

# Bethany



OGLEBAY GATES  
Bethany, West Virginia

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## 2022 Annual Security & Fire Safety Report



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# ANNUAL CAMPUS SECURITY REPORT

The Bethany College Department of Safety and Security makes the safety of Bethany College students, faculty, and staff its highest priority. However, achieving the goal of the safest possible campus requires the cooperation of all members of the College community. This report can inform students or employees of the College about the procedures involved in crime prevention and reporting.

## Campus Geography

The Bethany College campus is private property and is so designated by signs posted at various locations on campus. The campus located in Bethany, West Virginia, has a total population of approximately 700 students, faculty, and staff. Of this number, more than 550 are undergraduate students, including campus residents. Bethany College has extensive real estate holdings of approximately 1,100 acres, much of which is not considered “campus.”

Non-campus property is defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. Currently Bethany College has property that would be classified as non-campus property, namely Sigma Nu and Beta Theta Pi fraternity houses and leased property at Oglebay Stables.

## Annual Safety, Security and Fire Report Requests

Crime and fire statistics reported in this publication are for the Bethany College campus in Bethany, West Virginia, and can also be found by:

- MAIL: Bethany College, Office of the President, 31 E Campus Drive, Bethany, WV 26032
- PHONE: 304-829-7111
- E-MAIL: Direct inquiries to [presidentsoffice@bethanywv.edu](mailto:presidentsoffice@bethanywv.edu)
- ONLINE: Visit the Public Safety web page at [www.bethanywv.edu/students/safety-and-security/crime-statistics/](http://www.bethanywv.edu/students/safety-and-security/crime-statistics/) or through the U.S. Department of Education, Office of Post-Secondary Education Campuses Security website at <http://ope.ed.gov/security>.

## Daily Crime Log

A daily Crime Log is available for review in the Department of Safety and Security. The log records the date and time the incident was reported and occurred. All crimes and other serious incidents that

occur on campus, in a non-campus building or property, on adjacent public property, or within the department's patrol jurisdiction are logged.

The log includes the nature, date, time, and general location of each crime reported to the department, as well as the disposition of the complaint, if this information is known at the time of the incident. The information is posted within two business days of the incident being reported to the department.

## **Crime Response**

Bethany College does not retain a certified police department. All campus community members are encouraged to report crimes to the Department of Safety and Security. Crimes will be investigated as reported, though incidents involving life/safety issues receive a priority response. Property crimes in progress and other criminal acts with a high potential for violence also necessitate a rapid response. Requests for security officers to file reports on criminal acts not actually in progress or general assistance requests are taken in the order received.

## **Department of Safety and Security**

The Bethany College Department of Safety and Security exists to provide leadership in the Bethany College community efforts for a safe and secure environment in which all community members can live, learn, and work. The Department takes a community-service approach, developing and instituting methods and approaches that enhance the protection of people and property, promote the prevention of crime, and support the enforcement of College policy. A truly safer campus can be achieved only through the combined efforts of students, faculty, and staff. By coordinating the efforts of the College community in cooperation with local law enforcement agencies the Department of Safety and Security can achieve its commitment to a safer environment.

Bethany College contracted with Jefferson Security Services, Inc., a private security firm, through July 18, 2019 and currently contracts with McKeen Security, Inc., a private security firm, to provide security officers on campus. The Director of Safety and Security is a full time employee of Bethany College. The Department of Safety and Security is located on the first floor of Cummins Community Center. The Department is open and provides protection and services, 24 hours a day, 365 days a year. The Department is staffed by both full-time and part-time officers. All of the officers are trained in general security practices, standard first aid, and CPR. The officers do not have authority to make arrests. Therefore, the Department cooperates with and works closely with the Bethany Police Department and the Brooke County Sheriff's Department, by coordinating any necessary police responses or arrests on campus. All of the officers are radio equipped for an efficient response to community needs. The department has a designated patrol vehicle.

## Timely Warnings and Emergency Notifications

In the event that a situation arises, either on or off campus, that, in the judgment of College Officials, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through postings, the college supported e-mail system, and/or other means of communication deemed necessary by Bethany College.

The Dean of Students or the Director of Safety and Security will notify the Director of Communications in the event of an emergency on campus. The Director of Communications will then activate the Bethany College Emergency Notification System. Text messages will be sent to students, faculty, and staff who have opted into the messaging system advising them of an appropriate course of action. Campus security officers will also attempt to notify students of an impending emergency by use of a mass communication system through Emergency Blue Lights with speakers mounted in them.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Dean of Students may also post a notice on the Bethany College web site at [www.bethanywv.edu](http://www.bethanywv.edu) providing the college community with more immediate notification. In such instances, a copy of the notice may also be posted in each residence hall.

### **Emergency Notifications are warranted for:**

- Broad Focus situations - any significant emergency or dangerous situation (i.e. Natural disaster, armed intruder, or environmental incident);
- Anywhere on campus;
- Being sent to entire campus or segments;
- Alert issues immediately upon confirmation.

### **Timely Warnings are warranted for:**

- Clery Act Crimes;
- Clery Act Geographic Areas;
- Reports to campus security authority or local police agencies;
- Serious or continuing threats to students and employees;

Timely Warnings will be issued as soon as pertinent information is available and will be provided to the entire geographic area.

Anyone with information warranting a Timely Warning should report the circumstances to the Department of Safety and Security by phone (304) 830-3924 or in-person at the Safety and Security Office in the Cummins Community Center.

## **Annual Testing**

Bethany College conducts annual testing and evaluation of all emergency systems outlined in the above section. Information about the emergency response and evacuation procedures are made available on Bethany College's Emergency Preparedness website. The announced and unannounced tests, drills, and evacuations are coordinated, monitored, and evaluated through several departments including the Office of Communications, Department of Safety and Security, and the Residence Life Office. Announced tests and drills are publicized via email and the Bethany College website. The annual tests and drills are documented and are available for review.

## **Disclosure of Crime Statistics**

The Department of Safety and Security prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. The full text of this report is located on our web site at [www.bethanywv.edu/students/safety-and-security/crime-statistics/](http://www.bethanywv.edu/students/safety-and-security/crime-statistics/). This report is prepared in cooperation with the local law enforcement agencies surrounding our campus, Office of Student Life and Department of Safety and Security. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest, and referral statistics include those reported to the Department of Safety and Security, Campus Security Authorities, and local law enforcement agencies. Though not required by law, these statistics may also include crimes that have occurred in private residences or businesses.

Each year, an e-mail notification is made to all enrolled students, faculty, and staff that provides the website to access this report. Copies of the report may also be obtained at the Student Life Office, located in the Bethany House. All prospective employees may obtain a copy from Human Resources in Cramblet Hall, Room 303, or by calling (304) 829-7131.

## **How to Report Criminal Offenses**

### **To report a crime:**

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residence Halls should be reported to the Department of Safety and Security at (304) 830-3924. In addition you may report a crime to the following areas:



| College Official   | Phone Number | Location                 |
|--|--------------|--------------------------|
| Director of Safety and Security                                  | 304-830-3924 | Cummins Community Center |
| Dean of Students   | 304-829-7640 | Bethany House            |
| College Counselor  | 304-829-7572 | Health & Wellness Center |
| Director, Student Health Services Center                         | 304-829-7567 | Health & Wellness Center |
| Director, Personnel Services                                     | 304-829-7131 | Cramblet Hall            |
| Director of Student Conduct/Section 504 and Title IX Coordinator | 304-829-7064 | Bethany House            |
| Assistant Dean of Students                                       | 304-829-7064 | Bethany House            |

College procedures do provide for the reporting of crimes by victims or witnesses on a voluntary, confidential basis for inclusion in the annual security report. Only reports submitted to the College Counselor are considered to be confidential.

**Access of Campus Facilities & Residence Halls**

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all College facilities is by key or card access, if issued, or by admittance via the Department of Safety and Security or Student Life staff with prior written approval of a department head or member of cabinet. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities.

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators of the College review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Directors of Physical Plant, Residence Life, and Department of Safety and Security meet periodically to discuss issues of pressing concern.

The College provides on-campus housing for more than 550 students. Access to residence areas is restricted. Residence Hall Policy requires that exterior doors be locked in all buildings and at all times, except for evening classes, activities, or events authorized by the proper faculty or administrator. All

residents are issued a key or key card for personal access. A resident must accompany all guests entering a residence hall.

It is the policy of Bethany College to provide security of campus personnel and appropriate access to College property. Bethany College Policy Manual Volume II Section 2.10.2 describes the control, use, and possession of keys to campus facilities, including general provision, design of keying systems fabrication, responsibility for issuance, key issuance procedures, lost keys, provision for contractor access, and key and building security.

1. GENERAL PROVISION. Unauthorized fabrication, duplication, possession, or use of keys to facilities of Bethany College is a crime. College keys are Bethany College property and may be recovered at any time.
2. DESIGN. Design of the keying system is the responsibility of the Physical Plant. The design will ensure security and reasonable convenience to personnel occupying campus facilities.
3. FABRICATION. The Physical Plant fabricates all keys and performs all lock changes for campus facilities, except for work performed by on-site contractors under the direction of the Physical Plant. Records of keys issued to staff members will be kept by the Physical Plant. Keys issued to students will be kept by the Office of Residence Life. The records will consist of names of the individual to whom keys are issued, dates of issue/return /lost. College keys will not be duplicated, except by the Physical Plant.
4. RESPONSIBILITY-ISSUANCE. All persons issued Bethany College keys shall, at all times, be held responsible and accountable for said keys. Appropriate administrators may request and delegate the issuance of keys only as necessary and in accordance with the Key Issuance Procedures of the College.

Bethany College is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Personnel assigned to the Department of Safety and Security conduct security surveys to ensure campus lighting is adequate. If lights are inoperative, a notification is sent to the maintenance department for repairs to be undertaken.

## **Identification Cards**

All students, faculty, and staff members at Bethany College are issued personal identification cards. Cards may be used to gain access to certain locations, dining facilities, and college services. Lost or stolen cards should be reported immediately to the Office of Student Life by telephone at (304) 829-7631 during regular business hours. Students may also report lost or found cards by contacting the

Department of Safety and Security. If a student loses their card when the Office of Student Life is closed, the student may contact the Department of Safety and Security to be let into their residence hall with valid ID. Any stolen card should also be reported immediately to the Department of Safety and Security.

## **Other Physical Security Measures**

Security cameras are in place at various locations around the Bethany College campus and residence halls. Recorded images may be used as evidence in criminal and/or College investigations and/or case adjudications.

The College has installed 13 Emergency Blue Light Call Boxes throughout campus at various high traffic locations. Additionally, the Call Boxes are equipped with two surveillance cameras. The Call Boxes are equipped with immediate one button calling directly to the Department of Security Cell Phone. Atop each call box, an emergency blue light will strobe to indicate it has been activated. Several of the Call Boxes are equipped with mass communication speakers.

The Department of Safety and Security is responsible for security and emergency response at Bethany College. It is also responsible for providing support services tailored to the specific needs of the Bethany community. The following are some of these services:

1. Operating the walking escort service for students and workers upon request;
2. Assisting campus motorists who have are in need of jump-starts;
3. Responding to all campus emergencies;
4. Issuing parking permits for students, faculty, and staff;
5. Distributing crime-prevention materials and information;
6. Providing lost and found services;
7. Coordinating the monitoring and testing of all fire prevention, burglary, and panic alarm systems and equipment on campus, (in conjunction with College Physical Plant personnel);
8. Making inspections of buildings and grounds for fire, safety, and security hazards (in conjunction with College Physical Plant and Office of Student Life personnel).

During the academic year, representatives of Physical Plant, Student Life, and Safety and Security meet periodically to discuss issues of concern.

## **Campus Law Enforcement Authorities**

As required by the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act* (“Clery Act”), colleges and universities must annually compile and publish crime, fire, and security information about their campuses. Under this law, “Campus Security Authorities” are mandated to report crimes brought to their attention for inclusion in Bethany’s Annual Security and Fire Safety Report. Campus Security Authorities include Bethany College officials with significant responsibility for students or campus activities, such as:

- Office of the President
- Office of the Executive Vice President and General Counsel
- Department of Safety and Security
- Office of the Dean of Students
- Office of Residence Life
- Office of Student Activities
- Director of Student Health Services
- Faculty Advisors to Student Organizations
- Faculty, staff and administrators with student employees
- Reservations, Information & Conference Services
- Athletics: all coaching staff
- Resident Assistants

The criminal offenses that “Campus Security Authorities” are required to report are murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible, sexual assault including rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug violations and illegal weapons possession. In addition to these criminal offenses, statistics are disclosed separately for Violence Against Women Act including any incidents of domestic violence, dating violence, and stalking.

All of the security officers are trained in general security practices, standard first aid, and CPR. The Department cooperates with and works closely with the Bethany Police Department and the Brooke County Sheriff’s Department, by coordinating any necessary police responses or arrests on campus. All of the officers are radio equipped for an efficient response to community needs.

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

The Bethany Department of Safety and Security maintains a close working relationship with the Town of Bethany Police Department. The security staff occasionally works with other law enforcement agencies in Bethany, including the Brooke County Sheriff’s Department. Meetings are held between

the leaders of these agencies on both a formal and informal basis. The officers of Safety and Security and Town of Bethany Police communicate regularly on the scene of incidents that occur in and around the campus area. The Town of Bethany Police Investigators work closely with the staff at the College's security department when incidents arise that require joint efforts, resources, crime related reports, and exchanges of information, as deemed necessary.

## **Accurate and Prompt Crime Reporting**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Bethany College Department of Safety and Security in a timely manner. To report a crime or an emergency on the campus, call Safety and Security at extension X-7744 or, from outside the College phone system, 304-830-3924.

All Bethany Security Department incident reports are forwarded to the Dean of Students office for review and potential action by the Office of Student Life. Bethany College Security Officers will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of Student Life.

If assistance is required from the Town of Bethany Police Department or Brooke County Sheriff's Department, a Bethany College Security Officer will contact the appropriate unit. If a sexual assault, rape, domestic violence, dating violence, or incident of stalking should occur, staff on the scene, including Student Life and Safety and Security, will offer the victim a wide variety of services. The victim will be provided written notification of support services, offices, and remedies available both within the community and the College.

Victims may call 911 to be connected directly to public service resources including police, sexual assault help center, fire, and ambulance.

This publication contains information about on-campus and off-campus resources. That information is made available to provide Bethany College community members with specific information about the resources that are available in the event that they become the victim of a crime. The information about "resources" is not provided to infer that those resources are "reporting entities" for Bethany College.

Crimes should be reported to the Department of Safety and Security to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported only to the local rape crisis center would not be included in the College's crime statistics.

## **Support for Victims of Crime**

Victims of crime at Bethany College can expect to receive compassion and support from a variety of resources on campus.

### **Department of Safety and Security**

The Department of Safety and Security provides advocacy, referrals, and support for students, staff, and visitors who are victims of crime at Bethany. When appropriate, staff will accompany a victim to the hospital or to court, assist in obtaining protective orders or warrants, coordinate with the Brooke County Prosecutor's Office, and guide the victim through the criminal justice system. Referrals are also made to campus and community support programs. The Department of Safety and Security can be contacted at (304) 830-3924.

### **Counseling Center**

The Counseling Center provides confidential, ongoing therapeutic support to students on topics such as dating violence, sexual trauma, and assault. Phone contact is (304) 829-7572.

### **Title IX Coordinator**

This office works with campus community members to uphold the College's Title IX Sexual Harassment Policy and other policies prohibiting dating violence, domestic violence, stalking, harassment, or assault and give individuals the opportunity to pursue disciplinary proceedings against a responding party. The office will also issue an order to the responding party to have no contact with the reporting party or to adhere to appropriate interim measures when necessary. In addition to the aforementioned services, the Title IX Coordinator is responsible for ongoing trainings throughout the year for faculty, staff, and students. Continuous awareness events including things like Red Bison Week in October (raises awareness for sexual violence and misconduct), Sexual Assault Awareness Month programs in April, including the Clothesline Project, education of Greek organizations on assault and dating violence issues, NCAA Title IX training requirements, among other programming is scheduled throughout the year. Phone contact is (304) 829-7064. Individuals wishing to report a Title IX complaint or concern may also email [titleix@bethanywv.edu](mailto:titleix@bethanywv.edu).

### **Mandatory Sexual Assault and Sexual Harassment Training**

Bethany College requires all campus community members to participate in on-line training. Each year, the College educates incoming students by utilizing on-line training prior to their arrival on campus. In compliance with NCAA regulations, all student athletes are expected to complete several on-line trainings each year, as well. Bethany College participated in the Attestation Program through the NCAA.

Faculty and staff are required to complete the on-line training each year in compliance with Title IX best practices. Employee training consists of completion of an on-line course followed by group training and discussion as needed

Additional training is provided for special groups upon request including Greek Letter Organizations, clubs, and/or classes.

## **Bystander Intervention**

Bethany College asks that all members of the campus community intervene where they do not feel their own safety is compromised to prevent incidents of sexual violence or misconduct. Three methods of intervention that are encouraged arise from the “three D” method. First, the direct method of intervention (asking if an individual is okay, removing an individual from a situation); second, the delegations method of intervention (contacting an RA, on call staff member, security, or 911); finally, the distract method of intervention (this includes things like telling someone their car is being towed, perhaps dropping a drink to interrupt a moment, among other things). Members of the community are encouraged to take the aforementioned examples and practice them in sober, controlled moments to prepare for real life situations. Information on general risk reduction is also provided in conjunction with the bystander intervention training and separate sessions are provided for the community, including the awareness events about alcohol use, for instance.

Continued training throughout the year on methods of bystander intervention are offered, including during Red Bison Week, a week designed to spread awareness about issues of sexual violence and misconduct.

If you would like more information on bystander intervention, please contact the Title IX Coordinator at (304) 829-7064 or by emailing at [titleix@bethanywv.edu](mailto:titleix@bethanywv.edu).

## **Campus Guide Service**

Any campus community member may request a campus guide (walking escort) across campus by contacting the Department of Safety and Security by calling (304) 830-3924.

## **Counselors and Confidentiality**

The purpose of the Counseling Services Office is to provide short-term counseling or referral services for Bethany College students who are experiencing emotional, psychological, or other non-academic problems which are affecting their lives and studies at the College. Students with concerns, stresses, or other special needs may be provided with counseling and other support on campus, when feasible and appropriate, at no cost to the student. When a student cannot be directly helped by the Counseling Services Office, the Office will provide referrals to appropriate help off campus.

Students are responsible for the costs of any such off-campus help; that cost may be borne by the student or the student's parents and/or their health insurance. The Counseling Services Office aims to provide holistic (body, mind, and spirit) counseling services and other relevant support to all Bethany College students in need of its services in order to assist students in having a positive living and learning experience. Additionally, the Counseling Services Office seeks to promote emotional, psychological, mental, and spiritual wellness and growth in the student body as a whole. In most cases, counseling is confidential.

Appointments may be made by calling 304-829-7572.

Crisis services are available 24 hours a day through the on-call staff member of the Office of Student Life. To contact the on-call staff member of the Office of Student Life, please contact a Resident Assistant or Security Officer and ask them to have the "On-Call Staff Person" call you.

FOR EMERGENCY SITUATIONS WHEN A STUDENT MIGHT POSSIBLY HURT THEMSELVES OR OTHERS, CALL CAMPUS SECURITY CELL PHONE AT 304-830-1990 OR CALL AN EMERGENCY OPERATOR AT 9-911 FOR IMMEDIATE ASSISTANCE.

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

The rulemaking committee defines counselors as:

**Pastoral Counselor**

A person, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor**

An person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

**Security Awareness Programs for Students and Employees**

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.



Bethany College educates the student community about sexual assault, dating violence, domestic violence, and stalking during mandatory freshman orientations each fall. The Title IX Coordinator also meets with athletic teams and Greek organizations to discuss all of the aforementioned issues, as well. The Department of Safety and Security, Wellness Center Staff, Title IX Coordinator, and College Counselor also offer sexual assault education and information programs to College students and employees upon request.

When time is of the essence, information is released to the College community through security alerts posted prominently throughout campus, through memos sent over the college's electronic mail and/or the text message system.

## **Crime Prevention**

The Department of Safety and Security is committed to the prevention of crime and is pro-active in its efforts to prevent any potential problems. Crime prevention services include the following:

1. Responding rapidly to all calls for service and emergencies;
2. Investigating all reported crimes;
3. Cooperating with the Bethany Police Department and Brooke County Sheriff's Department;
4. Offering a wide variety of crime prevention materials through the Department of Campus Safety and Security and the Office of Student Life, including drug and alcohol information and personal security brochures; and
5. Sponsoring a variety of crime prevention and personal safety programs with the Office of Student Life, including RA training, personal safety, fire extinguisher training, CPR, and fire drills.

In addition, the Department of Safety and Security encourages everyone to adhere to the following tips:

1. Carry room and front door keys at all times and make certain that doors close and lock when entering or leaving buildings.
2. Do not admit uninvited guests or strangers into buildings without acceptable identification.
3. Report any suspicious persons or activity to the Department of Safety and Security (304-830-3924) or to a member of the Office of Student Life.
4. Students, not the College, are responsible for any property stolen or lost.

5. Do not prop doors open. Open doors are a leading cause of campus crime. Every member of the Bethany community must accept responsibility for keeping doors closed and locked at times when buildings are to be secured.
6. Walk in pairs during hours of darkness and use lighted walkways. When desired, during hours of darkness, students may request an escort from the Department of Safety and Security.

## **Crime Activity Off-Campus**

One of Bethany's fraternities is located off-campus. Each off-campus Greek housing unit is responsible for coordinating its maintenance and security issues with its individual housing corporation. The organizations are financially responsible for the maintenance and upkeep of their respective housing units. It should be noted that Bethany College considers these chapters as College representatives in the community, and therefore, reserves the right to sanction them for poor upkeep, lack of cleanliness, or any other display that would not be considered in good taste in representing the College.

All on-campus Greek housing units are entrusted to be self-governed on a day-to-day basis, as long as they follow Bethany residence hall standards. Off-campus Greek housing units are expected to be upstanding residents of the community. Due to this housing situation, Bethany College considers these students to be full-time representatives of the College in the community, and as such are expected to act and present themselves in a manner consistent with the high standards and ideals of Bethany College. In addition, the College allows all current Greek organizations to exist with the understanding that they uphold the ideals of the College.

## **Alcoholic Beverages**

Bethany College complies with federal, state, and local laws which regulate the possession, use, and sale of alcoholic beverages and controlled substances. The College also complies with the Drug Free Work Place Act of 1988 and the Drug Free Schools and Communities Act of 1998. The following activities, among others as detailed in the Bethany College Student Code of Conduct, are prohibited on College premises or at College sponsored activities:

4.2(c) *Prohibited alcohol related conduct.* Being a student: (1) under the age of twenty-one, who consumes or possesses alcohol; (2) who gives alcohol to a person under the age of twenty-one; (3) who drives or operates a vehicle while under the influence of alcohol; (4) who is in public or on College premises in an intoxicated condition; (5) who possess an open container of alcohol, regardless of their age, in or on any public sidewalk, street, or other place; or (6) failure of a student organization to take all necessary steps to ensure that no person under the legal drinking age is provided alcoholic beverages at a function it sponsors or within any property or transportation it owns, operates, or rents.

Every Bethany student must agree to abide by the policies and standards of the College as defined by the most current edition of the *Student Life Policies Vol. VII* and *Student Code of Conduct*. Moreover, Bethany College and the Town of Bethany have policies that specify compliance with WV State Law. It is illegal for anyone under the age of 21 to possess or consume alcoholic beverages; it is illegal to knowingly provide alcoholic beverages to anyone under the age of 21; and it is illegal for anyone of any age to possess, use, or distribute illicit drugs.

Since the primary objective of Bethany College is to contribute to the growth and development of students, it strives to maintain an environment free from conditions that may hinder that development. The use or misuse of alcohol often inhibits a student from achieving optimal academic success, reduces productive participation in a wide variety of enriching activities, and increases factors creating risks to healthy living.

1. The possession or consumption of alcoholic beverages by any student under the age of 21 is strictly prohibited.
2. Knowingly providing alcoholic beverages to anyone under the age of 21 is prohibited.
3. The possession or consumption of alcoholic beverages in any public area is prohibited unless permission has been granted for a social event by the Office of Student Life, Department of Safety and Security and Director of Student Activities. Public areas include, but are not limited to, athletic facilities, campus grounds, academic buildings, and common lounge areas.
4. Use or possession of alcoholic beverages by any student, regardless of age, in any residential facility designated as alcohol free by the Dean of Students is prohibited; specifically those designated as housing first year students.
5. Persons aged 21 and over are permitted to possess and consume alcoholic beverages in moderation and in the privacy of their individual rooms or apartments, if in buildings NOT designated as alcohol-free. Students may be permitted to have in their possession, a maximum amount of one six pack or less of beer or one bottle of unfortified wine per person for personal consumption.
6. The purchase or use of a bulk quantity of alcoholic beverages, except when purchased from, supplied and staffed by licensed third party vendors, is prohibited in any facility. Bulk quantity is defined as kegs, pony kegs, beer balls, or cases. Any quantity of beer or wine in excess of the amount stated in 5 above is considered a bulk quantity.
7. Excessive Drinking, on-campus or off-campus, is considered irresponsible use of alcohol and a violation of the College's alcohol policies. *Excessive drinking* includes, but is not limited to, intoxication, binge drinking, drinking games, and drinking to the point of physical illness or incapacitation.

8. Drinking games, including any activity that encourages the rapid ingestion of alcohol, are not permitted. Such games include, but are not limited to: Quarters, Beer Pong, Beirut, Power Hour, and Flip Cup. Paraphernalia identified as having been used in a drinking game, including tables, may be confiscated by College Officers and will become the property of the college.
9. Students are not permitted to display alcohol-related paraphernalia in plain view (empty bottles, funnels, beer bong, etc.) at any time. Alcoholic beverage containers of any kind should not be in view of the public. Violations of this regulation may result in disciplinary action to the housing unit and/or the individuals involved.
10. Serving, possessing, or consuming hard liquor or grain alcohol is strictly forbidden.
11. Alcoholic beverages (beer or wine only) may be served at social events, only through third party vendors, approved by the Department of Student Life. The officers of a student organization sponsoring a social event where alcoholic beverages are to be served are required to sign a statement accepting full responsibility for compliance with the laws of the State of West Virginia and with Bethany College policies. Registration forms for events and guidelines for parties are available in the Department of Student Life.
12. Students and student organizations are responsible for the conduct of their guests and for compliance with State law and College policy.
13. Violations of the alcohol policy will result in student disciplinary action and/or legal action.

## **Illegal Drug Possession**

It is illegal for anyone of any age to possess, use, or distribute illicit drugs. Possession of prescription drugs by those other than the named prescription holder is prohibited. Distribution of prescription drugs to anyone other than the named prescription holder is prohibited. Possession with intent to distribute will result in immediate expulsion from Bethany College. Possession and/or consumption will result in immediate suspension for at least one semester from Bethany College. Possession of drug paraphernalia is prohibited and will result in student disciplinary action and/or legal action. Violations of the Illegal Drug Policy will result in student disciplinary action and/or legal action.

## **Substance Abuse Education**

The College's substance abuse program includes several components to support its efforts to remain drug-free, including:

1. Supervisory training;
2. Employee awareness program;

3. Drug testing for accidents involving injury and/or property damage; and
4. Drug testing when a supervisor reasonably suspects that an employee is “under the influence” during working hours.

All information related to drug and/or alcohol screening is to be kept strictly confidential. The information will be kept in each employee’s medical file, which is maintained separately from the employee’s personnel file. These medical files will be kept locked and secured, and access will be limited to the Human Resources Department. Under no circumstances shall the results of a drug and/or alcohol screen be discussed with individuals who do not have a work-related need to know.

If employees are involved in an accident during working hours causing damage to property or which requires medical attention away from the premises, they may be screened to determine whether they test positive for drugs and/or alcohol.

If a supervisor suspects that an individual is at work and under the influence of alcohol and/or drugs, the supervisor shall notify the Director of Personnel Services and/or an officer of the College to seek authorization to test the employee. The supervisor will be granted permission to have the employee tested if sufficient objective symptoms exist to indicate the employee may be under the influence of drugs and/or alcohol.

While the College does not condone the abuse of alcohol, prescription drugs, and/or use of illegal drugs, Bethany College does recognize that addiction to drugs and/or alcohol can be treated. If an employee recognizes a personal addiction or abuse problem and seeks assistance from the College in advance of detection, the organization will assist the employee in seeking treatment. The confidential nature of the employee’s counseling and rehabilitation for drug and/or alcohol abuse will be preserved.

Additional information regarding pain management and Opioid Abuse can be found here:

Chronic Pain: <https://www.asahq.org/whensecondscount/pain-management/types-of-pain/chronic/>

Opioid Abuse: <https://www.asahq.org/whensecondscount/pain-management/opioid-treatment/opioid-abuse/>

Opioid Treatment and Risks: <https://www.asahq.org/whensecondscount/pain-management/opioid-treatment/>

Non-Opioid Treatment: <https://www.asahq.org/whensecondscount/pain-management/non-opioid-treatment/>

## **Amnesty Policy**

Student Code of Conduct Section 12. Student health and safety are of primary concern at Bethany College. As such, in cases of intoxication, alcohol poisoning, or other drug-related medical emergencies, Bethany encourages individuals to seek medical assistance for themselves or others.

a) Bystander: Any student or student organization who, in good faith and in a timely manner, seeks emergency medical assistance for a person who reasonably appears to be experiencing an overdose from alcohol or drugs may not be held responsible for a violation of prohibited alcohol or drug related conduct only, as defined in this Code, if the student or student organization does all of the following:

1. Remains with the person who reasonably appears to be in need of emergency medical assistance due to an overdose until such assistance is provided;
2. Identifies himself or herself, if requested by emergency medical assistance personnel, law-enforcement officers, or College officials;
3. Cooperates with and provides any relevant information requested by emergency medical assistance personnel, law-enforcement officers, or College officials needed to treat the person reasonably believed to be experiencing an overdose; and
4. Completes any additional conditions imposed on the student or student organization by the Campus Student Code Administrator.

b) Distressed Student: If the person who reasonably appears to be experiencing an overdose from alcohol or drugs is also a student, he or she will not be held responsible for a violation of prohibited alcohol or drug related conduct, as defined in this Code, but may be required to complete additional conditions imposed by the Campus Student Conduct Administrator in order to receive amnesty.

This Policy applies only to those students who seek emergency medical assistance in connection with an alcohol or drug-related medical emergency and does not apply to individuals experiencing an alcohol or drug-related medical emergency who are found by College officials (e.g., Campus Security, Residential Life Staff, and College Administrators).

This Medical Amnesty Policy does not excuse or protect students who repeatedly violate the College's Student Code of Conduct. In cases where repetitive violations of the College's Student Code of Conduct occur, Bethany College reserves the right to take action on a case-by-case basis regardless of the manner in which the incident was reported. Additionally, the College reserves the right to adjudicate any case in which the violations are flagrant violations of the Student Code of Conduct.

The Dean of Students, Director of Student Conduct, or their designee reserves the right to contact any student to discuss an incident whether or not the Amnesty Policy applies. In addition, Bethany College reserves the right to notify parents as per The Parental Notification Policy found Section 11 above.

This provision only applies to violations of this Code. As it relates to any criminal prosecution, students should see the West Virginia Alcohol and Drug Overdose Prevention and Clemency Act, W. Va. Code §§ 16-47-1 to -6, which can be found here:

<http://www.legis.state.wv.us/wvcode/Code.cfm?chap=16&art=47#47>

### **Disclosure to Alleged Victims of Crimes of Violence or Non-forcible Sex Offences**

Bethany College will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Bethany College will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

### **Emergency Response and Evacuation Procedures**

In the event of a campus wide emergency, a notice will be sent immediately and without delay to students, faculty and staff to their Bethany College e-mail address notifying them of the emergency and procedures to follow.

The same notification will be posted on the College’s web site at [www.bethanywv.edu](http://www.bethanywv.edu). A text message will also be sent to those persons who have listed their cell phones with the Office of Student Life.

The message will indicate the emergency and the procedures to follow.

All emergencies need to be reported by calling 911 or Security at 304-830-3924.

Depending on the situation, Lock-Down or Building Evacuation Procedures could be initiated by the Crisis Management Team which is comprised of the Dean of Students, the Director of Communications, the Director of the Physical Plant and the Director of Safety and Security or an officer assigned to the Department of Safety and Security.

### **Crisis Management Team Members**

| <b>Area of Responsibility</b> | <b>Primary Member</b>      | <b>Alternate Member(s)</b> |
|-------------------------------|----------------------------|----------------------------|
| Communications                | Director of Communications | Communication Assistant    |

|              |                                 |                                  |
|--------------|---------------------------------|----------------------------------|
| Security     | Director of Safety and Security | Security Supervisor              |
| Facilities   | Director of Physical Plant      | Asst. Director of Physical Plant |
| Student Life | Dean of Students                | Asst. Dean of Students           |

Cabinet Members will be engaged with the CMT and ensure appropriate resources and guidance are provided to the CMT.

#### Crisis Management Team (CMT)

- Dean of Students
- Director of Communications
- Director of Safety and Security

### **Building Evacuation**

Depending on the situation, the evacuation area could be outside or inside. The emergency notification will indicate this and will instruct you as to a location where to evacuate. In the event of an evacuation, ALL personnel must evacuate the area immediately and proceed to the designated evacuation area.

### **Missing Student Notification**

At the beginning of each academic year, Bethany College will request all on-campus residents to read, complete, and sign the missing person policy and voluntarily provide a name and number of an emergency contact person in case a student is reported missing for more than 24 hours or is reported missing under suspicious circumstances.

If a Bethany College residential student is suspected missing for more than 24 hours or missing under suspicion of unusual circumstances, please contact Department of Safety and Security at 304-830-3924 or any member of the Bethany College Student Life Staff at 304-829-7631. If a student is a commuter, please contact Department of Safety and Security at the number listed above.

All suspected missing persons will be investigated by Bethany College. If, after an investigation, it is suspected the student is missing, a *Missing Person Report* will be filed with the appropriate authorities and law enforcement agencies and a designated contact person or parent or guardian will be notified within 24 hours of the filed report.



## **Weapons**

College policy prohibits anyone other than on-duty commissioned police officers from carrying weapons on campus. Students who plan to use weapons in legal recreational activities shall not bring them to campus or store them in their vehicles.

## **Sexual Assault Prevention and Response**

Bethany College takes sexual harassment very seriously. Each year Bethany College educates the campus community through various trainings and prevention programming. If you have experienced sexual assault, dating violence, domestic violence, or stalking at Bethany, your first priority should be to get to a place of safety. You should then obtain medical treatment in cases where it is applicable.

Bethany College strongly advocates that a person who has experienced sexual assault, dating violence, domestic violence, or stalking (referred to herein as “Complainants”) report the incident in a timely manner to the Bethany College Department of Safety and Security at (304) 830-3924. All staff and faculty members, except for nurses and/or doctors at the Wellness Center, the College counselor, and the College chaplain, are mandatory reporters and will assist Complainants with notification of the Department of Safety and Security, if he/she/they request(s) their assistance.

Time is a critical factor for evidence collection and preservation. Complainants will be encouraged and assisted with the preservation of evidence to ensure that they have the ability to proceed with criminal prosecution. Complainants will be given the option of filing a police report and assistance in contacting local authorities to obtain protective orders and/or to proceed with criminal prosecution, among other legal recourse. Filing a report with the Department of Safety and Security will not subject the Complainant to scrutiny or judgmental opinions from others.

The College may make interim Supportive Measures (academic, residential, or otherwise), including, but not limited to, no contact orders, for a student who has filed a complaint alleging a violation of the College’s Title IX Sexual Harassment Policy. The College will also take any other interim actions that are appropriate to ensure the safety and security of the campus community. All alleged violations of the Title IX Sexual Harassment Policy will be investigated by the designated investigators.

Complainants are encouraged to seek assistance from resources offered by the College including counseling, health services, and interim accommodations as needed. The College has a grievance procedure for all violations of the Title IX Sexual Harassment Policy that can be found here:

<https://www.bethanywv.edu/student-life/title-ix/title-ix-policy/>

## **Title IX Sexual Harassment**

Bethany College prohibits all forms of sexual harassment, including but not limited to these definitions:

**Title IX Sexual Harassment:** conduct on the basis of sex that satisfies one or more of the following –

- A College employee (including a faculty member) conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct. *Also known as quid pro quo sexual harassment.*
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a College Education Program or Activity.
- **Sexual Assault:** any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders or gender identities.

Sexual Assault includes the following:

- **Rape:** the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity;
- **Sodomy:** oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity;
- **Sexual Assault with an Object:** to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening, or other bodily orifice, of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity;
- **Fondling:** the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity;
- **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or

- **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent.
- **Domestic Violence:** a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the West Virginia, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of West Virginia.
- **Dating Violence:** an act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship is determined based on a consideration of the (1) length of the relationship, (2) type of relationship, and (3) frequency of interaction between the persons involved in the relationship.
- **Stalking:** a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for his/her/their safety or the safety of others, or (2) suffer substantial emotional distress.

**Retaliation:** an adverse action or other form of negative treatment, including but not limited to intimidation, threats, coercion, discrimination or harassment, carried out in response to a good-faith reporting of or opposition to Title IX Sexual Harassment; an individual's or group's participation, including testifying or assisting in the College's Title IX Procedures; an individual's or group's refusal to participate in the College's Title IX Procedures; or other form of good faith opposition to what an individual reasonably believes to be Title IX Sexual Harassment under this Policy.

Individuals are also protected from retaliation for making good faith requests for accommodations on the basis of religion or disability.

To be a Policy violation for Retaliation, the challenged actions or treatment must be sufficiently serious to discourage a reasonable person from further reporting, participation, or opposition.

Charging an individual with a Policy violation for making a materially false statement in bad faith in the course the College's Title IX process does not constitute Retaliation. The exercise of rights protected under the First Amendment also does not constitute Retaliation.

## **Definitions Outlined by West Virginia Law**

Sexual assault is considered to be any act involving the use of physical violence, threats of bodily harm, or psychological pressure to force or to attempt to force someone into sexual acts (as defined in *Chapter 61, Article 8B of the West Virginia State Code*).

Domestic assault is considered an act by any person involving an unlawful attempt to use force capable of causing physical pain or injury against his or her family or household member or the unlawful commission of an act that places his or her family or household member in reasonable apprehension of immediately suffering physical pain or injury (as defined in *Chapter 61, Article 28 of the West Virginia State Code*).

Dating violence is defined in the Bethany code as violence committed by a person who is or has been in a romantic or intimate relationship with the victim.

Stalking is an act by any person involving repeatedly following another, knowing or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress (as defined in *Chapter 61, Article 9a of the West Virginia State Code*).

**A person that has experienced any of the acts outlined above should follow this procedure:**

1. Contact someone in a position to offer assistance. This might be an RA, a staff member with the Department of Student Life, a house president, or a College counselor (counselor's phone numbers are listed below), Department of Safety and Security, or a member of the staff of the Wellness Center.
2. The College can assist students seeking legal recourse for sexual assault, domestic violence, dating violence, and/or stalking. The College can also assist in contacting the Bethany Police Department or the Brooke County Sheriff's Department.
3. For personal use, the victim may wish to write down what happened so details can be remembered to present when filing charges either with the College or law enforcement in relation to the incident.
4. Arrange a meeting with the Title IX Coordinator to file a formal complaint and begin the Formal Title IX Grievance Procedure. The formal procedure includes the College's formal investigation and hearing process.
  - a. During the Formal Title IX Grievance Procedure, both the Complainant and Respondent may have an Advisor of their choice or a College-trained Advisor to provide assistance and guidance during the Title IX process. Both the Complainant and the Respondent are required to have an Advisor at the formal hearing.
  - b. Both the Complainant and Respondent will be provided notification in writing of options for available assistance (also known as "Supportive Measures"), including available changes to academic situations, living situations, working situations, and other supportive measures including no contact orders. These measures will be made

available regardless of whether the Complainant chooses to file a formal complaint, or report the incident to law enforcement or security.

- c. Both the Complainant and Respondent will also be provided with a list of on-campus and off-campus confidential resources.
5. If desired, the Complainant may also arrange a meeting with the Brooke County Sheriff's Department, if pressing charges beyond the College disciplinary system.

**Sources of Assistance for Sexual Assault, Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Victims:**

1. Student Life On-Call Staff: 304-830-3933 (available 24 hours a day, 7 days a week when school is in session)
2. Dean of Students: 304-829-7640
3. Bethany College Counselor: 304-829-7572
4. Director of Student Health Services: 304-829-7567
5. Department of Safety and Security: 304-829-7744
6. Sexual Assault Help Center: 304-234-8519, 800-884-7242
7. Wheeling Hospital: 304-243-3000
8. Brooke County Sheriff: 304-737-3660
9. Brooke County Prosecutor: 304-737-4185
10. Weirton Medical Center Emergency Services: 304-797-6100
11. Family Violence Prevention Program-Wheeling: 800-698-1247
12. National Suicide Prevention Lifeline: 800-273-8255
13. Wheeling YWCA: 304-232-2748

**Throughout this process, a demonstrable effort is made to ensure privacy. The protections in place under the Title IX Sexual Harassment Policy related to privacy are as follows:**

1. All inquiries, complaints, and investigations are treated with discretion. Information is revealed only as law and policy permit or require. However, the identity of the reporting

party is usually revealed to the person(s) accused of such conduct. The identity of the reporting party is also revealed to any witnesses with consent of the reporting party.

2. Publicizing information about alleged sex discrimination or retaliation is strictly prohibited and may be considered a violation of College policy. The Family Educational Rights and Privacy Act (“FERPA”) also protects student’s records by restricting the amount of people who have access to Title IX investigative materials and/or records.
3. *Responsible Employees* are expected to be discreet, but are required by the College to promptly consult with Title IX Coordinator by telephone, email, or online reporting form to share known details of an incident of alleged Title IX Sexual Harassment.
4. Generally, most College employees are considered Responsible Employees with an obligation to report. However, licensed professionals in Counseling, Student Health, and Ministry are not considered Responsible Employees for Title IX reporting purposes; reporters and therefore are the only absolutely confidential resources on campus.
5. If an individual would like to report an incident or speak to someone about an incident and desires that details of the incident be kept strictly confidential, they are encouraged to speak with staff members of the Counseling Center, Student Health, the Campus Chaplain, or off-campus rape crisis resources, who will maintain confidentiality to the extent permitted by law.
6. College counselors are available to help free of charge, and can be seen on an emergency basis. In addition, the individual may speak on and off campus with clergy and chaplains, who will also keep reports made to them confidential to the extent permitted by law.
7. A report can also be made anonymously by telephone, in writing, or electronically through the College’s website reporting system. Depending on the level of information available about the incident or the individuals involved, the College’s ability to respond to an anonymous report may be limited. The College will, however, take whatever steps it deems appropriate and in the best interests of the overall College community, consistent with the information available.

## Supportive Measures

Supportive Measures are non-disciplinary, non-punitive individualized services, accommodations, and other assistance that the College offers and may put in place, without fee or charge, after receiving notice of possible Title IX Sexual Harassment via a report to the Title IX Coordinator or an Official with Authority. Supportive Measures are designed to restore or preserve access to the College’s Education Program and Activity, protect the safety of all parties and the College’s educational environment, or deter Title IX Sexual Harassment, while not being punitive in nature or unreasonably burdening any party.

Supportive Measures are available regardless of whether the matter is reported to the College for the purpose of initiating any formal grievance proceeding and before, after, and regardless of whether a Formal Complaint is filed. A Complainant who requests Supportive Measures retains the right to file a Formal Complaint, either at the time the Supportive Measure is requested or at a later date. Any Complainant that requests Supportive Measures will be informed in writing of their right to simultaneously or subsequently file a Formal Complaint pursuant to this Policy.

The Title IX Coordinator will contact a Complainant after receiving notice of possible Title IX Sexual Harassment (1) to discuss the availability of Supportive Measures and (2) to explain that Supportive Measures are available with or without the filing of a Formal Complaint of Title IX Sexual Harassment. The Title IX Coordinator will consider the Complainant's wishes with respect to implementation of Supportive Measures.

Supportive Measures may also be requested by and made available to Respondents, witnesses, and other impacted members of the College community. The Title IX Coordinator will ultimately serve as the point of contact for any individual requesting Supportive Measures.

To determine the appropriate Supportive Measure(s) to be implemented, the Title IX Coordinator conducts an individualized assessment based on the unique facts and circumstances of a situation. Whether a possible Supportive Measure would unreasonably burden the other party is a fact-specific determination made by the College in its discretion that takes into account the nature of the education programs, activities, opportunities, and benefits in which an individual is participating.

Examples of Supportive Measures include, but are not limited to, the following:

- Academic support services and accommodations, including the ability to reschedule classes, exams, and assignments, transfer course sections, or withdraw from courses without penalty;
- Academic schedule modifications (typically to separate Complainant and Respondent);
- Work schedule or job assignment modifications (for College employment);
- Changes in work or housing location;
- An escort to ensure safe movement on campus;
- On-campus counseling services and/or assistance in connecting to community-based counseling services;
- Assistance in connecting to community-based medical services;

- Mutual no contact directives (to instruct individuals to stop all attempts at communication or other interaction with one another);
- Placing limitations on an individual's access to certain College facilities or activities;
- Work schedule or job assignment modifications, including suspending employment with or without pay consistent with any applicable written procedures (for College positions);
- Information about and/or assistance with obtaining personal protection orders;
- Leaves of absence;
- Increased monitoring and security of certain areas of the campus; or
- A combination of any of these measures.

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

## **Advisors**

Throughout the resolution process (whether informal or investigative), the Complainant and a Respondent may each have an advisor of their choice to provide support and guidance. An advisor may accompany the Complainant/Respondent to any meeting with the Title IX Coordinator, the investigator, or to a hearing.

Prior to the hearing, a party's advisor has an exclusively non-speaking role, and may not otherwise present evidence, argue, or assert any right on behalf of the party. And, at the hearing, an advisor's role is limited to quietly conferring with the Complainant/Respondent through written correspondence or whisper. An advisor may not speak for the party they are supporting or addressing any other participant or the Hearing Officer except as necessary to conduct cross-examination as explained below. Advisors must conduct the cross-examination of all witnesses directly, orally, and in real time at the hearing. Neither party may conduct cross-examinations personally.

The College (including any official acting on behalf of the College such as the Hearing Officer) has the right at all times to determine what constitutes appropriate behavior on the part of an advisor. For example, the College will not tolerate an advisor questioning a witness in an abusive, intimidating, or disrespectful manner. The College has the right to take appropriate steps to ensure compliance with the Policy and Procedures, including placing limitations on the advisor's ability to participate in future meetings and proceedings.



## Emergency Removal and Administrative Leave

**Emergency Removal of a Student-Respondent:** Where there is an immediate threat to the physical health or safety of any students or other individuals arising from reported Title IX Sexual Harassment, the College can remove a Student-Respondent from the College's Education Program or Activity and issue any necessary related no-trespass and no-contact orders. The Title IX Coordinator will make the decision to remove a Student-Respondent from the College's Education Program or Activity based on an individualized assessment and risk analysis. If the Title IX Coordinator makes such a decision, the Student-Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal.

**Administrative Leave of an Employee/Faculty-Respondent:** The College may place an Employee/Faculty-Respondent on administrative leave during the pendency of a Formal Complaint. An employee alleged to have committed Title IX Sexual Harassment will not be placed on administrative leave unless and until a Formal Complaint has been filed with the College. The Title IX Coordinator and/or the Deputy Title IX Coordinator, in his/her/their discretion and based on the circumstances, will determine whether any administrative leave imposed is to be imposed with or without pay or benefits.

## Disciplinary Proceeding Options

### Intake Process for Reports of Title IX Sexual Harassment

Once a report of Title IX Sexual Harassment is made to or received by the Title IX Coordinator or the Deputy Title IX Coordinator, the Title IX Coordinator shall review the report to determine appropriate next steps.

If the allegations reported, if true, would not constitute Title IX Sexual Harassment as defined in this Policy, the Title IX Coordinator will not proceed under this Policy and its Procedures. Instead, if the allegations reported, if true, would not constitute Title IX Sexual Harassment as defined in this Policy, the Title IX Coordinator may take one of the following actions: (1) address the report under the Student Code of Conduct, Campus Community Policies, Faculty Personnel Policies, Staff Personnel Policies, and/or Student Life Policies, as appropriate; (2) refer the matter to Human Resources, or other department, as appropriate, or (3) if the reported conduct would not constitute a violation of any College Policy, take no further action. The Title IX Coordinator will notify the Complainant of the action or referral.

After receiving a report of conduct that, if true, would constitute Title IX Sexual Harassment as defined in this Policy, the Title IX Coordinator will promptly contact the Complainant and:

- Discuss the availability of Supportive Measures;

- Explain that Supportive Measures are available with or without the filing of a Formal Complaint of Title IX Sexual Harassment;
- Inform the Complainant of the process for filing a Formal Complaint of Title IX Sexual Harassment; and
- Inform the Complainant that even if they decide not to file a Formal Complaint of Title IX Sexual Harassment, the Title IX Coordinator may do so by signing a Formal Complaint.

The Title IX Coordinator will also ensure that the Complainant receives a written explanation of available resources and options, including the following:

- Support and assistance available through College resources, including the Complainant's option to seek Supportive Measures regardless of whether they choose to participate in a College or law enforcement investigation;
- The Complainant's option to seek medical treatment and information on preserving potentially key forensic and other evidence;
- The process for filing a Formal Complaint of Title IX Sexual Harassment, if appropriate;
- The College's procedural options including Formal and Informal resolution;
- The Complainant's right to an advisor of the Complainant's choosing;
- The College's prohibition of Retaliation against the Complainant, the Respondent, the witnesses, and any reporting parties, along with a statement that the College will take prompt action when Retaliation is reported (and how to report); and
- The opportunity to meet with the Title IX Coordinator in person to discuss the Complainant's resources, rights, and options.

## **Informal Resolution**

Informal Resolution is an alternative resolution process that does not include an investigation or hearing. Informal Resolution is typically a spectrum of facilitated, or structured, and adaptable processes between the Complainant, the Respondent, and/or other affected community members that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent to acknowledge harm and seek to repair the harm (to the extent possible) experienced by the Complainant and/or the College community.

Informal Resolution is not available in cases involving a Student-Complainant and Employee-Respondent. Additionally, the Informal Resolution process may not commence unless and until a

Formal Complaint of Title IX Sexual Harassment is filed. Informal Resolution may be available, under appropriate circumstances, at any time prior to reaching a determination regarding responsibility.

The Title IX Coordinator reserves the right to determine whether Informal Resolution is appropriate in a specific case. Before the Title IX Coordinator commences the Informal Resolution process, both parties must provide informed consent in writing. In addition, where both parties and the College determine that Informal Resolution is worth exploring, the College will provide the parties with a written notice disclosing:

- The allegations;
- The requirements of the Informal Resolution process; and
- Any consequences resulting from participating or withdrawing from the process, including the records that may be maintained by the College.

### **Types of Informal Resolution**

- **Mediation through Informal Resolution:** mediation of the issue between the two parties conducted by the Dean of Students, for student cases, or the Vice President of Academic Affairs, in all other cases. Each party will have the opportunity to attend the mediation to advocate for their desired outcome.
- **Complainant-Sensitive Remedies:** the College will take all necessary steps to remedy the discriminatory effect(s) on the complainant and others. Examples of such complainant-sensitive remedies may include: order of no contact, residence hall relocation, adjustment of schedule, etc. These remedies may be applied to one, both, or multiple parties involved.
- **Prevention of Recurrence:** the College shall take reasonable steps to prevent the recurrence of Sexual Harassment in any form. If such reoccurrence takes place, those responsible for such behavior may be subject to action in accordance with College policy.
- **Written Notice of Outcome Deadline:** Written notice of the outcome of this informal resolution shall be given to the parties involved by the Title IX Coordinator or designee within three (3) days of the outcome.

At any time prior to reaching a resolution, either party may withdraw from the Informal Resolution process and proceed with the formal grievance process for resolving the Formal Complaint.

Once an Informal Resolution is agreed to by all parties, the resolution is binding and the parties generally are precluded from resuming or starting the formal grievance process related to that Formal

Complaint. Any breach of the terms of an Informal Resolution agreement may result in disciplinary action.

## **Formal Resolution Process**

### **The Investigation**

An investigation affords both the Complainant and the Respondent an opportunity to submit information and other evidence and to identify witnesses. Although the parties have the option to submit evidence and suggest witnesses to be interviewed, the burden of gathering information in the investigation is with the College.

When the formal resolution process is initiated, the Title IX Coordinator will designate an investigator who will be responsible for gathering evidence directly related to the allegations raised in a Formal Complaint of Title IX Sexual Harassment. The investigator must be impartial, free of any actual conflict of interest, and have specific and relevant training and experience. Specifically, the investigator will be trained on (1) issues of relevance; (2) the definitions in the Policy; (3) the scope of the College's Education Program or Activity; (4) how to conduct an investigation; and (4) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

A Complainant or a Respondent who has concerns that the assigned investigator cannot conduct a fair and unbiased review (e.g., has a personal connection with one of the parties or witnesses, etc.) may report those concerns to the Title IX Coordinator, who will assess the circumstances and determine whether a different investigator should be assigned to the matter.

#### **1. Investigation Timeframe**

The investigation of a Formal Complaint will be usually concluded within 90 days of the filing of the Formal Complaint. The parties will be provided with updates on the progress of the investigation, as needed, and will be alerted if the process will go beyond the 90-day timeframe.

#### **2. Interviews and Gathering Evidence**

**Interviews:** The investigator will interview the Complainant and Respondent in order to review the disciplinary process and to hear an overview of each party's account of the incident. Before any interview, the individual being interviewed will be informed in writing of the date, time, location, participants, and purpose of the interview. Such notice will be provided with sufficient time for the individual to prepare for the interview. The Respondent will be informed in writing if, during the investigation, additional information is disclosed that may constitute additional Title IX Sexual Harassment under the Policy.

Following the interview, each party will be provided with a draft summary of their statement so that they have the opportunity to comment on the summary and ensure its accuracy and completeness.

The parties' feedback may be attached or otherwise incorporated into the final investigative report to the extent deemed relevant by the investigator.

**Evidence:** During the interview, and as the investigator is gathering evidence, each party will be given the opportunity to identify witnesses and to provide other information, such as documents, communications, photographs, and other evidence. Although the College has the burden of gathering evidence sufficient to reach a determination regarding responsibility, all parties are expected to share any relevant information and/or any information that is requested by the investigator. Such information shared by the parties with the investigator may include both inculpatory and exculpatory evidence.

The investigator will review all information identified or provided by the parties, as well as any other evidence they obtain. Evidence obtained as part of the investigation that is directly related to the allegations in the Formal Complaint will be shared with the parties for their review and comment, as described below.

### 3. Draft Investigative Report and Opportunity to Inspect and Review Evidence

After all the evidence is gathered, and the investigator has completed witness interviews, the investigator will prepare a draft investigative report. The investigator will send each party, and the party's advisor, if any, the draft investigative report.

The investigator will also provide the parties, and their advisors, if any, with copies of all evidence directly related to the allegations of the Formal Complaint that was gathered during the investigation. Before doing so, the investigator may redact information in the evidence that is not directly related to the allegations of the Formal Complaint; information prohibited from disclosure pursuant to a recognized legal privilege; and/or a party's medical or mental health information/records unless the party consents in writing to the disclosure. The evidence may be provided in either an electronic format or a hard copy. Parties and their advisors may be required to sign a non-disclosure agreement that permits review and use of the evidence only for purposes of the Title IX grievance process.

The parties will have ten (10) days to review the draft investigative report and evidence and to submit a written response. The parties' written responses must include any comments, feedback, additional documents, evidence, requests for additional investigation, names of additional witnesses, or any other information they deem relevant to the investigation. Any party providing new evidence in their written response should identify whether that evidence was previously available to them, and if so, why it was not previously provided. The parties' feedback will be attached to the final investigation report.

Generally, only information that is provided to, or otherwise obtained by, the investigator during the course of the investigation will be considered in the determination of whether a Policy violation occurred. Any and all information for consideration by the Hearing Officer must be provided to the investigator prior to the final investigation report and will not be allowed during the hearing unless it can be clearly demonstrated that such information was not reasonably available to the parties at the

time of the investigation or that the evidence has significant relevance to a material fact at issue in the investigation. If, after the final investigation report is issued, a party provides or identifies evidence that they did not previously provide or identify despite that evidence being reasonably available to them during the investigation process, the Hearing Officer may, at their discretion, draw a negative inference from the party's delay in providing or identifying the evidence.

The investigator will review the feedback to the report, interview additional relevant witnesses (as the investigator deems appropriate).

#### 4. Final Investigative Report

After the time has run for both parties to provide any written response to the draft investigative report and evidence, and after the investigator completes any additional investigation, the investigator will complete a final investigative report. The investigator will submit the final investigative report of relevant information to the Title IX Coordinator. The investigator shall not make any credibility determinations in the investigative report regarding witness testimony and/or evidence.

The Title IX Coordinator will review the report for completeness and relevance, and direct further investigation as necessary before the report is provided to the Complainant and Respondent.

The investigator and/or Title IX Coordinator, as appropriate, may exclude and/or redact information or evidence from the final investigative report as follows:

- Information that is not relevant to the allegations raised in the Formal Complaint;
- Information about a Complainant's prior or subsequent sexual activity, unless such information about the Complainant's prior sexual behavior is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent; and
- Medical or mental health information, treatment and/or diagnosis, unless the party consents.

After the Title IX Coordinator reviews the report and any further investigation, if necessary, is completed, the final report will be shared with the Complainant, Respondent, and their advisors. The parties will have ten (10) business days to respond in writing to the final investigative report. The Complainant and Respondent must also submit in writing by that time the names of any witnesses the Complainant/Respondent wishes to testify and a summary of information each witness would provide through their testimony. Names of witnesses provided by the Complainant/Respondent will be shared with the other party.

After the ten (10) business day deadline, the Complainant and Respondent may not provide any additional written information for the hearing, unless that information was not reasonably available prior to the closing of the ten (10) business day window. The Hearing Officer determines whether to grant exceptions to this ten (10) business day deadline.

The Title IX Coordinator will determine what, if any, final changes or additions are made to the final investigative report based upon its review of the report and feedback as described above from the Complainant and Respondent.

The matter will then be referred to a Hearing Officer.

## **Hearing Procedure**

### 1. The Hearing Officer

The Hearing Officer will be selected by the College. The College retains discretion to select a Hearing Officer from a pool of individuals, based on a case-by-case basis.

All Hearing Officers receive annual training on the following: how to conduct a hearing; issues of relevance, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant; how to serve impartially by, among other things, avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and other relevant issues. The Hearing Officer will also be trained on any technology that might be used during a hearing.

### 2. Notice

Both the Complainant and the Respondent will be notified in writing of the date and time of the hearing and the name of the Hearing Officer at least five (5) calendar days in advance of the hearing, with the hearing to occur no fewer than ten days after the parties are provided with the final investigative report. The Hearing Officer will receive the names of the Complainant and the Respondent at the same time.

### 3. Bias and Conflict of Interest

The Hearing Officer must be impartial and free from bias or conflict of interest, including bias for or against a specific Complainant or Respondent or for or against complainants and respondents generally. If the Hearing Officer has concerns that they cannot conduct a fair or unbiased review, the Hearing Officer may report those concerns to the Title IX Coordinator and a different Hearing Officer will be assigned.

A Complainant and/or Respondent may challenge the participation of the Hearing Officer because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made within 48 hours of notification of the name of the Hearing Officer.

At their discretion, the Title IX Coordinator will determine whether such a conflict of interest exists and whether a Hearing Officer should be replaced. Postponement of a hearing may occur if a replacement Hearing Officer cannot be immediately identified.

#### 4. Pre-Hearing Procedures and Ground Rules

The Hearing Officer and/or the Title IX Coordinator may establish pre-hearing procedures relating to issues such as scheduling, hearing structure and process, witness and advisor participation and identification, and advance determination of the relevance of certain topics. The Hearing Officer will communicate with the parties prior to the hearing with respect to these issues and establish reasonable, equitable deadlines for party participation/input. If necessary, the Title IX Coordinator has the discretion to hold a pre-hearing conference with both parties, their advisors, and the Hearing Officer.

The Hearing Officer also has wide discretion over matters of decorum at the hearing, including the authority to excuse from the hearing process participants who are unwilling to observe rules of decorum.

#### 5. Participation of Advisors

Both parties must be accompanied by an advisor to the hearing. If a party does not have an advisor for the hearing, the College will provide an advisor of the College's choice for that party.

Each party's advisor must conduct any cross-examination of the other party and any witnesses. Apart from conducting cross-examination, the parties' advisors do not have a speaking role at the hearing; an advisors' participation is limited to conferring with the party at intervals set by the Hearing Officer.

#### 6. Participation of Parties and Witnesses

A party or witness who elects to participate in the process is expected, although not compelled, to participate in all aspects of the process (e.g., a witness who chooses to participate in the investigation is expected to make themselves available for a hearing if requested to do so).

If a party or witness elects to not participate in the live hearing, or participates in the hearing but refuses to answer questions posed by the other party through their advisor, the Hearing Officer will not rely on any statement of the non-participating party or witness in reaching a determination regarding responsibility. The Hearing Officer will never draw any inferences based solely on a party's or witness's absence or refusal to answer questions.

**“Statements”** for purposes of the hearing means factual assertions made by a party or witness. Statements might include factual assertions made during an interview or conversation, written by the individual making the assertions (including those found in a Formal Complaint), and memorialized in the writing of another (e.g. in an investigative report, police report, or medical record). Where



evidence involves intertwined statements of both parties (e.g. a text message exchange or an email thread) and one party refuses to participate in the hearing or submit to questioning about the evidence while the other does participate and answer questions, the statements of only the participating party may be relied on by the Hearing Officer.

If a party does not appear for the hearing, their advisor may still appear for the purpose of asking questions of the other party and witnesses. If a non-participating party's advisor also does not appear for the hearing, the College will appoint an advisor to participate in the hearing for the purpose of asking questions of the other party on behalf of the non-participating party.

Parties are reminded that, consistent with the prohibition on Retaliation, intimidation, threats of violence, and other conduct intended to cause a party or witness to not appear for a hearing are expressly prohibited.

#### 7. Witnesses

The Hearing Officer may, at their discretion, exclude witnesses or witness testimony the Hearing Officer considers irrelevant or duplicative. The Hearing Officer will explain any decision to exclude a witness or testimony as not relevant.

#### 8. Electronic Devices and Recording the Hearing

A Respondent, Complainant, advisor, and/or witness may not bring electronic devices that capture or facilitate communication (e.g., computer, cell phone, audio/video recorder, etc.) into a hearing room, unless authorized by the Hearing Officer.

The Title IX Coordinator will arrange for there to be an audio recording, or audiovisual recording, or transcript (or combination) of the hearing, which will be made available to the parties for review and kept on file by the College for seven years.

Reasonable care will be taken to create a quality recording or transcript. If making a recording of the hearing, the College must take all necessary steps to minimize technical problems, however, technical problems that result in no recording or an inaudible recording are not a valid basis for appeal.

#### 9. Hearing Location and Use of Technology

The hearing will be live, with all questioning conducted in real time. Upon request, the parties may be located in separate rooms (or at separate locations) with technology enabling the Hearing Officer and the parties to simultaneously see and hear the party or witness answering questions. A hearing may be conducted entirely virtually through the use of remote technology so long as the parties and Hearing Officer are able to hear and see one another in real time.

#### 10. Hearing Structure

The Hearing Officer has general authority and wide discretion over the conduct of the hearing. Although the Hearing Officer has discretion to modify the hearing structure, the general course of procedure for a hearing is as follows:

- Introductions;
- Respondent's statement accepting or denying responsibility;
- Opening Statement from the Complainant;
- Opening Statement from the Respondent;
- Questioning of the Complainant by the Hearing Officer;
- Cross-examination of the Complainant by the Respondent's advisor;
- Questioning of the Respondent by the Hearing Officer;
- Cross-examination of the Respondent by the Complainant's advisor;
- Hearing Officer questioning of other witnesses (if applicable);
- Cross-examination of other witnesses by the parties' advisors;
- Closing comments from the Complainant; and,
- Closing comments from the Respondent.

A Complainant or Respondent may not question each other or other witnesses directly; they must conduct the cross-examination through their advisors. Before a party or witness answers a cross-examination or other question, the Hearing Officer will first determine whether the question is relevant. The Hearing Officer may exclude irrelevant information and/or questions. The Hearing Officer will explain any decision to exclude a question or information as not relevant.

The evidence collected as part of the investigative process will be made available at the hearing to give each party an equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

#### 11. Determination Regarding Responsibility

Following the hearing, the Hearing Officer will consider all relevant evidence and make a determination, based on the **preponderance of the evidence standard**, whether the Respondent has violated the Policy.

A preponderance of the evidence standard means that, based on the information acquired during the investigation and the hearing, it is more likely than not the Respondent engaged in the alleged conduct.

## **Remedies and Sanctions**

In the event the Hearing Officer finds the Respondent responsible for a violation of the College's policies, appropriate remedies and sanctions will be determined by the Vice President for Student Life and Dean of Students. Remedies are designed to resort or preserve equal access to the College's Education Program or Activity and may be disciplinary or punitive.

Upon a finding of responsibility, the Complainant will be provided with remedies designed to restore access to the College's educational and employment programs and activities.

Sanctions for a finding of responsibility for Student Respondents include, but are not limited to, expulsion, suspension, disciplinary probation, recommended counseling, and/or other educational sanctions. In determining (a) sanction(s), the Vice President for Student Life and Dean of Students will consider whether the nature of the conduct at issue warrants removal from the College, either permanent (expulsion) or temporary (suspension). Other factors pertinent to the determination of what sanction applies include, but are not limited to, the nature of the conduct at issue, prior disciplinary history of the Respondent (shared only upon a finding of responsibility for the allegation), previous College response to similar conduct, and College interests (e.g., in providing a safe environment for all).

Sanctions for findings of responsibility for Employee and Faculty Respondents include, but are not limited to, progressive disciplinary action; prohibition from various academic or managerial responsibilities involving the Complainant or others; letter of reprimand placed in a Respondent's personnel file; restrictions on a Respondent's access to College programs or facilities; limitations on merit pay or other salary increases for a specific period; or demotion, suspension, or dismissal/termination from the College.

### 1. Written Notice Regarding Outcome and, if applicable, Sanctions/Remedies

After a determination regarding responsibility and, if applicable, a determination regarding appropriate remedies and/or sanction has been made, the Complainant and Respondent will receive a simultaneous written notification including the decision regarding responsibility and, as applicable, remedies and sanctions. The written notification will include the following:

- Identification of the allegations potentially constituting Title IX Sexual Harassment;
- A description of the procedural steps taken from the receipt of the Formal Complaint of Title IX Sexual Harassment, with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;

- Conclusions regarding the application of the College's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College's Education Program or Activity will be provided by the College to the Complainant; and
- The College's procedures and permissible bases for the Complainant and Respondent to appeal.

The written notification of outcome becomes final seven (7) days after it is sent to the Parties, unless an appeal is filed on or before that day.

## Appeals

A Respondent and Complainant both have the right to appeal (1) The Title IX Coordinator's decision to dismiss a Formal Complaint of Title IX Sexual Harassment; and (2) the Hearing Officer's decision regarding responsibility.

A party wishing to appeal the Title IX Coordinator's decision to dismiss a Formal Complaint of Title IX Sexual Harassment must file a written appeal statement within five business days of the date the decision to dismiss is communicated to the parties.

A party wishing to appeal a Hearing Officer's decision must file a written appeal statement within five business days of the date the written decision is sent to the parties. Appeal statements are limited to five pages. The written appeal statement must identify the ground(s) upon which the appeal is being made.

The only grounds for appeal are:

- New information not reasonably available at the time of the decision/hearing that could affect the outcome of the matter;
- The Title IX Coordinator, investigator, Hearing Officer, or Vice President for Student Life and Dean of Students, had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent specifically that affected the outcome of the matter;
- Procedural error(s) that affected the outcome of the matter.
- To determine whether jurisdiction was properly asserted under the Student Code of Conduct;

- To determine whether the underlying proceeding was conducted fairly in light of the charges and evidence presented, and in conformity with procedures described in the Student Code of Conduct, such that no significant prejudice to a student or the College resulted;
- To determine whether the facts in the case were sufficient to establish that a violation of the Title IX Policy occurred; and/or
- To determine whether the sanction(s) imposed were appropriate.

An appeal is not a re-hearing of the case. The College may summarily deny an appeal if it is not based on one of the enumerated grounds for appeal.

**Appellate Decision-Maker:** If the College does not summarily deny the appeal, the College will appoint an appellate decision-maker. The appellate decision-maker's role is limited to reviewing the underlying record of the investigation and hearing, the appealing party's ("Appellant") written appeal statement, any response to that statement by the other party ("Appellee"), and information presented at a meeting of the appellate decision-maker, if convened.

**Conflict of Interest:** The College will notify the Appellant and Appellee of the name of the appellate decision-maker. The Appellant and/or Appellee may challenge the participation of an appellate decision-maker because of an actual conflict of interest, bias, or prejudice. Such challenges, including rationale, must be submitted in writing to the College no later than forty-eight (48) hours after notification of the name of the appellate decision-maker. The College will determine whether such a conflict of interest exists and whether an appellate decision-maker should be replaced.

**Response to Appeal:** The appellate decision-maker will provide written notice to the Appellee that an appeal has been submitted and will give the Appellee an opportunity to review the appeal statement. The Appellee may submit a written response to the appeal ("response"). The response is due three (3) business days from the date the College provides written notice of the appeal to the Appellee. Response can be no more than five (5) pages. The College will provide the Appellant an opportunity to review the Appellee's response, and Appellant shall have an additional three (3) business days to provide an additional response in writing.

**Written Decision:** The appellate decision-maker will provide written notification of the final decision to the Appellant and Appellee simultaneously.

The appellate decision-maker will typically notify the parties of its decision regarding an appeal in writing within fourteen (14) business days from receipt of the appeal statement. If the decision will take longer, the parties will be informed. The decision of the appellate decision-maker will be final and no subsequent appeals are permitted.

## Sanctions and Remedies

In the event the Hearing Officer finds the Respondent responsible for a violation of the College's policies, appropriate remedies and sanctions will be determined. Remedies are designed to resort or preserve equal access to the College's Education Program or Activity and may be disciplinary or punitive.

Upon a finding of responsibility, the Complainant will be provided with remedies designed to restore access to the College's educational and employment programs and activities.

Sanctions for a finding of responsibility for Student Respondents include, but are not limited to, expulsion, suspension, disciplinary probation, recommended counseling, and/or other educational sanctions. In determining (a) sanction(s), the College and/or Hearing Officer will consider whether the nature of the conduct at issue warrants removal from the College, either permanent (expulsion) or temporary (suspension). Other factors pertinent to the determination of what sanction applies include, but are not limited to, the nature of the conduct at issue, prior disciplinary history of the Respondent (shared only upon a finding of responsibility for the allegation), previous College response to similar conduct, and College interests (e.g., in providing a safe environment for all).

Sanctions for findings of responsibility for Employee and Faculty Respondents include, but are not limited to, progressive disciplinary action; prohibition from various academic or managerial responsibilities involving the Complainant or others; letter of reprimand placed in a Respondent's personnel file; restrictions on a Respondent's access to College programs or facilities; limitations on merit pay or other salary increases for a specific period; or demotion, suspension, or dismissal/termination from the College.

## Rights of Complainant and Respondent

### **A Complainant has the Following Rights:**

1. To file a complaint with the Title IX Coordinator, an Official with Authority, or via the online reporting form.
2. To have the Title IX Coordinator file a complaint on behalf of the Complainant.
3. To receive written notification if the College is beginning the formal grievance procedure under Bethany College Policy Manual Volume 2.3.2, Title IX Sexual Harassment Policy.
4. To be treated with respect by College officials.
5. To have a college-provided advisor or an advisor of his/her/their choosing to help navigate the Title IX process and to cross-examine witnesses at a formal hearing.

6. To take advantage of campus support resources (such as Campus Ministry, the College Health and Counseling Center, etc.).
7. To take advantage of off-campus support resources.
8. To experience a safe living, educational, and work environment.
9. For residential students, the ability to request housing and living accommodations, if appropriate.
10. A “No Contact Order,” if appropriate.
11. Other supportive measures as requested or deemed appropriate by the Title IX Coordinator.
12. The option to participate in an Informal Resolution procedure, if the process is agreed to by all parties. The Title IX Coordinator reserves the right to determine whether Informal Resolution is appropriate.
13. To decline to participate in Informal Resolution procedures as the means for resolving an allegation.
14. To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
15. To a fair investigation performed by persons without bias or conflict.
16. To be free from retaliation for complaints made, or otherwise participating in an investigation in good faith.
17. To an appropriate resolution of all complaints alleging Title IX Sexual Harassment made in good faith to the appropriate College Official(s).
18. To be informed of the outcome/resolution of the complaint and the rationale for the outcome, in writing.
19. The ability to refer to law enforcement and to have assistance.
20. To file an appeal of the Hearing Officer’s decision, based on grounds enumerated in Bethany College’s Title IX Sexual Harassment Policy, Section XVI.

**A Respondent has the Following Rights:**

1. To receive written notification if officially accused of violating Bethany College Policy Manual Volume 2.3.2, Title IX Sexual Harassment Policy.
2. To be treated with respect by College officials.
3. To have a college-provided advisor or an advisor of his/her/their choosing to help navigate the Title IX process and cross-examine witnesses at a formal hearing.
4. To take advantage of campus support resources (such as Campus Ministry, the College Health and Counseling Center, etc.).
5. To take advantage of off-campus support resources.
6. To experience a safe living, educational, and work environment.
7. For residential students, the ability to request housing and living accommodations, if appropriate.
8. A “No Contact Order,” if appropriate.
9. Other supportive measures as requested or deemed appropriate by the Title IX Coordinator.
10. The option to participate in an Informal Resolution procedure, if the process is agreed to by all parties.
11. To decline to participate in Informal Resolution procedures as the means for resolving an allegation.
12. To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
13. To a fair investigation performed by persons without bias or conflict.
14. To be free from retaliation for complaints made, or otherwise participating in an investigation in good faith.
15. To an appropriate resolution of all complaints alleging Title IX Sexual Harassment made in good faith to the appropriate College Official(s).
16. To be informed of the outcome/resolution of the complaint and the rationale for the outcome, in writing.
17. The ability to refer to law enforcement and to have assistance.
18. To file an appeal of the Hearing Officer’s decision, based on grounds enumerated in Bethany College’s Title IX Sexual Harassment Policy, Section XVI.



## Sex Offenders

The Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) is a federal law that provides the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. It also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. Law enforcement agency information provided by the State of West Virginia can be obtained by visiting [www.wvstatepolice.com](http://www.wvstatepolice.com). Once at this site, click on “sex offender” and then select Brooke County in the “county” section.

## Specific Information about Classifying Crime Statistics

The statistics in this brochure are published in accordance with the standards and guidelines used by the FBI *Uniform Crime Reporting (UCR) Handbook* and relevant federal law (the Clery Act). The number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: murder/non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, and aggravated assault. For example, if an aggravated assault occurs, and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: robbery, burglary, larceny, vandalism, and arson. In cases of motor vehicle theft, each vehicle stolen is counted as a statistic.

## Hate Crimes

The Clery Act requires reporting of incidents where the offender’s bias against a person or property motivates them in whole or in part to commit the crime. This includes bias against race, gender, religion, sexual orientation, disability, or ethnicity/national origin. Incidents which fall under the Clery crimes above and thefts, assaults, intimidations, or vandalism must be reported.

## Crime Statistics

The following statistics were compiled from reports of events that occurred on campus from January 1, 2020– December 31, 2022.

|  |      |      |      |
|--|------|------|------|
|  | 2020 | 2021 | 2022 |
|--|------|------|------|

|                                  | On Campus | Residence Halls | Non-Campus | Public Property | On Campus | Residence Halls | Non-Campus | Public Property | On Campus | Residence Halls | Non-Campus | Public Property |
|----------------------------------|-----------|-----------------|------------|-----------------|-----------|-----------------|------------|-----------------|-----------|-----------------|------------|-----------------|
| Murder                           | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Negligent Manslaughter           | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Aggravated Assault               | 0         | 0               | 0          | 0               | 2         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Rape                             | 4         | 4               | 0          | 0               | 3         | 2               | 0          | 0               | 3         | 3               | 0          | 0               |
| Fondling                         | 1         | 1               | 0          | 0               | 2         | 2               | 0          | 0               | 2         | 1               | 0          | 0               |
| Incest                           | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Statutory Rape                   | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Burglary                         | 2         | 1               | 0          | 0               | 13        | 12              | 0          | 0               | 17        | 17              | 0          | 0               |
| Robbery                          | 1         | 1               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Motor Vehicle Theft              | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Arson                            | 0         | 0               | 0          | 0               | 1         | 1               | 0          | 0               | 0         | 0               | 0          | 0               |
| Liquor Law Violations            |           |                 |            |                 |           |                 |            |                 |           |                 |            |                 |
| Referred for Disciplinary Action | 21        | 21              | 0          | 0               | 10        | 10              | 0          | 0               | 8         | 8               | 0          | 0               |
| Arrests                          | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Drug Abuse Violations            |           |                 |            |                 |           |                 |            |                 |           |                 |            |                 |
| Referred for Disciplinary Action | 19        | 19              | 0          | 0               | 7         | 7               | 0          | 0               | 22        | 22              | 0          | 0               |
| Arrests                          | 3         | 3               | 0          | 0               | 0         | 0               | 0          | 0               | 0         | 0               | 0          | 0               |
| Weapons Possession               |           |                 |            |                 |           |                 |            |                 |           |                 |            |                 |

|   |   |   |   |   |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Referred for Disciplinary Action                                  | 0 | 0 | 0 | 0 | 4 | 2 | 0 | 0 | 1 | 1 | 0 | 0 |
| Arrests   | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Violence Against Women Act  |   |   |   |   |   |   |   |   |   |   |   |   |
| Stalking  | 3 | 2 | 0 | 0 | 4 | 3 | 0 | 0 | 3 | 1 | 0 | 0 |
| Domestic Violence   | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence   | 2 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 4 | 4 | 0 | 0 |
| Hate Crimes:  |   |   |   |   |   |   |   |   |   |   |   |   |
| 2022: None  |   |   |   |   |   |   |   |   |   |   |   |   |
| 2021: 1) Intimidation based on sexual orientation bias, On Campus |   |   |   |   |   |   |   |   |   |   |   |   |
| 2020: 1) Intimidation based on race on Campus                     |   |   |   |   |   |   |   |   |   |   |   |   |

## ANNUAL FIRE SAFETY REPORT

### Fire Safety Education

The best way to be protected in case of emergency is to be familiar with the environment. Be familiar with the emergency exits and be sure to know two ways out. Leave the building immediately when an alarm sounds. Inform the Department of Safety and Security if it is believed that someone has not evacuated the building.

1. **Preventing Fires:** The Fire Marshall has specified a number of items that are fire hazards and, therefore, prohibited in College residences. These items include extension cords, electric heaters, candles, incense, toaster ovens, hot plates, and electric burners. Students are prohibited from hanging anything from the ceiling; including tapestries or flags covering room lights. All prohibited items will be confiscated and the student subject to fines, judicial charges, or both. Specific regulations may be modified to reflect the diversity of residence hall wiring.

\*Serious offenses, such as any tampering with fire equipment (alarm, extinguishers, sprinkler heads, etc.), may result in removal from College housing, restitution, and additional sanctions, should the student(s) be found responsible.

2. **Responding to a Fire:** Immediate Evacuation is Safest. Use a fire extinguisher if the fire is small and know how to use it. But be sure the fire department is called first. If the fire cannot be put out, leave immediately. If a fire is discovered or suspected, sound the building's fire alarm. Warn the other occupants by knocking on doors and shouting when leaving. Take your room key in case you are unable to leave the corridor and must return to your room. Leave the building and move to a designated meeting place away from the building and out of the path of the fire department. Stay outside the building until the fire department or College officials say it is safe to go in. Call the Department of Safety and Security to summon the Fire Department. The Department of Safety and Security may be notified by dialing extension 304-829-7744 (x7744 from a campus phone), and give the following information:
  - a. Name of Building;
  - b. Floor;
  - c. Room Number; and
  - d. Nature of the Situation.

If for some reason this department cannot be reached, call 9-911 to reach the Brooke County Dispatcher.

3. **Surviving a Fire:** Crawl if there is smoke. If caught in smoke, get down and crawl. Cleaner, cooler air is near the floor. Cover your nose and mouth with a cloth. Get Low And Go! Before opening doors, feel the door. If it is warm, don't open it. If it is cool, brace yourself against the floor, open it slightly, and if heat or heavy smoke are present, close the door immediately and stay in the room. Go to the nearest exit or stairway: Always use an exit stair, not an elevator. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Stairway fire doors will keep out fire and smoke-if they are closed-and will protect you until you get outside. If the nearest exit is blocked by fire, heat, or smoke, go to another exit. Close as many doors as possible as you leave to help confine the fire.
4. **If You Get Trapped:** Keep the doors closed and seal cracks and vents if smoke comes in. If you become trapped in a room and there is no smoke outside, open the windows, from the top to let out the heat and smoke and from the bottom to let in fresh air. Signal for help: hang an object out the window (a bed sheet, jacket, shirt, etc.) to attract the fire department's attention. If there is a phone in the room, call the Department of Safety and Security and report that you are trapped. Be sure to specify your building and room number.

5. **Sometimes it is safer to stay in one place:** If all exits from a floor are blocked, go back to your room, close the door, seal any cracks, open the windows if safe, wave something out the window, and shout or phone for help. **DON'T JUMP!**
6. **If you are on fire:** If your clothes catch on fire, stop, drop, and roll. Rolling smothers the fire. Cool burns: Use cool tap water on burns immediately. Don't use ointments. If the skin is blistered, dead white, brown, or charred, go to the Health Services building or call the ambulance 9-911.
7. **Preventing Fires:** Smoke carefully and only in designated areas. If you smoke, don't smoke in bed or near flammable materials. Use large ashtrays and be sure ashes, matches, and cigarette ends are cold before you dump them. Don't smoke while intoxicated. Cook in approved areas or kitchens and use laboratory-tested appliances and stay nearby while appliances are being used. Remove grease and clean appliances as soon as possible. Don't overload outlets. Replace damaged wires.
8. **If You Have a Disability:** If you have a disability (even a temporary one), be certain to do the following:
  - a. Plan ahead for fire emergencies.
  - b. Be aware of your own capabilities and limitations.
  - c. Notify the College staff so that you can get assistance when needed.
  - d. Look for "areas of refuge" like stair enclosures or the safe side of corridor fire doors.
  - e. Do not use elevators or try to descend fire stairs in a wheelchair.
  - f. Sometimes it may be safer to stay in your room, and follow the advice for being trapped.
9. **If You Use Alcohol or Drugs:** You are especially vulnerable to smoke asphyxiation. Even healthy people may not be able to escape a fire if they are intoxicated. They may not hear the smoke alarm or be able to find an exit. Take special care of anyone who becomes intoxicated, particularly if the person is a smoker.
10. **Report Damaged Fire Equipment:** Report to the Department of Safety and Security any damaged fire equipment such as the following:
  - a. Fire Doors: Fire doors should close completely and automatically. Fire doors must be kept closed at all times.

- b. Exit Doors: Two exits should be visible from all public areas.
  - c. Fire Alarms: Horns, bells, and pull stations should be accessible and operational.
  - d. Smoke Detectors: Smoke detectors should not be blocked or vandalized.
  - e. Fire Extinguishers: Fire Extinguishers should be functional. Report when they are empty, have been vandalized, or are missing.
11. **Fire Alarms:** If a fire alarm sounds, students should close the windows, leave the room, closing the door behind them, and leave the building immediately through the nearest safe exit. Failure to evacuate during a fire alarm is a serious safety issue and violation of the Code of Student Conduct and will be dealt with very seriously. Tampering with or disconnecting smoke detectors is illegal and results in severe sanctions. Students with information about the nature of a false alarm shall report the information to College officials when they arrive on the scene. If the false alarm is pulled intentionally, the responsible person(s) will be held accountable under the Code of Student Conduct. Serious offenses such as any tampering with fire equipment (alarm, extinguishers, sprinkler heads, etc.) will result in disciplinary charges with possible sanctions including removal from College housing, restitution, and/or College suspension.
12. **Insure Personal Possessions:** Bethany College does NOT insure a student's personal property. Therefore, a student desiring insurance protection in the event of a fire must secure renter's insurance or make certain that parents' insurance covers personal property in Bethany. A student relying on parents' insurance should also make certain that coverage is adequate.
13. **Report Fire-Related Crimes:** Vandalism of fire extinguishers, exit signs, and fire alarms reduces fire protection, and is against the law. Any student found responsible for such vandalism will face disciplinary action with sanctions up to expulsion from the College and face criminal prosecution. A conviction could prevent a student from being admitted to graduate or professional school. Fires injure and kill people and destroy property. Therefore, anyone setting a fire shall be reported immediately.

## On Campus Student Housing Safety Report

| Building           | Fire Pumps /Sprinklers Inspections and conditions | Fire Alarm Systems Inspections, type and condition | Number of Portable Fire Extinguishers in Building | Fire Alarm Monitored On-Site by Security | Partial Sprinkler System | Full Sprinkler System | Smoke Detection | Fire Extinguisher Device | Evacuation Plans & Placard | Number of Evacuation (fire) drills Each Calendar year |
|--------------------|---|--|---|--|--------------------------|-----------------------|-----------------|--------------------------|----------------------------|---|
| Campbell Village 1 | Sprinkler System                                  | Silent Knight                                      | 12  | X  |                          | X                     | X               | X                        | X                          | 2   |
|                    | Passed Inspection                                 | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
| Campbell Village 2 | Sprinkler System                                  | Silent Knight                                      | 12  | X  |                          | X                     | X               | X                        | X                          | 2   |
|                    | Passed Inspection                                 | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
| Campbell Village 3 | Sprinkler System                                  | Simplex  | 9   | X  |                          | X                     | X               | X                        | X                          | 2   |
|                    | Passed Inspection                                 | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
| Campbell Village 4 | Sprinkler System                                  | Simplex  | 9   | X  |                          | X                     | X               | X                        | X                          | 2   |
|                    | Passed Inspection                                 | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
| Woolery House      | None  | Silent Knight                                      | 3   | X  |                          |                       | X               | X                        | X                          | 2   |
|                    |   | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
| Goodnight House    | None  | Silent Knight                                      | 3   | X  |                          |                       | X               | X                        | X                          | 2   |
|                    |   | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
| Zeta Tau Alpha     | None  | Silent Knight                                      | 3   | X  |                          |                       | X               | X                        | X                          | 2   |
|                    |   | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
| Phi Kappa Tau      | None  | Silent Knight                                      | 3   | X  |                          |                       | X               | X                        | X                          | 2   |
|                    |   | System Functional                                  |   |  |                          |                       |                 |                          |                            |   |
|                    | None  | Silent Knight                                      | 3   | X  |                          |                       | X               | X                        | X                          | 2   |

|                 |                   |                   |    |   |  |   |   |   |   |   |
|-----------------|-------------------|-------------------|----|---|--|---|---|---|---|---|
| Alpha Sigma Phi |                   | System Functional |    |   |  |   |   |   |   |   |
| Delta Tau Delta | None              | Silent Knight     | 3  | X |  |   | X | X | X | 2 |
|                 |                   | System Functional |    |   |  |   |   |   |   |   |
| Alpha XI Delta  | None              | Silent Knight     | 3  | X |  |   | X | X | X | 2 |
|                 |                   | System Functional |    |   |  |   |   |   |   |   |
| Phi Mu          | None              | Silent Knight     | 3  | X |  |   | X | X | X | 2 |
|                 |                   | System Functional |    |   |  |   |   |   |   |   |
| Harlan Hall     | None              | Silent Knight     | 7  | X |  |   | X | X | X | 2 |
|                 |                   | System Functional |    |   |  |   |   |   |   |   |
| Gresham House   | None              | Silent Knight     | 4  | X |  |   | X | X | X | 2 |
|                 |                   | System Functional |    |   |  |   |   |   |   |   |
| Phillips Hall   | Sprinkler System  | Silent Knight     | 23 | X |  | X | X | X | X | 2 |
|                 | Passed Inspection | System Functional |    |   |  |   |   |   |   |   |
| Cochran Hall    | Sprinkler System  | Silent Knight     | 8  | X |  | X | X | X | X | 2 |
|                 | Passed Inspection | System Functional |    |   |  |   |   |   |   |   |

## Fire Drills

State law requires periodic fire drills. Fire drills will be planned during reasonable hours, within the first two weeks of each semester. All residents must leave the building any time a fire alarm sounds. Failure to follow directions for fire drills may result in disciplinary action under the Student Code of Conduct and a fine of at least \$100.

## Portable Electric Appliances, Smoking, and Open Flames in Student Housing

Health and Safety inspections are conducted on a regular basis during the course of the academic year. These inspections are normally announced in advance but may take place without notification if deemed necessary by College staff. Staff conducting the search may consist of Office of Student Life Staff and/or Officers with the Department of Safety and Security. Staff members conducting the search



will have the right to open drawers, refrigerators, and other closed containers if a violation is found that could threaten the health and/or safety of the individual, the living environment, or if it is a violation of state or federal law.

Students found in possession of, or having in their residence hall room, any prohibited items may face student disciplinary charges under the Code of Student Conduct. Sanctions may include confiscation of the item(s), probation, fines, and educational sanctions, up to and/or including suspension or expulsion from the College for serious or repeat offenses.

The use of personal electrical appliances is limited because of sanitation, safety, and electrical concerns. The following are prohibited in all residence hall rooms: air conditioners (without medical documentation), toasters, toaster ovens, hot plates, space heaters, sun-lamps, halogen lights, hot pots, propane, gasoline, and electrical stoves or grills, ashtrays, oil lamps, any appliance with a heating coil, and extension cords. Refrigerators (not in excess of five cubic feet) are permitted. All approved appliances must bear the Underwriters Lab seal of approval.

Because of the danger of fire the use or possession of candles, incense, and incense holders or any open flame is prohibited in student rooms.

Grills that use charcoal, lighter fluid, propane gas, or other flammable substances are prohibited.

The use of tobacco products including, but not limited to cigarettes, cigars, pipes, and smokeless tobacco, is prohibited inside any of the College's facilities or vehicles. The use of tobacco products is allowed in designated areas outside any facility. Appropriate signage will be placed at entrances to all buildings advising employees and visitors that Bethany College maintains a tobacco-free environment. The administration of each facility will designate areas outside the building where the use of tobacco products is allowed. This policy relates to all work areas at all times, including before and after normal working hours.

## Reporting a Fire

Per federal law, Bethany College is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the **non-emergency** numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the Bethany College Department of Safety and Security may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Bethany College Office of Safety & Security (304) 830-1990

Bethany College Physical Plant (304) 829-7511

Bethany College Office of Student Life (304) 829-7631

When calling, please provide as much information as possible about the location, date, time and cause of the fire.

## Fire Safety Statistics

### STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES FOR 2020

| Residential Facility | Total Fires in Each Building | Fire Number | Cause | Injuries that Required Treatment at a Medical Facility | Number of Deaths | Value of Property Damage |
|----------------------|------------------------------|-------------|-------|--|------------------|--------------------------|
| Campbell Village 1   | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Campbell Village 2   | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Campbell Village 3   | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Campbell Village 4   | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Woolery              | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Goodnight            | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Zeta Tau Alpha       | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Phi Kappa Tau        | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Alpha Sigma Phi      | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Delta Tau Delta      | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Alpha Xi Delta       | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Phi Mu               | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Phillips Hall        | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Harlan Hall          | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Cochran Hall         | 0                            | 0           | 0     | 0  | 0                | 0                        |
| Gresham House        | 0                            | 0           | 0     | 0  | 0                | 0                        |

STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES FOR 2021

| Residential Facility | Total Fires in Each Building | Fire Number | Cause                             | Injuries that Required Treatment at a Medical Facility | Number of Deaths | Value of Property Damage |
|----------------------|------------------------------|-------------|-----------------------------------|--|------------------|--------------------------|
| Campbell Village 1   | 1                            | 1           | Non-Arson Ceiling Fan Malfunction | 0  | 0                | \$132,519                |
| Campbell Village 2   | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Campbell Village 3   | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Campbell Village 4   | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Woolery              | 1                            | 1           | Arson                             | 0  | 0                | 300                      |
| Goodnight            | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Zeta Tau Alpha       | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Phi Kappa Tau        | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Alpha Sigma Phi      | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Delta Tau Delta      | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Alpha Xi Delta       | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Phi Mu               | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Phillips Hall        | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Harlan Hall          | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Gresham House        | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
| Cochran Hall         | 0                            | 0           | 0                                 | 0  | 0                | 0                        |
|                      |                              |             |                                   |  |                  |                          |

STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES FOR 2022

| Residential Facility | Total Fires in Each Building | Fire Number | Cause | Injuries that Required Treatment at a Medical Facility | Number of Deaths | Value of Property Damage |
|----------------------|------------------------------|-------------|-------|--|------------------|--------------------------|
|----------------------|------------------------------|-------------|-------|--|------------------|--------------------------|

|                    |   |   |   |   |   |   |
|--------------------|---|---|---|---|---|---|
| Campbell Village 1 | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Campbell Village 2 | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Campbell Village 3 | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Campbell Village 4 | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Woolery            | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Goodnight          | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Zeta Tau Alpha     | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Phi Kappa Tau      | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Alpha Sigma Phi    | 1 | 1 | Non-Arson<br>Ceiling Fan<br>Malfunction | 0 | 0 | 0 |
| Delta Tau Delta    | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Alpha Xi Delta     | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Phi Mu             | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Phillips Hall      | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Harlan Hall        | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Gresham House      | 0 | 0 | 0                                       | 0 | 0 | 0 |
| Cochran Hall       | 0 | 0 | 0                                       | 0 | 0 | 0 |
|                    |   |   |   |   |   |   |