclosed the information; (ii) there is a

concern of serious physical harm to self or others; (iii) the conduct involves suspected abuse or neglect of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order.

**Confidential Resources:** The RBC's Office of Counseling Services and the community resources listed in Section H are Confidential Resources. Confidential Resources will not disclose information about a report of a possible violation of this policy to RBC (including the Coordinator's Office or Campus Police) without the Reporting Party's permission (subject to the exceptions listed above under Confidentiality).

**Clery Act Reporting:** Pursuant to the Clery Act, RBC includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about the individuals involved in the incident. The Clery Act also requires RBC to issue timely warnings to the RBC community about certain crimes that have been reported and may continue to pose a serious or continuing threat to the campus. Consistent with the Clery Act, RBC will ensure, to every extent possible, that personally identifying information of Reporting Parties is not included in timely warnings.

## **H. Confidential Resources and Procedures for Anyone Who Has Experienced Sexual Misconduct**

In a supportive manner, RBC will assist anyone who has been a victim of Sexual Misconduct by implementing the procedures set out herein. Due to the potential seriousness and sensitivity of the investigations involved, it is important to undertake these investigations properly. Preserving the evidence is often a key step of successful investigation of alleged Sexual Misconduct.

1. **Recommended Steps:** For anyone who has experienced Sexual Misconduct, the following steps are recommended.
  - a. Go to a safe place.
  - b. **Off-Campus Confidential Resources (Medical Assistance):** For your safety and confidential care, report promptly to one or more of the following Confidential Resources:

Southside Regional Medical Center	<ul style="list-style-type: none"> <li>• 200 Medical Park Blvd. Petersburg, VA 23805</li> <li>• (804) 756-5000</li> <li>• Physical evidence may be usable if proper procedures are followed for evidence collection within 72 hours of the assault.</li> </ul> <p><a href="https://www.bonsecours.com/locations/hospitals-medical-centers/richmond/southside-regional-medical-center">https://www.bonsecours.com/locations/hospitals-medical-centers/richmond/southside-regional-medical-center</a></p>
Nearest Medical Facility or Emergency Room	<p><a href="https://www.yourunitedway.org/wp-content/uploads/2017/07/City-of-Colonial-Heights-Dinwiddie-County-City-of-Emporia-Greensville-County-City-of-Hopewell.pdf">https://www.yourunitedway.org/wp-content/uploads/2017/07/City-of-Colonial-Heights-Dinwiddie-County-City-of-Emporia-Greensville-County-City-of-Hopewell.pdf</a></p>

c. **Confidential Resources (Support and Counseling)**: For professional and confidential counseling support, the following on-campus and off-campus Confidential Resources can be contacted.

i. **On-Campus Confidential Resource**

<u>RBC Office of Counseling Services</u>	<ul style="list-style-type: none"> <li>• (804) 862-6263</li> <li>• Library 2nd Floor, Room 208</li> </ul> <p><a href="https://www.rbc.edu/academics/student-support-team/counseling-services/">https://www.rbc.edu/academics/student-support-team/counseling-services/</a></p>
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ii. **Off-Campus Confidential Resources**

<u>District 19 Community Services Board</u>	<ul style="list-style-type: none"> <li>• 804-862-8000 Toll-Free: 1-866- 365-2130</li> <li>• Counseling services Assessment for Service Psychological Testing Individual-Therapy Family-Therapy Substance Abuse <a href="http://www.d19csb.com/">http://www.d19csb.com/</a></li> </ul>
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<u>The James House: Intervention/Prevention</u>	<ul style="list-style-type: none"> <li>• 804- 458-2704</li> <li>• Crisis Line: 804-458-2840</li> </ul> <a href="https://thejameshouse.org/contact/">https://thejameshouse.org/contact/</a>
<u>Virginia Family Violence and Sexual Assault Hotline</u>	<ul style="list-style-type: none"> <li>• 1-800-838-8238 (available 24 hours)</li> </ul> <a href="https://vanetwork.org/contact/">https://vanetwork.org/contact/</a>
<u>Employee Assistant Program (EAP)</u>	<ul style="list-style-type: none"> <li>• Counseling provided by all health plans offered to Commonwealth of Virginia employees and their dependents</li> <li>• COVA CARE and HDHP (855) 223-9277</li> <li>• COVA HealthAware: (855) 414-1901</li> </ul> <a href="https://www.dhrm.virginia.gov/employeebenefits/employee-assistance">https://www.dhrm.virginia.gov/employeebenefits/employee-assistance</a>

- d. Contact a trusted friend or family member.
- e. **Preservation of Evidence:** It is your right to have evidence collected and retained anonymously by law enforcement while you consider whether to pursue criminal charges. Pending a decision to report, it is strongly encouraged that you take immediate steps to preserve all evidence that might support a future report. Evidence preservation is enhanced in the following ways:
- i. Do not wash your hands, bathe, or douche. Do not urinate, if possible.
  - ii. Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if oral contact took place.
  - iii. Keep the clothing worn when the assault took place. If you change clothing, place the worn clothing in a paper bag (evidence deteriorates in plastic).
  - iv. Do not destroy any physical evidence that may be found in the vicinity of the assault. The victim should not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.
  - v. Tell someone all the details you remember and/or write them down as soon as possible.
  - vi. Maintain text messages, voice mails, pictures, online postings, video, and other documentary or electronic evidence that may corroborate a report.

The Reporting Party shall have the right to file a report with law enforcement and the option to be assisted by the Coordinator’s Office and other College authorities in notifying the proper law enforcement authorities of the alleged Sexual Misconduct.

RBC officials (excluding Campus Police) receiving complaints or reports of possible Sexual Misconduct will follow the procedures listed in this policy. Campus Police will follow departmental procedures in accordance with standard law enforcement policies.

## **2. Resources for Anyone who has experienced Sexual Misconduct**

- a. Anyone who reports Sexual Misconduct to the Coordinator's Office, the Office of Counseling Services, or Campus Police shall receive information outlining resources on and off-campus and options.
- b. Students and employees will be assisted with available options, such as changing academic, transportation, parking, work, and living arrangements, after alleged Sexual Misconduct. Safety arrangements like no-contact orders may be made available as deemed necessary and reasonable.

## **3. Reporting to the Police**

In an emergency, contact 911 or contact the Campus Police on campus at (804) 862-6111. Someone may also walk into the Department of Campus Safety and Police and speak directly to a RBC police officer.

The Coordinator will make all Reporting Parties aware of the right also to file a report with the Campus Police or local law enforcement. RBC will comply with all requests by the Campus Police or local law enforcement for cooperation in investigations. Such cooperation may require the Coordinator to temporarily suspend the fact-finding aspect of an investigation detailed in the procedures below while the Campus Police or other law enforcement agency gathers evidence. If the investigation is suspended, any Supportive Measures remain in place and available. The Coordinator's Office will promptly resume its investigation as soon as notified by the Campus Police or other law enforcement agency that it has completed the evidence gathering process. Otherwise, the investigation will not be altered or precluded on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

Some conduct in violation of this policy may also be a crime under Virginia law. Individuals are encouraged to report incidents of Sexual Misconduct to law enforcement, even if the reporting individual is not certain if the conduct constitutes a crime. Crimes dealing with minors must be reported to law enforcement.

A Protective Order may be available and enforced through the appropriate law enforcement agency. Protective Orders are legal documents issued by a judge or magistrate to protect the health and safety of a person who is alleged to be a victim of any

act involving violence, force, or threat that results in bodily injury or places that person in fear of death, sexual assault, or bodily injury.

#### **4. Reporting to RBC**

- a. The Coordinator and Deputy Title IX Coordinator are trained to help individuals find the resources they might need, explain all reporting options, and respond appropriately to conduct of concern, including retaliation.
- b. There is no time limit for filing a complaint or report under this policy. However, Reporting Parties should report as soon as possible to maximize RBC's ability to respond. Failure to report promptly may result in the loss of evidence and/or jurisdiction over the Responding Party if he/she is no longer affiliated with RBC and therefore limit the investigation.
- c. Any complaints or reports of Prohibited Conduct can be made to the Coordinator or Deputy Title IX Coordinator.

**Title IX Coordinator:** The Director of Online and Continuing Education (Stacey Sokol) is the Title IX Coordinator. The RBC Title IX Coordinator is responsible for overseeing all Title IX complaints and other allegations of discrimination, harassment, or retaliation, and for identifying and addressing any problems that arise during the review of such complaints.

#### **Contact Information:**

Stacey Sokol  
Director of Online and Continuing Education Programs/Title IX Coordinator  
11301 Johnson Road, South Prince George, VA 23805  
Maze Hall Room 110  
(804) 862-6100 x8603 (Office)  
(804) 712-7141 (Mobile)  
[titleix@rbc.edu](mailto:titleix@rbc.edu) or [ssokol@rbc.edu](mailto:ssokol@rbc.edu)

Candi Pearson  
Accounts Payable Manager/Deputy Title IX Coordinator  
11301 Johnson Road, South Prince George, VA 23805  
Maze Hall, Room 204  
Phone: 804-862-6100 extension 6458  
[cpearson@rbc.edu](mailto:cpearson@rbc.edu)

## **5. Responsible Employee (Mandatory Employee Reporting of Sexual Misconduct):**

All RBC employees, including full-time, part-time, volunteers, and student employees, are Responsible Employees for purposes of reporting Sexual Misconduct as defined in Section D. Student employees are Responsible Employees when they receive information while acting in their capacity as an RBC employee.

Once in receipt of information regarding Sexual Misconduct, the Responsible Employee must directly report any information regarding the alleged incident to the Coordinator's Office without delay and should otherwise respect the privacy of the individuals involved. No RBC employee shall undertake any independent efforts to determine whether or not the report or complaint has merit or can be substantiated before reporting it to the Coordinator.

The report from the Responsible Employee should include all relevant details about the name of the alleged perpetrator (if known), the name of the person who experienced the alleged conduct, the name of others involved in the incident, and the date, time and location of the incident. The Responsible Employee may directly contact the Coordinator's Office.

Before someone reveals this type of information to the Responsible Employee, the Responsible Employee should make every effort to ensure that the person understands the Responsible Employee's obligation and that the person has the option to request confidentiality and share the information with a Confidential Resource either on-campus or off-campus as listed in Section H.

When a Responsible Employee fails to make a required report to the Coordinator's Office, RBC is unable to acquire the information necessary to stop, remedy, and prevent Sexual Misconduct. As a result, the employee may face disciplinary consequences up to and including termination of employment.

## **6. Reports of Other Discrimination/Harassment Not Sexual Misconduct:**

RBC administrators, supervisors, faculty, coaches, and assistant coaches should report other conduct in violation of this policy without undue delay after the incident. Any such report may be made orally or in writing, including electronic mail to the Coordinator.

### *Reporting to External Agencies*

Inquiries or complaints concerning discrimination/harassment on the basis of race, color, national origin, sex including sexual misconduct, age disability, or retaliation may be directed to the United States Department of Education's Office for Civil Rights (OCR) at the number, email and cite listed in the charts below.

<p><u>OCR National Headquarters</u></p>	<p>U. S. Department of Education Office of Civil Rights          Lyndon Baines Johnson Building          400 Maryland Avenue, SW          Washington, D.C. 20202-1100          (800) 421-3481          Email: <a href="mailto:OCR@ed.gov">OCR@ed.gov</a>  <a href="http://www2.ed.gov/about/offices/list/ocr/index.html">http://www2.ed.gov/about/offices/list/ocr/index.html</a></p>
<p><u>OCR Regional Headquarters</u></p>	<p>U.S. Department of Education Office of Civil Rights          Lyndon Baines Johnson Building          400 Maryland Avenue, SW          Washington, D.C. 20202-1475          (202) 453-6020          Email: <a href="mailto:OCR.DC@ed.gov">OCR.DC@ed.gov</a></p>

Inquiries or complaints concerning discrimination and harassment of **employees** may also be directed to the following:

<p><u>EEOC National Headquarters</u></p>	<p>U.S. Equal Employment Opportunity Commission          131 Main Street NE, Washington, D.C. 20507          (202)663-4900          Email:<a href="mailto:info@eoc.gov">info@eoc.gov</a>  <a href="http://www.eoc.gov/">http://www.eoc.gov/</a></p>
<p><u>EEOC Local Office</u></p>	<p>U.S. Equal Employment Opportunity Commission          400 N. Eight Street, Suite 350          Richmond, VA 23219          1-800-669-4000  <a href="https://www.eoc.gov/field/richmond/">https://www.eoc.gov/field/richmond/</a></p>

<p><u>Commonwealth of Virginia EEO Services</u></p>	<p>Department of Human Resource Management Office of Equal Employment and Dispute Resolution 101 North 14th Street, 12th Floor Richmond, VA 23219 1-800-533-1414 804-225-2136 <a href="https://www.virginia.gov/agencies/department-of-human-resource-management/">https://www.virginia.gov/agencies/department-of-human-resource-management/</a></p>
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**I. Timely Warning**

RBC is required by federal law, the Clery Act, to issue timely warnings for reported incidents that pose a substantial threat or danger to members of the campus community. RBC will ensure, to every extent possible, that identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

**J. Initial Assessment**

Upon the receipt of a complaint or report, the Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns. The Coordinator will take steps to determine whether the matter falls within the purview of Title IX. Once the Coordinator has determined whether that the matter involves an alleged violation

of this policy, jurisdiction over the matter will be conferred to the Coordinator's Office. If the Coordinator determines that the Coordinator's Office does not have jurisdiction, the Coordinator shall forward the report to the appropriate office and notify the parties about other appropriate resources.

Following the initial assessment and a determination that the allegations fall within the jurisdiction of the Title IX Coordinator, the College's Sexual and Gender-based Harassment and Interpersonal Violence Procedures Guideline will be followed by the Title IX Coordinator. These procedures will be followed to bring those prohibited acts that fall within this policy to resolution.

**K. Academic Record Hold and Transcript Notation**

The College, pursuant to Virginia Code § 23.1-900, is required by law to notate the academic transcript of each student who has been suspended for, has been permanently dismissed for, or withdraws from the institution while under investigation for an offense involving sexual violence.

In those matters in which a student withdraws during the pendency of an investigation, the student's transcript will be placed on administrative hold until the conclusion of the Title IX investigative, hearing and appeal process

## **L. Request for Confidentiality and Anonymous Reporting**

Any requests for confidentiality concerning matters of possible Sexual Violence will be handled as stated in Section G. All other requests for confidentiality will be handled as described below.

**1. Request for Confidentiality or No Formal Action Be Taken:** If the Reporting Party requests confidentiality or that the report not be pursued, RBC may be limited in the actions it is able to take and its ability to respond while respecting the request. The Reporting Party will be asked to sign a statement indicating a desire for confidentiality or that an investigation not be pursued, and the Coordinator will take all reasonable steps to respond to the report consistent with the request. The Coordinator will consider the reasons for the request, including concerns about continued safety of the Reporting Party and the members of the RBC community, but the ability to maintain or respect the request is expressly limited by the threat assessment required in Section M for reports of Sexual Violence. The Coordinator may initiate consultation with appropriate RBC leadership concerning the request for confidentiality or no formal action be taken. The Coordinator shall make the ultimate decision on whether to conduct an informal or a formal investigation or to respond in another manner, including use of interim measures as stated in Section N. If it is determined that an investigation must proceed, the Coordinator will inform the Reporting Party prior to notifying the Responding Party about the investigation, but in no event will the Reporting Party be required to participate in the investigation.

**Confidential Resources:** The RBC Office of Counseling Services and the community resources listed in Section H are Confidential Resources. Confidential Resources are not permitted to disclose information about a report of a possible violation of this policy to RBC (including the Coordinator's Office or Campus Police) without the Reporting Party's permission (subject to the exceptions listed above under Confidentiality in Section H).

**Reports or Complaints Involving Minors:** If the Reporting Party is (or was at the time of the incident) a minor (under 18), the Campus Police shall be notified.

2. **Anonymous Report:** The Coordinator's Office may be limited in its ability to investigate an anonymous report unless sufficient information is furnished to enable the Coordinator's Office to conduct a meaningful and fair investigation.

**M. Threat Assessment for Sexual Violence:**

In addition to the steps taken during the initial assessment as stated in Section J, RBC shall submit every allegation of Sexual Violence that is alleged to have occurred (i) against any RBC student; or (ii) on campus, in or on an RBC building or property, or on public property that is within the campus or immediately adjacent to and accessible from campus to the Review Committee pursuant to Virginia Code §23.1-806.

1. **Review Committee:** The Review Committee shall consist of employees who have received appropriate training regarding this policy.

The Review Committee operates pursuant to Virginia Code §23.1-806 and has access, under Virginia law, to certain otherwise confidential information, including law enforcement records and criminal history information, as provided in Virginia Code §§19.2-389 and 19.2-389.1; health records, as provided in Virginia Code §32.1-127.1:03; College disciplinary, academic, and/or personnel records; and prior reports of misconduct maintained by the Title IX Coordinator. The Review Committee shall have access to all available facts and circumstances, including personally identifiable information, and may seek additional information about the reported incident through any other legally permissible means.

2. **Risk Factors:** The Review Committee shall consider the following factors to determine whether there is an increased risk of the Responding Party committing additional acts of Sexual Misconduct or other violence, including, but not limited to:
  - a. Whether the Responding Party has prior arrests, reports, and/or complaints related to any form of conduct in violation of this policy or any history of violent behavior;
  - b. Whether the Responding Party has a history of failing to comply with any RBC No-Contact Order, other RBC protective measures, and/or any legal Protective Order;
  - c. Whether the Responding Party has threatened to commit violence or any form of Sexual Misconduct;
  - d. Whether the alleged conduct involved multiple Responding Parties;
  - e. Whether the alleged conduct involved physical violence;
  - f. Whether the allegation reveals a pattern of conduct in violation of this policy (i.e., by the Responding Party, by a particular group or organization, around a particular recurring event or activity, or at a particular location);
  - g. Whether the alleged conduct was facilitated through the possible use of "date rape" or similar drugs or intoxicants;
  - h. Whether the alleged conduct occurred while the Reporting Party was unconscious, physically helpless, or unaware that the conduct in question was occurring;

- i. Whether the Reporting Party is (or was at the time of the alleged incident) under the age of 18; and/or
  - j. Whether any other aggravating circumstances or signs or predatory behavior are present.
3. **Review Committee Procedures and Determinations:** Upon the Coordinator's receipt of information of an alleged act of Sexual Violence, the Review Committee shall meet, either in person or via telephone, within seventy-two (72) hours to review the information and shall meet again as necessary as new information becomes available.

If the Review Committee determines that there is a significant and articulable threat to the health or safety of the Reporting Party or to any other member of the campus community and that disclosure of personally identifiable information is necessary in order to protect the health or safety of the Reporting Party or other members of the campus, the representative from Campus Police on the Review Committee shall immediately disclose such information to the law enforcement agency that would be responsible for investigating the alleged act of Sexual Violence. This determination will be based on the Risk Factors listed above in Section M.2. If the Review Committee cannot reach a consensus, the representative of the Campus Police on the Review Committee shall make the determination. This disclosure shall be for the purposes of investigation and other actions by law enforcement. The Coordinator shall immediately notify the Reporting Party if such a disclosure is made. The provisions of this paragraph shall not apply if the law enforcement agency responsible for investigating the alleged incident is located outside of the United States.

In cases in which the alleged act of Sexual Violence would constitute a felony violation under Virginia law (Article 7 of Chapter 4 of Title 18.2), the representative of the Campus Police on the Review Committee shall inform the other members and shall within twenty-four (24) hours consult with the appropriate Commonwealth Attorney and provide to him or her the information received by the Review Committee without disclosing personally identifiable information, unless such information was disclosed to a law enforcement agency pursuant to the paragraph above. If such consultation does not occur and any other Review Committee member individually concludes that the alleged act of Sexual Violence would constitute a felony violation under Virginia law, that member shall within twenty-four (24) hours consult the appropriate Commonwealth Attorney and provide to him or her the information received by the Review Committee without disclosing personally identifiable information, unless such information was already disclosed to the Campus Police as allowed above.

The Review Committee also shall consider and recommend other appropriate or necessary actions beyond any already in place.

4. **Actions Following Threat Assessment:** At the conclusion of the Threat Assessment, the Coordinator and representative of the Campus Police shall each retain (i) the authority to proceed with any further investigation or adjudication allowed under state or federal law and (ii) independent records of the review committee's determination considerations, which shall be maintained under applicable state and federal law.

#### **N. Supportive Measures**

RBC will offer and take reasonable and appropriate Supportive Measures to assist and protect the Reporting Party, the Responding Party, or a member of the campus community and facilitate the Reporting Party's continued access to campus employment or education programs and activities during the initiation, investigation, and resolution of complaints or reports under this policy. If, in the judgment of the Coordinator and other RBC leadership, the safety or wellbeing of any member of the campus community may be jeopardized by the presence on campus of the Responding Party, interim remedies may be provided to address the short-term effects of harassment, discrimination, and/or retaliation and to prevent further violations. These measures may be remedial (designed to protect the safety and well-being of all parties involved and continued access to educational opportunities), protective (involving action against a Responding Party), or both. Remedial measures are available regardless of whether a Reporting Party pursues an investigation under this policy.

RBC will consult with the Reporting Party and Responding Party before taking Supportive Measures to the greatest degree possible. Both parties will be notified in writing concerning the imposition of Supportive Measures that impact them.

Supportive Measures are not intended to be permanent resolutions. They may be amended or withdrawn as additional information is obtained and upon final resolution of the report or complaint.

Supportive Measures may include, but are not limited to:

1. Academic arrangements;
2. Housing and dining arrangements;
3. Work-related arrangements;
4. Limitation on extracurricular or athletic activities;
5. No-contact order, that serves as notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another;
6. Limitations on access to campus, RBC facilities, and RBC events;
7. Referral and coordination of counseling and health services;
8. Training for students, faculty, and/or staff;
9. Interim suspension/immediate restriction;
10. Administrative leave with or without pay; and
11. Any other measures that may be arranged by RBC (to the extent reasonably available) to ensure the safety and well-being of the parties.

## **O. Amnesty**

RBC encourages the reporting of violations of this policy. Alcohol or drug violations should not deter reporting an incident. When conducting an investigation, RBC's primary focus shall be on addressing the alleged Prohibited Conduct and not on alcohol and drug violations that may be discovered or disclosed. RBC does not condone underage drinking or illicit drug use; however, except in compelling circumstances, RBC will extend limited amnesty from consequences related to drug or alcohol use to Reporting Parties, witnesses, and others who in good faith report alleged incidents of Prohibited Conduct and/or participate in an investigation. RBC may provide referrals to counseling and may require educational initiatives, rather than disciplinary sanctions, in such cases.

## **P. False Information**

RBC is a community grounded in honor; our Honor Code serves as a guide to our college experience. It provides clarity on behavior expected of all members of the community. Engaging in Prohibited Conduct is a serious offense against an individual and the community. It requires every person's efforts in order to address this unacceptable behavior. Those efforts are undermined by the presentation of false information. Any individual who knowingly provides false information, who intentionally withholds information or who intentionally misleads individuals who are involved in the investigation or resolution of a complaint or report of Prohibited Conduct shall be subject to disciplinary action which can include dismissal or termination from RBC. However, that an allegation of Prohibited Conduct cannot be proven by a preponderance of the evidence is not evidence of a false complaint or report.

## **Q. Violations of Law**

Behavior that violates this policy also may constitute a crime under the laws of the jurisdiction in which the incident occurred. For example, the Commonwealth of Virginia criminalizes and punishes sexual assault, dating/domestic violence, sexual exploitation, stalking, and physical assault. The criminal statutes that may apply in cases of Physical Assault and Dating/Domestic Violence are found in various sections of Chapter 4, Articles 1 (Homicide) and 4 (Assaults and Bodily Wounding), of Title 18.2 of the Code of Virginia. The criminal statutes relating to Sexual Assault are found in Sections 18.2-61 to 18.2-67.10 of the Code of Virginia. Section 18.2-60.3 of the Code of Virginia defines and identifies the penalty for criminal stalking. Finally, Sections 18.2-386.1 and 18.2-386.2 of the Code of Virginia provide for criminal penalties in some cases of Sexual Exploitation.

This compilation of criminal statutes is not exhaustive but is offered to notify the RBC community that, in some cases, the alleged conduct may also constitute a crime under Virginia law, which may subject a person to criminal prosecution and punishment in addition to any sanctions under this policy.

## **R. Education and Awareness**

1. For information, please visit the RBC Title IX page at <https://www.rbc.edu/my-rbc/title-ix/>
2. The Coordinator together with other institutional leaders oversees education, training, and awareness programs on Prohibited Conduct for students and employees, including training on primary prevention, bystander intervention, risk reduction, consent, and other pertinent topics.
  - a. Incoming students and new employees shall participate in primary prevention and awareness programming as part of their orientation.
  - b. Returning students and employees shall have ongoing opportunities for additional training and education.
3. This policy shall be disseminated widely to the RBC community through electronic mail, publications, websites, new employee orientation, student orientation, and other appropriate channels of communication.

## **S. Academic Freedom and Free Speech**

This policy does not allow curtailment or censorship of constitutionally protected expression. In addressing all complaints and reports of alleged violations of this policy, RBC will take all permissible actions to ensure the safety of students and employees while respecting the free speech rights of students and employees. This policy does not in any way apply to curriculum and curriculum decisions or abridge the use of particular textbooks or curricular materials.

## **T. Documentation and Record Keeping**

The Coordinator shall maintain, in a confidential manner, for at least ten (10) years, paper or electronic files of all complaints and reports, witness statements, documentary evidence, written investigation reports, resolutions, and appeals and associated documents.

This policy is maintained by the Title IX Coordinator. The Coordinator shall review it on an annual basis to capture evolving legal requirements, evaluate resources available to the parties, and assess effectiveness of the investigation and resolution process. Any suggestions and comments shall be sent to the Coordinator throughout the year for consideration. Any proposed amendments shall be submitted to the appropriate administrative body for further review and approval. This policy shall be amended in any manner deemed necessary without the need for further approval from the RBC Board of Visitors.

## **U. Related Documents**

Title IX of the Education Amendments of 1972.

<https://www.federalregister.gov/documents/2020/05/19/2020-10512/nondiscrimination-on-the-basis-of-sex-in-education-programs-or-activities-receiving-federal>

Virginia Code § 23.1-900. Academic transcripts; suspension, permanent dismissal, or withdrawal from institution. <https://law.lis.virginia.gov/vacode/title23.1/chapter9/section23.1-900/>

## **Important Phone Numbers**

Richard Bland College publishes the following numbers so members of the campus community can quickly make contact to the appropriate office for assistance and/or information.

Department of Campus Safety and Police

Campus emergency (804) 862-6111

Campus non-emergency (804) 863-4085

County Emergency Police/Fire/Rescue 911

Director of Campus Safety and Chief of Police (804) 862-6279

Office of Residence Life (804) 862-6161

Property Management (804) 863-1655

Southside Regional Medical Center (804) 765-5000

## **Safety Tips**

- Walk in well-lighted areas. Walk with a friend or call Campus Police for an escort.
- Avoid shortcuts and isolated areas when walking after dark.
- Avoid working or studying in a building alone at night.
- Lock your cars and secure any valuables when parking on campus.
- Do not leave personal property unattended in buildings.
- Be familiar with the locations of emergency call boxes.
- Keep your cell phone and email address current in the emergency notification system, RBC Alert.
- Never prop open exterior doors.
- Never share your residential access card or keys with anyone.
- Keep your room door locked even when leaving for “a minute”.
- Lock windows and close shades after dark.
- Use a bicycle lock to secure your bicycle when not in use.
- Engrave your valuables.
- Carry a whistle or other noisemaker.
- Report all criminal and suspicious activity to Campus Police.

**Campus Crime Statistics for Richard Bland College of William and Mary  
Calendar Years 2018, 2019 and 2020**

<b>Offense Crimes Reported by Hierarchy</b>	<b>Calendar Year</b>	<b>On Campus (Including Residential)</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Totals</b>	<b>On Campus (Residential Only)</b>
Murder & Non-Negligent Manslaughter	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
Manslaughter by Negligence	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
Rape	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	1	0	0	1	1
	<b>2018</b>	1	0	0	1	1
Fondling	<b>2020</b>	1	0	0	1	1
	<b>2019</b>	2	0	0	2	2
	<b>2018</b>	1	0	0	1	1
Incest	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
Statutory Rape	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
Robbery	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
Aggravated Assault	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
Burglary	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	2	0	0	2	2
	<b>2018</b>	0	0	0	0	0
Motor Vehicle Theft	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0

**Hate Crimes**

There were no reported hate crime incidents.

**Campus Crime Statistics for Richard Bland College of William and Mary  
Calendar Years 2018, 2019 and 2020**

<b>Offense Crimes Reported by Hierarchy</b>	<b>Calendar Year</b>	<b>On Campus (Including Residential)</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Totals</b>	<b>On Campus (Residential Only)</b>
<b>Liquor Law Arrests</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Drug Law Arrests</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Weapons Law Arrests</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Liquor Law Violations Referred for Disciplinary Action</b>	<b>2020</b>	5	0	0	5	5
	<b>2019</b>	19	0	0	19	19
	<b>2018</b>	17	0	0	17	17
<b>Drug Law Violations Referred for Disciplinary Action</b>	<b>2020</b>	23	0	0	23	23
	<b>2019</b>	78	0	0	78	78
	<b>2018</b>	26	0	0	26	25
<b>Weapons Law Violations Referred for Disciplinary Action</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Hate Crimes</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Arson</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Domestic Violence</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	0	0	0	0	0
	<b>2018</b>	0	0	0	0	0
<b>Dating Violence</b>	<b>2020</b>	1	0	0	1	1
	<b>2019</b>	1	0	0	1	1
	<b>2018</b>	1	0	0	1	1
<b>Stalking</b>	<b>2020</b>	0	0	0	0	0
	<b>2019</b>	2	0	0	2	0
	<b>2018</b>	1	0	0	1	0

# Campus Annual Fire Safety Compliance Report

## Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008 and requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus housing statistics related to student housing. The following public disclosure report details all information required by this law as it relates to Richard Bland College.

## On-Campus Housing Fire Safety Equipment

All Richard Bland College residence halls are protected by a fire suppression system that includes detection, manual pull stations, and an audible alarm. The fire system is monitored by Siemens, an off-site fire system monitoring company, 24 hours/day and seven days/week. Depending on the type of activation, Siemens may only call the Department of Campus Safety and Police or may also call the local fire department. An example of Siemens only calling the Department of Campus Safety and Police would be when a single smoke detector is activated in only one area of one apartment because a student burned food on the stove. An example of Siemens calling the local fire department and the Department of Campus Safety and Police would be when smoke is detected in the hallway of more than one apartment, or if a sprinkler is activated.

The buildings are also equipped with an emergency generator. Upon loss of power, the generator automatically activates to ensure adequate egress lighting in hallways and emergency exit stairwells. The fire system and all fire extinguishers are strictly maintained and tested in accordance with applicable state regulations and national standards.

## Fire Safety Education, Training, Inspections, and Fire Drills

Fire extinguisher training along with CPR and first aid is made available to the Office of Residence Life staff, Residence Life Coordinators (RLCs) and Residential Advisors (RAs). All on-campus residents (including those with special needs) are briefed on fire safety issues at the beginning of each semester through floor meetings. Residents are required to comply with the fire safety regulations outlined in the "Student Handbook," which includes information on fire safety and appropriate action(s) to take during a fire alarm or fire emergency evacuation.

Fire drills are conducted in residence halls each semester. The Department of Campus Safety and Police conducts and observes the drills. The drills are conducted to ensure proper functioning of the building fire alarm system and to familiarize residents with the process of evacuation. Occupants must evacuate for a drill just as they would for a real fire. When the fire alarm sounds, everyone must evacuate the building immediately every time. All fire alarms must be treated like a fire situation. Failure to evacuate the building, or evacuate in a timely manner, may result in disciplinary action. In addition, anyone involved in initiating a false alarm, inappropriately discharging a fire extinguisher or tampering with fire protection alarms and systems will face disciplinary action and possible criminal charges.

## **Student Housing Fire Evacuation Procedures**

Students are required to follow and know the procedures written in the Student Handbook for evacuation of residential facilities in the event of a fire or fire drill. The fire evacuation procedures, listed below, can be accessed through the College website at:

<http://www.rbc.edu/campus-life/student-handbook/>

When the fire siren sounds, everyone must leave the building immediately. No one is to return to the building until a member of the Department of Campus Safety and Police or other authorized College or responding official gives permission. All persons must stand 50 feet away from the buildings. All persons must stand clear of roadways to allow firefighting equipment to reach the building.

## **Fire Prevention Policies**

The fire prevention policies and regulations can also be found in the Student Handbook.

Everyone has access to the Student Handbook through the College website at:

<http://www.rbc.edu/campus-life/student-handbook/>

## **Fire Safety Regulations**

High importance is placed by Richard Bland College on promoting fire safety in the residence halls and encouraging all students and student groups to take leadership in this area. Students are expected to participate in regular residence hall fire drills and attend periodic fire safety programs in order to understand how to manage the risks and respond appropriately in case of emergency. There are serious sanctions for those who, through violation of fire codes, create a danger for others. This includes setting off false alarms, tampering with firefighting equipment, or failing to leave a building when a fire alarm is activated. Sanctions will range from loss of privileges to dismissal from the College.

Each student room will be inspected at least twice a year to determine whether fire safety regulations are being followed. College personnel retain the right to conduct additional room inspections to ascertain safety conditions.

In general, when students present concerns or ideas that could result in safer residence halls, the Office of Residence Life will consider those suggestions.

All residents are expected to observe the following regulations critical to the prevention of fires in residence halls:

1. The use or possession of any dangerous chemical or explosive material, such as fireworks, gunpowder, gasoline, etc., is prohibited within the residence halls.
2. The possession, lighting or burning of candles, incense, oil lamps, lanterns, grills or any device capable of producing an open or enclosed/contained flame or odor is prohibited in all student residences.
3. The possession or burning of oil lamps, other flammable items, or substances that produce an offensive odor is prohibited.
4. The possession or use of halogen lamps is prohibited.
5. Residents found to be tampering with fire alarms, smoke detectors, or fire extinguishers are subject to College disciplinary action and/or legal prosecution. The same sanctions apply to calling an ambulance or fire-fighting apparatus without just cause.
6. The hanging of any object or item from ceilings or fire sprinkler heads is prohibited.

7. Room doors, corridors, stairways, and building exits should be kept clear of obstructions at all times. Fire doors on corridors and in stairways should be kept closed at all times.
8. All residents and guests must evacuate any building in which a fire alarm sounds. Persons refusing to evacuate constitute a hazard and will be subject to disciplinary action.

### **Room Decorations and Modifications**

Room decorations and modifications are important in personalizing student rooms, but students should make plans that enhance their personal safety.

Wall hangings, posters, or other hanging room decorations must be affixed to and flush with the wall using products approved by the Office of Residence Life. Wall hangings or beads cannot cover exit routes. The indiscriminate use of nails, tacks, or screws is prohibited. Students should not hang objects from the ceiling, sprinkler system, or any component of the fire alarm system. Because of the importance of ceiling tiles in preventing the spread of fire, students are prohibited from removing or replacing ceiling tiles or storing items above the ceiling tiles.

All decorative materials shall be non-combustible or flame resistant. These materials must have a tag stating that they are non-combustible or have a certificate of flame-resistant treatment.

Fresh cut trees or cut greenery is prohibited in campus residence halls.

String lighting cannot be strung from wall to wall across hallways, exit routes, or fixture to fixture. All lights must be flush to the wall.

1. Curtains, draperies, hangings, and other decorative materials suspended from walls shall be flame resistant or non-combustible.
2. Decorative materials shall not exceed 10 percent of the aggregate area of walls and ceilings.
3. No decorations or other objects shall be placed to obstruct exits, access thereto, egress therefrom, or visibility thereof.

### **Electrical Appliance Regulations**

Students are not permitted to have in their residence hall rooms any appliance with open flame, including, but not limited to, hot plates, electric grills, and space heaters. Refrigerators must be no larger than 4.2 cubic feet and/or 2.0 amperes. Ceiling fans and dimmer switches are also not permitted. Extension cords are not permitted for any reason. Any length UL listed multi-plug devices are permitted only if they have a built-in circuit breaker (surge protector). The College reserves the right to reject any electrical appliance that it considers as potentially hazardous to the safety of students and others.

### **No Candle/Open or Enclosed Flame Policy**

The possession, lighting or burning of candles, incense, oil lamps, lanterns, grills or any device capable of producing an open or enclosed/contained flame or odor is prohibited in residence halls. Exceptions to this policy may occur only under the following condition:

- The activity is scheduled through the Manager of Student Engagement and approved by the Director of Operations and Capital Assets and the Director of Campus Safety and Police.

## Smoking

Smoking of any substance (including vapor e-cigarettes) is prohibited on Richard Bland College's campus, including campus buildings, college-owned and leased facilities, properties, grounds and all vehicles owned, rented, or leased by RBC.

## Fire Reporting

Students are required to report all fires. Call (804) 862-6111 to report a campus fire.

Department of Campus Safety and Police

Emergency Police/Fire/Rescue

(804) 862-6111

Non-Emergency

(804) 863-4085

Dinwiddie County Emergency Response

(804) 479-3755 or 911

Prince George County Emergency Response

(804) 733-2770 or 911

### Campus Fire Statistics for Richard Bland College of William and Mary Calendar Years 2018, 2019, 2020

Building	Category (cause)	Date/Time	Description	Calendar Year	Deaths	Injuries	Property Damage	Damage Value
Patriot Hall	Arson			2020	0	0	0	0
				2019	0	0	0	0
				2018	0	0	0	0
Patriot Hall	Unintentional	10/22/18 @ 1416	Kitchen	2020	0	0	0	0
				2019	0	0	0	0
				2018	0	0	1	\$ 30,000
Freedom Hall	Arson			2020	0	0	0	0
				2019	0	0	0	0
				2018	0	0	0	0
Freedom Hall	Unintentional	10/8/20 @ 1230 2/14/19 @ 1752 8/28/19 @ 1906 2/10/18 @ 0110	Flooring Stove Stove Oven	2020	0	0	1	\$ 0-99
				2019	0	1	1	\$ 0-99
				2019	0	0	1	\$ 0-99
				2018	0	0	1	\$ 500
Commerce Hall	Arson			2020	-	-	-	-
				2019	0	0	0	0
				2018	0	0	0	0
Commerce Hall	Unintentional	11/4/18 @ 1349	Socket	2020	-	-	-	-
				2019	0	0	0	0
				2018	0	0	1	\$ 0-99

\*Commerce Hall was not utilized as a residence hall in Calendar Year 2020.

All campus buildings on the core campus have the address of 11301 Johnson Road, South Prince George, Virginia, 23805.