



ANNUAL SECURITY REPORT & ANNUAL FIRE SAFETY REPORT

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BRIDGEWATER
COLLEGE

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BRIDGEWATER COLLEGE ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT

September 21, 2016

Annual Security Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Act”) requires colleges and universities to report annually information regarding their campus security policies and campus crime statistics. This report is submitted in compliance with the Act. Notwithstanding any other statements or policies of the College to the contrary, the statements and policies set forth herein are, and reflect, the policies of the College with respect to the subject matters thereof, as of the date above written.

Bridgewater College is committed to providing a campus environment in which each student and employee feels safe and secure. Campus safety is the responsibility of all members of the extended College family. As students make up the largest percentage of this group, safety is highly impacted by student actions. The College coordinates its efforts, and maintains a close relationship, with local law enforcement officials. The Department of Student Life conducts residence hall programs on crime awareness and safety.

Much effort has gone into planning and outlining procedures to be followed in the event of the many types of emergencies that can occur on a college campus. The College’s security policies are described for students and employees in different ways to take into account, among other things, the residential nature of the relationship of most students with the College. Both policies are instructive for the whole community, however, and are described in this report.

General Procedures for Reporting a Crime or Emergency

Students, faculty, staff, guests, and community members are encouraged to promptly report all crimes and safety issues to the Campus Police and Safety Department for the protection of the entire campus community, to aid in providing timely warning notices to the campus community, and to ensure inclusion in the annual crime statistics. Each Campus Safety Officer carries a cell phone and can be reached by calling extension 5609 on the College phone system, or 540-828-5609 from outside the College phone system. Additionally, for any emergency one can contact 911 and an appropriate emergency response will be dispatched. Emergency “blue light” Call Boxes have been installed in the Geisert Hall, Kline Campus Center, and McKinney Hall parking lots. The Call Boxes are placed so that they are accessible without exiting a car, if necessary. Properly used, these Call Boxes should serve as an enhancement to our security posture in three of our largest parking lots. An emergency telephone is also located under the blue light at the entrance to the campus police office at 122 College View Drive.

Timely Warnings

In the event that a crime, as defined in 34 CFR 668.46(c)(1), is reported to a Campus Security Authority and is considered by the College to represent a threat to students and employees, the Campus Police and Safety Department will issue via campus-wide email a “timely warning” to

students, faculty and staff to aid in the prevention of similar crimes. The names and other identifying information of victims will be withheld as confidential.

Policies for Reporting the Annual Disclosure of Crime Statistics

This report is prepared in cooperation with the Campus Police and Safety Department, the Department of Student Life, the Title IX Coordinator, and local law enforcement agencies. Each campus office 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 Campus Police, Campus Security Authorities, and local law enforcement agencies. Counseling services staff inform their clients of the procedures to report crimes to the Campus Police on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to report crime statistics disclosed confidentially during such sessions.

Each year, an e-mail notification is made to all enrolled students and faculty and staff that provides a copy of this report, as well as the URL for the report on the College's web site. The web site address of the report is a part of the employment application, and the Admissions web page also includes the URL of the report. Printed copies of the Annual Security Report are available from the Office of the President as well as from the Chief of Campus Police and Safety.

List of Officials to whom Student and Employees Should Report Criminal Offenses. Although we encourage the reporting of campus criminal activity to the Bridgewater College Campus Police and Safety Department, in some instances members of the campus community may choose to file a report with one of the other Campus Security Authorities. Campus Security Authorities include:

- The members of the Campus Police and Safety department;
- Any individual or organization specified in the College's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of the College who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a Campus Security Authority when acting as a pastoral or professional counselor.

Any reportable crime made to a Campus Security Authority will be promptly communicated to the Campus Police. For reporting purposes at Bridgewater College, the following have been designated as Campus Security Authorities:

- Campus Police and Safety Department
- Executive Vice President
- Provost and Vice President for Academic Affairs
- Associate Dean for Academic Affairs
- Vice President for Student Life and Dean of Students
- Associate Dean of Students
- Title IX Coordinator
- Deputy Title IX Coordinator

- Director of Student Outreach Services
- Director of Residence Life
- Director of Academic Support Services
- Director of Career Services and Internships
- Director of Multicultural Services
- Director of Intramurals
- Director of Human Resources
- Faculty and Staff Advisors to Student Organizations
- Area Coordinators
- Senior Resident Advisors
- Resident Advisors
- Director of Student Activities
- Coordinator for Student Programs
- Coordinator for Outdoor and Leadership Programs
- Director of Student Health Services
- College Nurse
- Athletic Director
- Associate Athletic Director
- Athletic Team Coaches and Assistant Coaches
- Cheerleading coach
- Dance coach
- Director of Aquatics
- Athletic trainers

Confidential Reporting Procedures. If the victim of a crime does not want to pursue action within the College system or the criminal justice system, he/she may still want to consider making a confidential report. With the victim's permission, the Chief of Campus Police can file a report on the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while allowing the College to take steps to ensure the safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

Pastoral/Counselor Reporting Procedures. Licensed counselors and campus pastoral counselors are exempt from reporting requirements under applicable law. Bridgewater College encourages counselors and clergy, if and when they deem it appropriate, to inform those whom they counsel of the procedures for reporting crimes on a voluntary, confidential basis for inclusion into the Security Report. As noted, confidential reports/anonymous reports are extremely valuable in order to prevent further victimization and to obtain a more accurate portrait of Bridgewater College campus crime.

Safety and Security in the Residential Community - Access and Maintenance

During business hours, the College (excluding housing facilities) is open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key or College magnetic ID card.

Bridgewater College offers traditional residence halls and new apartment-style complexes that

provide on campus housing for approximately 1,500 students. Security safeguards for the residence halls include 24/7 secured access requiring either a key or a College magnetic ID card for entrance, exterior security cameras, with live streaming and motion detection recording, located at each ID card entrance, and external door prop alarm systems. Professional Area Coordinators and student Residence Advisors, all of whom are members of the Department of Student Life staff, live on campus and provide 24-hour staff coverage.

Although Bridgewater College is a safe campus, this does not mean that students should not be conscious of safety issues. Locking residence hall room doors is very important. Students are advised to lock their rooms any time they are vacant and at night. Students also are advised not to prop open exterior doors to the residence halls. These doors are locked to help ensure students' safety; they do not lock students in the building. Students are informed that the Campus Police and Safety Office, an Area Coordinator, or a Resident Advisor should be notified if a student sees someone who does not belong in a residence hall, parking lots, or other campus locations. Any individual who is viewed as a threat to the wellbeing of a member of the campus community may be removed from the College.

Campus Police and Safety personnel, as well as Area Coordinators and student Resident Advisors, are tasked with reporting to the Facilities Department areas of campus that may create safety concerns. The safety committee of the Student Senate regularly walks the campus with Facilities Department personnel to review lighting and safety conditions on campus.

Campus Police and Safety Department

The Campus Police and Safety Department strives to make the Bridgewater College campus a pleasant and safe place to live, study and work. It is the purpose of the Department to work with all members of the campus community to preserve life, maintain human rights, protect property, promote individual responsibility, and fulfill community commitments.

The Department is a recognized police agency by the Virginia Department of Criminal Justice Services. The Chief of the Department, Nicholas Picerno, Sergeant Rick Biller, and Officer Debra Spart are sworn police officers, and have full law enforcement authority on campus and can investigate crime, make arrests and enforce all laws. The Chief of Police, Sergeant Biller and Officer Spart have both completed active-shooter training.

The campus is patrolled 7 days a week, 24 hours a day by campus safety officers. Their responsibility is the security of the campus and the protection of the campus community and Bridgewater College assets. The office of the Campus Police and Safety Department is located at 122 College View Drive, one of the public streets that run through campus. The Chief of Campus Police can be reached by phone at 540-828-5761, and by email at npicerno@bridgewater.edu. Campus Safety Officers can be contacted 24 hours a day at 540-828-5609. Additionally, for any emergency one can contact 911 and an appropriate emergency response will be dispatched.

The Chief of the Campus Police and Safety Department reports to the Vice President for Student Life and Dean of Students. During daytime office hours, phone contact can be made with the Vice President for Student Life and Dean of Students at 540-828-5382. The email contact for the Vice President for Student Life and Dean of Students is lfrere@bridgewater.edu. During non-business hours, the Vice President for Student Life and Dean of Students may be reached by contacting 540-828-5609 and asking for a message to be provided to the Vice President for Student Life and Dean of Students.

Campus Police personnel work closely with local, state, and federal law enforcement agencies and have direct radio communication with local and county law enforcement. By mutual agreement with state and federal agencies, the Campus Police and Safety Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system Campus Police personnel can access the National Crime Information Computer system as well as the Virginia Criminal Information Network. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state, and federal law enforcement information.

Criminal activity engaged in by students at off-campus locations may be reported to Campus Police, depending on the jurisdiction in which the criminal activity occurs. This information is provided to the Dean of Students for any action or follow-up that may be required. If minor offenses involving College rules and regulations are committed by a Bridgewater College student within the College's Clery geography (as defined by 34 CFR 668.46(a)), the Campus Police and Safety Department will refer the individual to the Department of Student Life.

The College has mutual aid agreements with both the Virginia State Police, Rockingham County Sheriff's Department, and the Town of Bridgewater Police Department, for the use of their joint forces, equipment, and materials when needed in the investigation of any felony criminal sexual assault or medically unattended death occurring on property owned or controlled by the College or any death resulting from an incident occurring on such property.

Bridgewater College does not have any officially-recognized student organizations with off-campus locations.

Programs to Inform Students and Employees about Campus Security

New students are informed during orientation sessions at the beginning of each academic year about security and campus safety procedures and practices. Also described are typical types of crime situations that might arise on campus, and how to avoid them through crime prevention measures, including personal safety tips. There is also an orientation program for Area Coordinators and student resident advisors that includes crime prevention and security information. The program generally describes the security resources available, including a description of the responsibilities of safety and police personnel, crime reporting procedures and use of the security telephones.

Campus Police officers also provide crime prevention sessions in each residence hall, as well as convocations on safety issues for the student body. These sessions are held both in the fall and spring semesters. Additionally, a Campus Police officer conducts two RAD (Rape Aggression Defense) courses each school year for female students.

Campus Police and Safety personnel are available to provide escort assistance on campus to members of the campus community upon request twenty-four hours a day. Students and staff are encouraged to utilize this service anytime they feel uncomfortable with walking across campus. Students and staff are requested to call Campus Police and Safety at 540-828-5609 to request escort assistance.

Throughout all security programs a common theme is stressed: every member of the College community is responsible not only for her/his own safety, but also for the safety of others. Individuals

are encouraged to report any unusual or suspicious person or circumstances promptly to the Campus Police and Safety Department. In addition, Campus Police and Safety encourages the accurate and prompt reporting of all crimes when the victim of such crime elects or is unable to make such a report.

New employees are provided with information regarding security and campus safety procedures and practices, including a description of the responsibilities of safety and police personnel, crime reporting procedures and use of the security telephones.

Students of Concern

Bridgewater College has a "student of concern" assessment team that includes Student Life personnel, counseling staff, and student health staff, which evaluates students whose behavior exhibits dangerous warning signs. Depending on the student's behavior, the assessment team may also include Campus Police as well as a member of senior level administration. To facilitate bringing a student to the attention of the assessment team, the counseling office created a confidential online "I am concerned about a student ..." form, which faculty and staff can submit to express concern regarding a student's behavior. Once received, a counselor will evaluate the behavioral concerns and handle the matter accordingly. The director of the counseling center meets with faculty and residence life staff to review with them some of the warning signs to look for in students who may be experiencing mental or emotional health issues.

Policies Applicable to Students

Many of the security policies of the College applicable to students are set forth in the [*Eagle*](#), which is the College's student handbook. The following information is a portion of the policies found in the [*Eagle*](http://www.bridgewater.edu/files/EagleStudentHandbook.pdf) – <http://www.bridgewater.edu/files/EagleStudentHandbook.pdf>.

General Expectations. The College assumes that members of the student body will exhibit mature and responsible behavior. The policies and regulations of the campus are designed to encourage students in this direction. The College will not attempt to rigidly supervise the life of each individual student on campus or in the nearby community. However, as long as a person is a member of the student body we expect that each student will function in a manner that will reflect creditably on the College. Thus, unseemly conduct by individual students or interpersonal behavior that violates acceptable community standards of conduct will subject the student or students involved to disciplinary action, including possible suspension or expulsion from the College.

On occasion it is necessary for the College to investigate, confront and respond to matters of student conduct. Thus, the College retains the right to enter any part of the campus at any time, including such areas as residence hall rooms, storage rooms and lockers. College officials have both the responsibility and the authority to address incidents of alleged campus infractions and to issue censure commensurate with the offense. Nevertheless, any student so confronted and accused will have an opportunity to explain himself or herself through conversation with the appropriate College official or through a hearing before a conduct board.

Students are subject to the laws governing all private citizens as well as the rules of the College. Violation of laws by Bridgewater students on or off campus could result in legal action and/or jeopardize the student-College relationship. The College is not a sanctuary from the law or its representatives; nor does the College abdicate its own responsibility to deal with internal affairs even

when civil authorities are involved. For example, shoplifting, whether on or off campus, is a felony, and students caught are subject to criminal prosecution as well as disciplinary action by the College.

The College administration makes every effort to avoid arbitrary, harsh or unfair sanctions for student violations. Good citizenship in any community requires a great deal of responsibility on the part of all members. With this responsibility comes the obligation to refrain from infringing on the rights of others, whether through placing persons in danger or jeopardizing either personal wellbeing or property. However, when a student displays poor citizenship, blatant disregard for College policies, minimal academic motivation or an attitude inconsistent with reasonable expectations of a member of an academic community, the student may be subject to administrative review which could result in suspension or expulsion.

The College expects students to represent themselves in all places and at all times in a manner that shows respect for self, others and the College community. Being a Bridgewater College student means you are representing our academic community and the greater local community in Bridgewater, Virginia, and are serving as a contributing member of our global society.

The College has set forth the following student expectations:

- To have mutual respect for all members of the College community, and not harass, intimidate, assault, threaten or discriminate against any member of the College community
- Hold self and others accountable for adhering to community standards set forth in the Honor Code and Student Code of Conduct
- To be engaged in academic coursework and seek involvement opportunities through co-curricular and leadership activities
- To exhibit mature, ethical and responsible behavior at all times
- To be mindful of the safety of self and others
- To manage academic and personal affairs to the best of your abilities
- To not be a bystander and instead help your fellow members of the Bridgewater College community when there is a situation in which your involvement can make a difference in the lives of others

Students can expect the College to promote the following:

- Fairness and respect
- An open environment to give feedback
- Growth opportunities: academically, socially and personally
- Shared accountability for all members of the College community to adhere to all College policies
- An environment where there is freedom of expression
- Support for diversity and inclusiveness
- A residence hall environment where students have the right to be able to sleep, study and focus on academic endeavors
- Non-discrimination
- Access to College resources
- In situations where a student's behavior or citizenship is being reviewed an opportunity to share his/her viewpoints before a decision is made regarding an outcome
- Direct access to staff who can provide assistance, guidance and support

Bridgewater College's standards are built on the foundation of respect; respect for self, respect for others, and respect for the educational function of the College. The standards are intended to provide a framework for the campus community to live and work in and facilitate not only a respectful environment but also a safe and secure one. The standards are not intended to be punitive but rather the College promotes high standards of student conduct and is dedicated to fostering student growth through educational sanctioning and the promotion of a safe living-learning environment for all members of the College community. Students are held accountable for their actions and expected to reflect on how their behavior impacts the larger community and ways in which they can be more productive as citizens. The College works diligently to help students gain an understanding of community values and behavioral expectations. If students engage in behaviors that violate those standards, they are held responsible for their behavior through the student conduct system. The goals of this process are centered in educational growth and development and personal responsibility.

As with classroom or academic participation, the student conduct system is centered on student learning and developing the students' independent critical thinking, reflection and self-advocacy skills. As such the student is expected to be an active participant in the conduct process. By attending Bridgewater College students agree to abide by these policies regardless of personal opinions about the validity of policies and agree to the conduct processes as outlined in this handbook. If the alleged policy violation involves a violation of state or federal law parents may be notified of the conduct meeting outcome.

Enforcement of Campus Policies. When a violation of a College policy occurs, the College determines how to address it depending on the nature and severity of the infraction. The matter may be heard by a college official serving as hearing officer, a Conduct Hearing Board, or the Honor Council. The matter also may be handled administratively by the dean of students or the vice president and dean for academic affairs. Off-campus behavior that is viewed as dangerous to self or reflects poorly on the College may be reviewed by the department of student life and referred to a Conduct Hearing Board. The College reserves the right to escalate any incident to a Hearing Board depending on the severity of the situation, particularly when any campus community member's health or safety is involved. Students who participate in any elevated behavior due to alcohol consumption such as vandalism, violence, assault or failure to cooperate with campus police or residence life staff may be subject to additional sanctions. When multiple violations occur in a single incident, all applicable violations will be considered.

Our disciplinary hearing process makes a determination of responsibility; that is, whether the accused more likely than not committed the alleged act. In some instances circumstantial information can be sufficient to determine that an act was "more likely than not" to have occurred. The student life staff is responsible for the implementation of the student conduct and disciplinary system. Members of the student life staff, and/or members of a Conduct Hearing Board, will hear disciplinary cases, and sanctions may be imposed as outlined in the student handbook.

The hearing process is not open to the public. Accordingly, documents prepared in anticipation of the hearing, documents, testimony, or other evidence introduced at the hearing, and any transcript of the hearing itself may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

Please note that any complaint or allegation that involves or may involve Sexual Misconduct (as defined herein) will be handled through a separate disciplinary process limited to addressing such complaints or allegations. That process is described below.

Sanctions. Sanctions are a developmental and educational tool, whose purpose is to redirect the student's behavior towards a pattern more acceptable with community standards, if such redirection is beneficial to both the student and the community. Sanctions imposed are not effective until any timely appeal of the decision is resolved. However, if advisable to protect the welfare of the campus community, any probation, suspension, or recommended expulsion may be effective immediately and continue in effect until such time as the dean of students may otherwise determine. If the matter is appealed, the dean of students may suspend the determination pending exhaustion of appeal, or allow the student to attend classes or other activity on a supervised or monitored basis, or make such other modifications to the determination as may be deemed appropriate. Once a Board has taken action regarding a student violation of College policies, in cases involving a student-athlete, the director of athletics may add additional sanctions, which could include removal from a sports team or participation in intercollegiate contests.

The following list of disciplinary outcomes does not imply any set order of progression. Each of the sanctions may be issued without having been preceded by another on the list. For example, the College may issue a suspension or a written warning for a first offense. The same sanctions may be imposed whether the offense is addressed by a Conduct Hearing Board or handled administratively. In cases where a student plays an intercollegiate sport, his or her coach will be notified of the policy violation. In cases where a student is in the teacher education program, the department chair of the education program will be notified of any policy violation.

Possible sanctions include, but are not limited to:

- Documented verbal warning
- Written warning
- Disciplinary probation
- Letters of apology
- Educational programs (e.g., CHOICES, BASICS, Judicial Educator, attendance at workshops or panel discussions, reflective essays)
- Referrals to student health services and/or counseling services
- Alcohol or drug screening on a scheduled or random basis
- Restitution
- Fine
- Campus work hours
- Deferred suspension
- Denial of access to certain facilities or to campus at certain times
- Suspension
- Expulsion

The College will, upon written request, disclose to the victim (or, if the victim is deceased, the next of kin) of a crime of violence (see 18 U.S.C. 16), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense.

Possession, Use and Sale of Alcoholic Beverages and Illegal Drugs

Alcohol. In Virginia, people under 21 years of age may not possess, buy or use alcoholic beverages of any kind. Most of our students are under 21. The research in higher education supports that alcohol

can have negative impacts on students' academic study environment and can increase incidents of vandalism, violence and sexual assaults on college and university campuses. Therefore, the possession, use or distribution of alcoholic beverages on campus is not permitted. Students who violate College policy or local, state or federal laws regarding alcoholic beverages, including underage possession, are subject to College disciplinary action, criminal prosecution, fine and/or imprisonment. The College expects students to use good decision making with alcohol use and not engage in behavior that will negatively impact his or her educational and personal goals. If students use alcoholic beverages off campus, it is expected that they will maintain proper decorum when they return to campus. Any student found behaving in an inappropriate, rowdy, destructive or unsafe manner on campus while under the influence of alcohol or drugs will be found in violation of the College's alcohol policy.

Students and employees are informed that Virginia laws contain a variety of provisions governing the possession, use and consumption of alcoholic beverages. The laws apply to all students and employees. Some of the pertinent laws and sanctions for violations are summarized below.

- Drinking in Public - A fine not to exceed \$250
- Purchasing for Minors - Confinement in jail for up to 12 months, a fine not to exceed \$2,500, and loss of driver's permit for up to one year with loss of permit mandatory for at least six months
- Underage Possession - Fine not to exceed \$2,500, confinement in jail for up to 12 months, loss of driver's permit for up to one year but with loss of permit mandatory for at least six months
- Driving While Intoxicated - A fine not to exceed \$2,500 (mandatory minimum fine of \$250 for a first offense), mandatory jail time for a first offense based on the level of blood alcohol content, loss of driver's permit up to 12 months (for first offense)), use of certified ignition interlock system for restricted license

Illegal Drugs. Illegal drugs may not be marketed, possessed, used or distributed on campus. Any student found in possession or the presence of illegal drugs or drug paraphernalia (including hookahs) may be asked to appear before a hearing board. In the event of the use, possession or possession with apparent intent to distribute illegal drugs, Campus Police will be called to investigate the incident. If students are suspended they may forfeit their academic work for the current term. Virginia law provides stiff penalties for illegal possession or distribution of drugs. Bridgewater College will cooperate with law enforcement authorities in apprehending and prosecuting any alleged violators of drug laws. A student is found in violation of the College's drug policy if the student is found to be either using an illegal drug or in possession of an illegal drug (which could include evidence of recent possession or use) or drug paraphernalia.

Students and employees also are informed that the unlawful possession, distribution, and use of controlled substances and illicit drugs, as defined by Virginia law, are prohibited. Controlled substances are classified into "schedules," ranging from Schedule I through Schedule VI. Some of the pertinent laws, including sanctions for their violation, are summarized below.

- Possession of a controlled substance classified in Schedules I or II (e.g., cocaine, Ritalin, LSD, Ecstasy, anabolic steroids) - term of imprisonment ranging from one to ten years, and a fine up to \$2,500
- Possession of a controlled substance classified in Schedule I or II of the Drug Control Act with the intent to sell or otherwise distribute - imprisonment from five to forty years and a

fine up to \$500,000

- Possession of marijuana (one-half ounce or less) - confinement in jail for up to thirty days and a fine up to \$500, and upon a second conviction, confinement in jail for up to one year and a fine up to \$2,500
- Possession of marijuana (more than one-half ounce) – term of imprisonment ranging from one to ten years, and a fine up to \$2,500
- Possession of less than one-half ounce of marijuana with intent to sell or otherwise distribute - confinement in jail for up to one year and a fine up to \$2,500. If the amount of marijuana involved is more than one-half ounce to five pounds – term of imprisonment from one to ten years and a fine up to \$2,500. If the amount of marijuana involved is more than five pounds – term of imprisonment from five to thirty years

Conviction of any drug offense could, in addition to above penalties, include a six-month driver's license suspension. Persons convicted of drug possession under state or federal laws are ineligible for federal grants and loans for up to one year after the first conviction, and five years after the second. Under federal law, distribution of drugs to persons under twenty-one is punishable by twice the normal penalty with a mandatory one year in prison. Federal laws set substantially higher prison sentences for the manufacture and distribution of drugs if death or serious injury results from the use of the substance.

Drug and Alcohol Abuse Education Programs. Alcohol abuse and illicit drug use are serious societal problems. To help contend with such problems, and to prevent drug or alcohol use that adversely affects academic and job performance and safety, the following programs are available in the area for students and employees, and students and employees are informed of the programs. Although a student's or employee's rehabilitation efforts will be encouraged, participation in any program will not serve as protection against the normal disciplinary process associated with a violation of the College's alcohol and drug policies.

- The College's Student Health Services and Counseling Center provide free and confidential assistance to students with drug and alcohol problems. Both are staffed with qualified professionals who can provide direct assistance, and who also can refer students for substance abuse treatment by other providers.
- Bridgewater College places an emphasis on alcohol education when new students arrive on campus. All new students are asked to complete the eCHECKUP TO GO program which is a personalized, evidence-based, online prevention intervention tool. New students participate in several mandatory sessions during Welcome Week which focus specifically on substance use and abuse (alcohol education session as well as a bystander intervention program). All student athletes also participate in the bystander intervention program.
- All students enrolled in the College's Wellness course are exposed to very specific modules on the consequences of substance abuse.
- The Department of Student Life conducts three educational programs to address student alcohol abuse. CHOICES is an alcohol education class designed to allow students to reflect on their choices about alcohol as well as review the facts about this drug. BASICS (Brief Alcohol Screening and Intervention of College Students) is a preventive intervention for college students. It is aimed at students who drink alcohol heavily and have experienced or are at risk for experiencing alcohol-related problems such as poor class attendance, missed assignments, accidents, sexual assault and violence. The Judicial Educator provides the student the opportunity to individually reflect on their alcohol use through an online module.
- Health care benefits for treatment of alcohol and drug problems are available through the

health insurance policy available to employees.

- A free, confidential Employee Assistance Program is available 24/7 through the College's health insurance provider, Anthem. In addition, both Sentara RMH Medical Center in Harrisonburg, Virginia and Augusta Health in Fishersville, Virginia, offer Employee Assistance Programs, which the College can access for employees on a case-by-case basis. Information is available in the Human Resources Office.
- Any employee who seeks rehabilitation through an inpatient program may be eligible for an unpaid leave of absence in accordance with the Family and Medical Leave Act.
- Students and employees also are informed that Bridgewater College will impose disciplinary sanctions on students and employees (consistent with local, State and federal law) up to and including expulsion or termination of employment and referral for prosecution, for violations of the College's alcohol and illegal drug policies.

Emergency Response, Notification and Evacuation in Event of Emergency

The Bridgewater College [Emergency Operations Plan](http://www.bridgewater.edu/files/police/BCEmergencyOperationsPlan.pdf) can be accessed through the College's website: <http://www.bridgewater.edu/files/police/BCEmergencyOperationsPlan.pdf>. The purpose of the Emergency Operations Plan is to establish clear guidelines detailing the appropriate response to emergency disaster and crisis situations. The goal of this plan is to limit the loss of life and property and achieve a safe and effective resolution in the event of an emergency or crisis that affects the operations of the College. The College's Emergency Operation Plan includes information about Incident Teams, incident priorities, shelter-in-place and evacuation guidelines, and local contingency and continuity planning requirements. The College conducts emergency response exercises each year, such as table top exercises and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

In the event of an emergency, the College's Emergency Operations Team (EOT) will be contacted and will meet. The EOT is comprised of key College administrators who are responsible for preparing for and responding to campus emergencies. The EOT will confirm whether a significant emergency or dangerous situation exists and, if so, will: (a) determine the appropriate segment or segments of the campus community to receive a notification (if the threat is limited to a particular building or segment of the population); (b) determine the content of the notification; and (c) initiate the notification system.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene will usually be Campus Police and Safety, the Town of Bridgewater Police and the local rescue squad, and they would respond and work together to manage the incident. Depending on the nature of the incident, other local or federal agencies could also be involved in responding to the incident. In the event of a crisis or emergency situation, students, faculty and staff will be notified of the situation and provided direction on how to avoid potential harm. The College has emergency text messaging capability for members of the College community. Through this method, the College can send an almost instantaneous cell phone text message warning all who have provided the requisite information on the nature of the emergency and how to respond. A web-based sign up system allows the campus community to register for this service from any computer on or off campus. Students, faculty, and staff are strongly encouraged to provide cell phone numbers for inclusion in the emergency notification system. In addition to text messaging, the emergency notification also sends the same message via an email to all students, faculty and staff, and it posted to the College's Facebook and Twitter accounts.

The College also has installed an audible alert siren. If a crisis occurs, the audible siren will be activated to warn the campus community to seek shelter in place and check for communication and updates from the College administration.

The emergency notification system is tested at least once each semester. The Campus Police and Safety Department documents each test, including the date, time, and whether it was announced or unannounced. In conjunction with the test, the campus community is informed of the College's emergency response and evacuation procedures.

The following Bridgewater College officials have the authority, on their own, to initiate an emergency message:

- President
- Executive Vice President
- Provost and Vice President for Academic Affairs
- Vice President for Finance
- Vice President for Student Life and Dean of Students
- Chief of Police
- Sergeant of Campus Police
- Associate Vice President of Marketing and Communications
- Director of Information Technology

One of these officials will, without delay, immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or staff occurring on the campus. And, without delay, taking into account the safety of the community, the official(s) will determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the official(s), compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. After the initial notification, follow-up information will be disseminated to the campus community via the messaging system, email, and/or the College's website as needed.

The College also can notify the campus community of an emergency through the College's website. In addition, both the campus community and the greater community can be notified by local radio and TV stations.

Firearms and Dangerous Weapons

No person shall possess, carry or store a weapon on any property owned, leased or operated by Bridgewater College. This policy applies to a concealed weapon for which the carrier has a legal permit, as well as weapons in any College facility or within a parked vehicle on College property or the streets within or adjoining College property. There are three exceptions to the prohibition on weapons. First, members of a criminal justice agency who are authorized to carry a weapon and have official business on campus are exempt from the prohibition. Second, any item that appears to be a weapon and that is utilized for any purpose on College property, such as a prop used in a play and a disabled weapon used in a class presentation, is exempt from the prohibition, if the item is reported to and approved in writing by the Chief of Campus Police *prior* to being brought to campus. Third, a student may bring to campus a weapon used for hunting, but only if she or he obtains prior written approval from the Chief of Campus Police, and delivers the weapon for storage to the Chief of Campus Police, who will release the weapon only as needed for hunting. The College may refuse

any request for any reason, and may revoke permission at any time.

Sanctions for violating the policy include forfeiture of the weapon and may include discipline up to and including expulsion.

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Bridgewater College is committed to providing programming that promotes awareness of dating violence, domestic violence, sexual assault and stalking. It is estimated that nationwide one in every four to five college women will be the victim of a sexual assault or attempted sexual assault. Victims are never responsible for the offenders' behavior. The most common type of sexual assault is not by a stranger but by someone the victim knows, typically a date or acquaintance.

The following is an outline of the programming opportunities provided on campus. At or during each of these events, the College provides information to students and employees regarding the College's prohibition of crimes of dating violence, domestic violence, sexual assault, and stalking. Additionally, definitions are provided on each of these crimes as well as the definition of consent.

- “Every Choice”, an online, video-based program, aimed at reducing campus sexual assault, dating/domestic violence and stalking by equipping students with realistic, actionable bystander intervention tools. Required completion by all new students annually.
- “Healthy Relationships”, an in-person session with all new incoming students detailing specific campus policies on dating violence, domestic violence, sexual assault and stalking. Occurs annually during new student orientation.
- Red Flag Campaign, a public awareness campaign designed to address dating violence and promote the prevention of dating violence on college campuses. The campaign was created using a “bystander intervention” strategy, encouraging friends and other campus community members to “say something” when they see warning signs (“red flags”) for dating violence in a friend’s relationship. The Campaign is sponsored by the Department of Student Life, Student Senate and the Student Athletic Advisory Committee, and occurs annually in October.
- The Escalation Workshop (One Love Foundation), which includes a 90-minute film with a peer-facilitated discussion, educates the community about relationship violence and empowers students to see red flags in relationships and intervene appropriately.
- The “It’s on Us” Campaign, designed by the White House to enlist bystanders to help prevent sexual assault. The campaign typically held in November and again in April as part of Sexual Assault Awareness Week encourages students to sign the pledge and be involved in other activities around prevention. Additionally, students created their own Bridgewater “It’s on Us” public service announcement as part of this year’s events in November.
- “Take Back the Night”, a speak-out and candlelight vigil against dating violence, domestic violence, sexual assault, and stalking provides victims the opportunity to share their stories on campus.
- Residence hall programming - A variety of programs are available through the Title IX Coordinator that focus on the issues of consent (“The What is Consent Game”), bystander intervention (“What Would You Do”), and sexual assault prevention (“Welcome to the Party”). The Title IX Coordinator is also available to work with individual Resident Advisors to create appropriate, tailor-made programs for targeted populations and/or specific concerns or issues that may arise in a particular residential area. Informational bulletin boards on these same issues are available throughout the year for Resident Advisors who want to focus attention on dating violence, domestic violence, sexual assault, and stalking.

- Convocations at Bridgewater College invigorate connections in the community and affirm the College's mission to "educate the whole person." In order to facilitate this, a wide variety of programs including films, speakers, presentations, campus worship, musical and other performances, and travel experiences, are offered. Further, these programs will deal with a plethora of important social issues. Annually at least one convocation focuses attention on the issues of dating violence, domestic violence, sexual assault, and stalking.
- Resources and support magnets and door hangers - All residential students received a door hanger that lists available resources and support both on and off campus as well as how to help a friend who may have experienced a sexual assault. Additionally, faculty and staff received a magnet that outlines the same information.
- New Employees – New employees receive training specifically on the areas of dating violence, domestic violence, sexual assault, and stalking, the definition of consent, evidence based intervention strategies (bystander intervention as well as risk reduction tips), the duties of a "responsible employee" (not all employees are deemed to be a "Responsible Employee"), the importance of confidentiality, and the College's procedures in handling complaints of Sexual Misconduct.
- Faculty Training - All faculty receive training annually specifically on the areas of dating violence, domestic violence, sexual assault, and stalking. Additionally, faculty are informed of the definition of consent, discuss evidence based intervention strategies (bystander intervention as well as risk reduction tips), and are informed of the duties of a "responsible employee," the importance of confidentiality, and the College's procedures in handling complaints of Sexual Misconduct.
- Staff Training - Staff receive training geared to their responsibilities on campus. All staff members receive training on the areas of dating violence, domestic violence, sexual assault, and stalking, the definition of consent, bystander intervention as well as risk reduction tips, the duties of a "responsible employee," the importance of confidentiality, and the College's procedures in handling complaints of Sexual Misconduct.
- Athletics - All coaches receive training annually specifically on the areas of dating violence, domestic violence, sexual assault, and stalking, the definition of consent, obligations as a "responsible employee," evidence based intervention strategies (bystander intervention as well as risk reduction tips), the importance of confidentiality, and the College's procedure in handling complaints of Sexual Misconduct. Student-athletes on each of the College's intercollegiate teams receives training annually specifically on the areas of dating violence, domestic violence, sexual assault, and stalking, the definition of consent, and reporting options. Additionally, during the semester in which a team is in season, additional information in the form of a workshop is provided on bystander intervention strategies to help prevent sexual violence.

The majority of these programs primarily focus on bystander intervention strategies and tools (e.g., safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking) as well as overall risk reduction in order to decrease perpetration and to increase student empowerment. Risk reduction training reviews options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and the campus address conditions that facilitate violence. While a student can never completely protect oneself from sexual assault, students are instructed that there are some things she or he can do to help reduce the risk of being assaulted, such as:

- Be aware of your surroundings. Knowing where you are and who is around you may help

you to find a way to get out of a bad situation.

- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be. Do what you can to get out of that situation or call for assistance.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
- Be active in supporting a safe and respectful community. If you see others engaging in disrespectful or inappropriate actions, speak up and get involved, or contact someone else to assist.

Students are advised that they should not leave their drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one. Date rape drugs are colorless, tasteless, and odorless substances that can be placed in any drink, not just alcohol, undetected. They are strong relaxants the effects of which can be felt as soon as fifteen minutes after ingestion. The side effects of date rape drugs include possible blackouts, coma, impaired judgment, memory impairment, dizziness, headaches, confusion and loss of coordination. Alcohol can intensify these side effects. Date rape drugs often cause memory loss. Some date rape drugs remain in the system for as little as 6-8 hours, making immediate testing imperative. Common date rape drugs are rohypnal, GHB, ketamine, and alcohol. Alcohol remains the most commonly used date rape drug both on and off college campuses. Today it remains the substance most frequently associated with date rape, and the most easily accessible sedating substance. When large enough quantities are consumed alcohol can have a tremendous sedating effect leaving anyone vulnerable to assault. If you suspect or suspect someone you know has been drugged and/or assaulted, first, go to a safe place; call the Bridgewater College police at 540-828-5609 or the local police if off campus by dialing 911. Go to the College Health Center or the local hospital's emergency room for immediate treatment and testing.

Students are informed that if you find yourself in the position of being the initiator of sexual behavior, you owe respect to your potential partner. These suggestions help to reduce the risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- Don't make assumptions about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you do not have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Sexual Misconduct Prevention Training and Education Log

The following is a list of educational and awareness programming and trainings completed during the calendar year of 2015 which focused on dating violence, domestic violence, sexual assault and stalking.

<u>Target Audience</u>	<u>Date</u>	<u>Topic</u>	<u>Method</u>	<u>Number Served</u>
Campus Community	January	Stalking Awareness Month	Posters and table tents	Campus Community
Work Study Supervisors / Club Advisors	February 5-6	Title IX in Higher Education	In person & PowerPoint	30
Spring Athletic Teams	January 29 February 12 February 19	Its On Us Workshop: Putting the Pledge Into Action	Discussion & PowerPoint	≈ 300
Campus Community	February 1 – during Super Bowl Party	No More Campaign	Flyers, table tents, and postcards for students to sign why they say no more, drawing for a No More sweatshirt	Campus Community attending the Super Bowl party
Campus Community	March	Bathroom stall journals focusing on consent	11x17 posters in all bathroom stalls across campus with stories, definitions, etc. on consent	Campus community
Campus Community	March	Consent posters	11x17 posters using current BC student athlete definitions of consent, hung in residence halls and academic buildings	Campus community
Faculty	March	Email communication	Focus in March was on consent so email was to encourage faculty to incorporate the idea of consent across curriculum and pedagogy	All faculty members

Students	March	Consent condoms	Condoms that are already being provided in Health Services, we purchased condoms that had positive consent messaging on them to be provided in Health Services	Any student who goes to Health Services
Daleville Hall residents	March 31	DIY Consent T-shirt Program	Program where students were able to brainstorm what consent is and is not and then wrote positive consent messages on t-shirts	15
Board of Trustees – Subcommittee on Student Life	April 9	Sexual Violence Prevention Overview	In person presentation on prevention efforts related to sexual misconduct prevention	10
Board of Trustees	April 10	Title IX Case Study	In person presentation to assist Board of Trustees to better understand how the Title IX process works related to sexual misconduct cases	41
Campus Community (Sexual Assault Awareness Month)	April 13-15	It's On Us Sexual Assault Awareness Month Information Table (handed out information on healthy relationships, buttons, bracelets, consent condoms, etc.)	In person outside Kline Campus Center during meals	Campus Community
Campus Community (Sexual Assault Awareness Month)	April 14	It's On Us Baseball Game	In person at baseball game, handed out prevention literature, announcements about prevention throughout game, team wore It's On Us shirts	100
Campus Community (Sexual Assault Awareness Month)	April 19	It's On Us Lacrosse Game	In person at baseball game, handed out prevention literature, announcements about prevention throughout game, team wore It's On Us shirts	100
Campus Community (Sexual Assault Awareness Month)	April 21	Sex, Lies, and Texting Convocation	In person opportunity for students to ask anonymous questions about issues related to healthy sexuality and relationships	109

Campus Community (Sexual Assault Awareness Month)	April 22	It's On Us Challenge Card	In person, bingo style card encouraging students to take specific action to prevent sexual assault	25 student returned challenge card for It's On Us t-shirt
Campus Community (Sexual Assault Awareness Month)	April 28	Clothesline Project	T-shirts displayed on campus mall relaying survivor stories	Anyone who walked through campus from 11am-8pm
Campus Community (Sexual Assault Awareness Month)	April 28	Take Back the Night	Opportunity for students to share their stories of survival. Additionally, faculty wanted to be supportive of students and provided pictures to be displayed during event (9 faculty departments participated)	30
Sexual Violence Prevention Committee	April 13 March 24	Committee of faculty, staff, and students to assist with campus prevention efforts	Began work in January. Determined goals, assisted with ideas related to consent campaign and sexual assault awareness month	13
Incoming students and parents	April 10 April 24 June 12	Encouraging a Continued Dialogue: Title IX and Campus Safety	In person/ PowerPoint	700+
Campus Departments (IT Center, Admissions, Registrar, Financial Aid, Finance)	May 26-27	Title IX in Higher Education	In person/PowerPoint	40
Athletic Staff	August 4	Working Together to End Sexual Violence	In person / PowerPoint / scenarios	45
Athletic Staff	August 8	Effective Practices to Help Reduce Risk in Intercollegiate Athletics	In person with outside sports attorney – Janet Judge	45
Resident Assistants	Completed prior to August 12	Online module created by FRIS	Online	40 completed passing certificates
Resident Assistants/Area Coordinator	August 12	RA Sexual Misconduct Prevention and Response Training	In person/PowerPoint	40
Faculty	August 17	Title IX in Higher Education	In person/PowerPoint	100+
Athletic Teams	August 17 August 27 September 31	Handbook/Policy Meetings	In person/PowerPoint	600+

Orientation Leaders	August 18	Sexual Misconduct Student Leader Workshop	In person/PowerPoint	≈ 65
Residence Life Staff	August 18	Escalation Training Workshop	Skype Training with One Love Foundation	10
Choices – Step Up	August 19	The Link Between Alcohol and Sexual Assault	In person/PowerPoint	8
Area Coordinators	August 20	Title IX in Higher Education	In person/PowerPoint	5
New students	Completed prior to August 21	Every Choice Bystander Intervention techniques	Online module	550
Writing Center Tutors	August 21	Sexual Misconduct Student Leader Workshop	In person/PowerPoint	7
New students	August 23	Healthy Relationships	In person/PowerPoint	550
Athletic Staff	August 27	Title IX in Higher Education	In person/PowerPoint	45
Athletes	August through November	Step Up Workshops	In person	600+
Campus Community	September	Focus on Consent	Consent posters in bathroom stalls Consent video contest marketed to all students via email (video which also explained consent)	
Campus Community	August 31	Convocation: Guante spoken word poet, focused on masculinity	In person	
Campus Community	September 8	Convocation: Bridgewater Campus Crime Prevention	In person	
Blue Ridge Hall	August 31	Consent Twister	In person	20
Health Education Class	September 18	Dating Violence for Future Teachers	In person/PowerPoint	12
Dillon Hall	August 29	The Sex Games	In person	47
Teacher Education Classes	October 1	Title IX for Future Teachers	In person/PowerPoint	56
Campus Community	October 9	Presidential email regarding timely warning	Email	Faculty, staff and students
Campus Community	October 19-23	Red Flag Campaign	Posturing, tabling, Red Day	
Health and Exercise Science Class	October 26	Sexual Harassment in Health Sciences Field	In person/PowerPoint	50
Daleville Hall	October 19-23	Escalation Workshop (dating violence)	In person, movie, and peer-facilitated discussion	17
Wright/Heritage	November 5	Escalation Workshop (dating violence)	In person, movie, and peer-facilitated discussion	
Each athletic team	October through December	Escalation workshops (dating violence)	In person, movie, and peer-facilitated discussion	≈ 650

Faculty taking students abroad for interterm	October 21	Study Abroad Protocols	In person	10
It's On Us Campaign	November 16-20	Tabling event with pledge opportunities, Student Senate created It's on Us PSA	In person	Campus Community
Interterm Travel Classes	December 3	Pre-departure Orientation	In person PowerPoint	140

Policy and Procedures for Student Sexual Misconduct Complaints

I. Introduction

- A. Overview and Purpose. Bridgewater College is committed to educating the whole person of each of our students and to providing all students and employees, regardless of gender, sexual orientation or gender identity, with an educational environment free from discrimination. It adopts this policy (“[Policy](#)”) to help accomplish this commitment. The sexual harassment of students, coercion, sexual assault, violence and exploitation, domestic and dating violence, and non-consensual sexual contact or intercourse, gender-based harassment, and stalking, interferes with students’ right to receive an education free from discrimination and, in the case of sexual violence, is a crime and is considered “Sexual Misconduct.” Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct may be committed by anyone, regardless of sex, gender, or identity, and it can occur between people of the same or different sex.

This Policy applies to complaints by Bridgewater College students of alleged Sexual Misconduct committed by Bridgewater College students, faculty, staff or third parties, as well as any complaint of alleged Sexual Misconduct by a Bridgewater student when the Complainant is not a Bridgewater student.

- A Complainant who is a Bridgewater College student will be accorded the protections, process and procedures applicable to Complainants under this Policy, regardless of the identity or status of the Respondent. A Respondent who is a Bridgewater College student is subject to the terms of this Policy and will be accorded the protections, process and procedures applicable to Respondents under this Policy, regardless of the identity or status of the Complainant.
- With respect to an employee of Bridgewater College, whether alleging an act of Sexual Misconduct, or alleged to have committed an act of Sexual Misconduct, they will be accorded the protections, process and procedures as provided in the Employee Handbook.
- An individual who is not a Bridgewater College student or employee who either alleges Sexual Misconduct by a Bridgewater College student or employee, or is alleged to have committed an act of Sexual Misconduct against a Bridgewater College student or employee, will not be accorded any of the protections, process or procedures applicable to Complainants or Respondents under this Policy.

Sexual Misconduct, as defined by this policy, comprises a broad range of behavior that will not be tolerated. Sexual Misconduct violates Bridgewater College policy, federal civil rights laws and may also result in criminal prosecution. Bridgewater College is committed to fostering a community that promotes prompt reporting of Sexual Misconduct, support for

anyone who has been subject to Sexual Misconduct, and prompt, fair and impartial resolution of Sexual Misconduct complaints and cases. Creating a safe and respectful environment is the responsibility of all members of the campus community. Until adjudicated by the College as proven under the provisions of this Policy, Sexual Misconduct shall be considered as alleged Sexual Misconduct.

B. Title IX Coordinators. Bridgewater College has a Title IX Coordinator and a Deputy Title IX Coordinators.

- Title IX Coordinator – Heidi Hoover; 540-828-8063; TitleIXCoordinator@bridgewater.edu; hhoover@bridgewater.edu
- Deputy Title IX Coordinator – Jean Willi, Associate Director of Athletics; 540-828-5400; TitleIXCoordinator@bridgewater.edu; jwilli@bridgewater.edu

The Title IX Coordinator interprets this Policy; oversees the College's response to Title IX reports and complaints; identifies and addresses any patterns or systemic problems revealed by such reports and complaints; has knowledge of all complaints raising Title IX issues throughout the College; provides education and prevention opportunities for the campus community; evaluates a student's request for confidentiality in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all students; conducts Title IX investigations, including investigating facts relevant to a complaint and determining appropriate interim measures and support for the Complainant; provides training to students, faculty and staff on Title IX issues; and is available to meet with students as needed. The College also has a Deputy Title IX Coordinator, whose responsibility is to perform some or all of the same duties when the Title IX Coordinator is unavailable or when delegated or assigned some or all of those duties. For any reporting of Sexual Misconduct and other process under provisions of this policy, when reference is made to the Title IX Coordinator, it also includes the Deputy Title IX Coordinator, regardless of whether the Title IX Coordinator is otherwise available and regardless of whether duties have been delegated or assigned to the Deputy Title IX Coordinator. Reporting may be to either or both. Reporting also may be made to any other Responsible Employee.

C. Medical Attention. If you have been sexually assaulted, it is important to seek immediate medical attention at a local hospital for several reasons: (1) to assess and treat any physical injuries; (2) to determine the risk of sexually transmitted diseases or pregnancy and to take appropriate measures; and (3) to gather evidence that may be used in a criminal prosecution if the Complainant chooses to seek prosecution either immediately or at a later time. As with any crime, it is important to report in order to preserve evidence. Physical evidence should be collected immediately, ideally within the first 24 hours, and usually not later than 72 hours after the incident. The Complainant is encouraged not to destroy physical evidence that may be found. Evidence may be collected even if you chose not to make a report to law enforcement. The evidence collected can be held until a decision is made about pursuing legal action. The Complainant should not clean or straighten the vicinity of the crime until the police have had an opportunity to collect evidence if contacted. Preservation of evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

In order to preserve any evidence needed if the Complainant should decide to seek prosecution, it is important to follow these suggestions:

- DO NOT bathe or shower
- DO NOT brush or comb your hair
- DO NOT douche
- DO NOT urinate (if possible)
- DO NOT change clothes. If clothes are changed, take the clothes worn at the time of the assault to the hospital in a PAPER bag (evidence deteriorates in plastic)
- DO NOT eat or drink anything or brush or rinse your teeth if there was oral contact
- DO NOT touch items at the incident or crime scene
- DO NOT put on or remove makeup

Take a change of clothes to the hospital because some items of clothing may be kept as evidence. At the emergency room the physician may collect hair samples, semen and other evidence. The police will be contacted to take possession of these samples until the Complainant makes a decision about prosecution.

The hospital serving the Bridgewater area is Sentara RMH Medical Center, located at 2010 Health Campus Drive, Harrisonburg, VA. You may contact the hospital at 800-736-8272, or 540-689-6000, or 911 may be called.

- D. What to Expect at the Emergency Room. Going to the emergency room after a sexual assault can be a confusing experience. Sentara RMH Hospital will be able to examine and treat you after an assault, whether or not you choose to report the assault to police. You can go to the emergency room at the hospital and tell them you were sexually assaulted. Bridgewater College students may also seek medical attention at the Student Health Center.

Sentara RMH Hospital can assist with collecting evidence with a physical evidence recovery kit ("PERK"). Although the College strongly encourages all members of its community to report violations to law enforcement, it is the Complainant's choice whether or not to make such a report and a Complainant has the right to decline involvement with the police. When you arrive at the emergency room, you will be checked in at the triage desk where you will be registered. At this time, a Collins Center advocate will be called as well as a specialized nurse called a SANE (Sexual Assault Nurse Examiner) nurse. Students can call the Sentara RMH Student Wellness and Outreach office at 540-568-2831 to request a member to accompany them if they desire. College personnel will assist the Complainant in notifying these authorities, if the student requests the assistance of these personnel. The SANE program is set up specifically to gather forensic evidence from victims of sexual assault. SANE nurses are on call for duties to be performed at the Sentara RMH Emergency Room. Police investigators suggest that victims receive an exam by a SANE nurse if they are interested in pressing charges. SANE exams are administered to walk-in victims. SANE nurses are trained in examination techniques, forensic practice, how to collaborate with law enforcement officers, and how to present evidence as an expert witness in the courtroom. The SANE exam is an evidentiary exam, not a diagnostic one. There is a SANE nurse available 24/7. If the Complainant does not wish to support a police investigation or declines a forensic exam, she/he will be referred to the Emergency Room Physician. For the exam, the SANE nurse obtains a brief medical history and may ask some detail about the assault that will help to know what areas of physical examination are most important for a thorough collection of forensic evidence. Blood, hair, and specific body fluids will be collected and packaged in a manner prescribed by the Virginia State Crime Laboratory. Specimens are labeled in detail and then sealed in a box that is remitted to law enforcement, following the rules of chain-of-

custody. The investigating agency is then responsible for carrying the sealed evidence to the crime lab.

At the completion of the exam, the victim is offered prophylaxis for sexually transmitted diseases (STDs) and pregnancy and is given follow-up instructions depending on any findings during the exam. Follow-up can be through a private physician, the College Health Center, and/or the Public Health Department of Rockingham/Harrisonburg.

The SANE nurse will request of the Complainant that she/he allow the nurse to call a counselor from the College to let them know of the assault. The SANE nurses are bound by the limits of confidentiality, however, and may be able to only let the counselor know that an assault happened to a student, but be unable to name that student if the victim wishes not to be named.

II. Definitions

- A. "Complainant" means a person who has made a report of a possible violation of this Policy to a Responsible Employee, Title IX Coordinator, a member of the Department of Student Life, or the Campus Police and Safety Department. A "Complainant" may be the victim or alleged victim of Sexual Misconduct or any other person, as the context requires, who makes such a report of Sexual Misconduct. A Complainant shall be a "party" for purposes of this Policy only if the Complainant is the victim or alleged victim of Sexual Misconduct.
- B. "Dating Violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not, however, include acts covered under the definition of Domestic Violence.
- C. "Domestic Violence" means a felony or misdemeanor crime of violence committed—
 - (i) By a current or former spouse or intimate partner of the Complainant;
 - (ii) By a person with whom the Complainant shares a child in common;
 - (iii) By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
 - (v) By any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- D. "Effective Consent" is clear, knowing, informed, mutual and voluntary, and can be withdrawn at any time. Consent is active, not passive. Silence in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to any other form of sexual activity. Previous relationships or prior consent cannot imply consent to any future sexual act. Consent cannot be gained by

force and/or incapacitation (see definitions below). In order to give effective consent, one must be of legal age.

- E. “Force” Effective Consent cannot be obtained by Force. Force includes (a) the use of physical violence, (b) threats, (c) intimidation, and/or (d) coercion.
- a) Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and showing or using any weapon.
 - b) Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically or threats to harm themselves, to reveal private information to harm a person’s reputation, or to cause a person academic or economic harm.
 - c) Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person’s size, alone, does not constitute intimidation; however, a person’s size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
 - d) Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider:
 - (i) frequency of the application of the pressure,
 - (ii) intensity of the pressure,
 - (iii) degree of isolation of the person being pressured, and
 - (iv) duration of the pressure.
- F. “Gender-based Harassment” means acts of aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must be unwelcome and unreasonably interfere with an individual’s education or educational activities or create an objectively intimidating, hostile, demeaning, or offensive academic or living environment. A “Hostile Environment” may arise when unwelcome conduct of a sexual or gender-based nature affects a student’s ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening or abusive educational and/or living environment. In determining whether a hostile environment exists, the College considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the student who was harassed. But the College will also need to find that a reasonable person in the student’s position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment. To make the ultimate determination of whether a hostile environment exists for a student or students, the College considers a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including:
- (i) type, frequency, and duration of the conduct;
 - (ii) identity and relationships of persons involved;
 - (iii) number of individuals involved;
 - (iv) location of the conduct and the context in which it occurred; and,
 - (v) degree to which the conduct affected one or more student’s education.

A single, isolated incident of sexual or gender-based harassment may, based on the facts and circumstances, be sufficient to create a hostile environment. Likewise, a series of incidents, whether occurring close in time or not to each other, may be sufficient to create a hostile environment even if each of the incidents is not particularly severe.

This policy is not intended to, and does not, impair the exercise of any other protected rights. The College will apply this policy in a manner not inconsistent with any other protected rights.

- G. “Incapacitation”, or diminished capacity, means the physical and/or mental inability to make informed, rational judgments. States of Incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol and other drugs are involved, one does not have to be intoxicated or drunk to be considered incapacitated. Incapacitation is determined by how the alcohol consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make informed judgments. Some signs of incapacitation include: slurred speech, stumbling, vomiting, loss of consciousness, etc. This is not an exhaustive list and some individuals may exhibit all or none of these symptoms and still be considered incapacitated. In evaluating Effective Consent in cases of alleged incapacitation, the College asks two questions:

- (1) Did the person initiating sexual activity know that the other party was incapacitated? and if not,
- (2) Should a sober, reasonable person in the same situation have known that the other party was incapacitated?

If the answer to either of these questions is “YES,” Effective Consent was absent and the conduct is likely a violation of this policy. Because incapacitation may be difficult to discern in some circumstances, students are strongly encouraged to err on the side of caution; when in doubt, assume that another person is incapacitated and therefore unable to give Effective Consent. The responsibility to ensure Effective Consent when either party has been drinking falls on the initiator of further sexual activity. Being intoxicated, drunk or under the influence of a drug is never a defense for a Respondent to a complaint of Sexual Misconduct under this policy. The burden of proving that a party gave Effective Consent is on the Respondent. If the Respondent provides evidence of Effective Consent the burden then shifts to the Complainant to show that there was not Effective Consent due to Incapacitation or other reason.

- H. “Intimidation” means any threat of violence or other threatening behavior directed toward another person or group that reasonably leads the target(s) to fear for their physical well-being or to engage in sexual conduct for self-protection.
- I. “Non-Consensual Sexual Contact” means Sexual Contact that occurs without Effective Consent. “Sexual Contact” means the deliberate, direct or indirect touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using Force to cause a person to touch his or her own or another person’s intimate parts.
- J. “Non-Consensual Sexual Intercourse” means Sexual Intercourse that occurs without Effective Consent. “Sexual Intercourse” means penetration no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth or any

other body orifice of a person by a sex organ of another person.

- K. “Respondent” is a person against whom a report of a possible violation of this Policy has been made. A “Respondent” shall be a “party” for purposes of this Policy.
- L. “Responsible Employee” is an employee of the College who has the authority to take action to redress the alleged misconduct with appropriate College officials, or an individual whom a student could reasonably believe has this authority or responsibility to redress or report the alleged misconduct. All Responsible Employees are expected to report any actual or suspected discrimination or harassment to the Title IX Coordinator. Federal law has defined the following employees as Responsible Employees:
- Title IX Coordinators
 - Student Life staff, to include Area Coordinators
 - Student Resident Advisors
 - International Education Coordinator
 - Athletic Coaches and Staff Trainers
 - Faculty members
 - Director of Human Resources
 - Campus Police and Safety Officers
 - Work Study supervisors
 - Student Organization and Club Advisors
 - Executive Administrators to include the President and Vice Presidents
 - Director level staff and above
- M. “Review Committee” (a) is mandated by Virginia law, (b) consists of three or more persons, including the Title IX Coordinator or designee, a representative of law enforcement, and a student life representative, (c) reviews information related to acts of sexual violence, (d) may obtain law-enforcement records, criminal history record information, health records, available institutional conduct or personnel records, and known facts and circumstances of the information reported or information or evidence known to the College or to law enforcement, and (e) conducts its review in compliance with federal privacy law.
- N. “Sexual Assault” is actual or attempted sexual contact with another person without that person’s Effective Consent. Sexual assault includes, but is not limited to:
- Non-Consensual Sexual Contact; or
 - Coercing, Forcing, or attempting to Coerce or Force a person to touch another person’s intimate parts without that person’s Effective Consent; or
 - Non-Consensual Sexual Intercourse.
- O. “Sexual Exploitation” means taking sexual advantage of another person without Effective Consent and includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such person; causing the prostitution of another person; recording, photographing, or transmitting identifiable images of private sexual activity and/or intimate parts (including genitalia, groin, breast or buttocks) of another person; allowing third parties to observe private sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.

- P. “Sexual Harassment” means unwelcome conduct of a sexual nature which unreasonably interferes with a person’s college employment, academic performance or participation in college programs or activities or creates a working, learning, program, or activity environment that a reasonable person would find intimidating, hostile or offensive. Sexual Harassment may include, for example, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, including acts of sexual violence. In evaluating any complaint of sexual harassment the perceived offensiveness of a particular expression, standing alone, is not sufficient by itself to constitute sexual harassment. The conduct in question must be objectively intimidating, hostile or offensive and interferes with a person’s right to equally participate in programs and activities of the College.
- Q “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to either fear for the person's safety or the safety of others, or suffer substantial emotional distress. For the purpose of this definition—
- (i) “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - (ii) “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require or involve medical or other professional treatment or counseling.
 - (iii) “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the Complainant.
- R. “Unwelcome” means something that was not requested or invited it and is considered undesirable or offensive, and may be physically threatening, harmful, or humiliating. Something that is unwelcomed does not have to include intent to harm, be directed at a specific target, or involve repeated incidents, and can involve persons of the same or opposite sex. Participation in or failure to complain about something does not always mean that it was welcomed. The fact that a student may have welcomed something does not necessarily mean that the student welcomed other conduct, or that something welcomed on one occasion will be welcomed on a subsequent occasion.

III. Reporting Sexual Misconduct

- A. General. The College strongly encourages students impacted by Sexual Misconduct to talk promptly to someone about what happened, so that any student who is the victim of Sexual Misconduct can get the support needed, and the College can respond immediately and appropriately. The earlier an incident is reported, the easier it is to collect valuable evidence and investigate the incident and obtain protective orders. Different employees on campus have different abilities to maintain a student’s confidentiality. All employees must keep reports private, however, and will only disclose information to those on a need to know basis to assist in redressing the behavior. Most employees are required to report all the details of an incident (including the identities of both the Complainant and the Respondent) to the Title IX Coordinator. A report to those employees (“Responsible Employees”) constitutes a report to the College – and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

The following information describes the various reporting and confidential disclosure options available to students so they can make informed choices about whom to contact should they be a victim of Sexual Misconduct. These reporting options are available to students both on and off campus or who may be abroad or studying at another campus location.

- B. Discussing with a Confidential Resource. Professional, licensed counselors, pastoral counselors and licensed health care professionals who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an alleged Sexual Misconduct incident to the Title IX Coordinator without a student's permission.

If a student wishes to discuss the details of an incident but does not yet wish to have it reported to the Title IX Coordinator, the student may speak with:

- Randy Hook, Counselor – 540-828-5358; rhook@bridgewater.edu
- Amy Ghaemmaghami, Counselor – 540-828-5379; aghaemma@bridgewater.edu
- Paige French, Nurse Practitioner – 540-828-5384; pfrench@bridgewater.edu
- Linda Bowers, College Nurse – 540-828-5384; lbowers@bridgewater.edu
- Robbie Miller, College Chaplain – 540-828-5383; rmiller@bridgewater.edu

- C. Reporting to Campus Police and Safety. A member of the Bridgewater College Campus Police and Safety Department is always on patrol on or about campus, and is available to provide assistance to our students. A report of Sexual Misconduct may be made at any time, day or night, by contacting the Campus Police and Safety officer on duty at 540-828-5609. Campus Police and Safety officers are considered Responsible Employees who are required to report a Sexual Misconduct incident to the Title IX Coordinator.

- D. Reporting to a Responsible Employee. Responsible Employees must report all alleged incidents of Sexual Misconduct that they observe or of which they are informed to the Title IX Coordinator, who is required to investigate and take reasonable action. Failure of a Responsible Employee, as described in this section, to report an incident or incidents of prohibited Sexual Misconduct that they knew about or in the exercise of reasonable caution should have known about, is a violation of college policy and may result in disciplinary action, up to and including termination of employment. As noted above, the College has defined the following employees as Responsible Employees:

- Title IX Coordinators- TitleIXCoordinator@bridgewater.edu
- Heidi Hoover, Title IX Coordinator; 540-828-8063; hhoover@bridgewater.edu
- Crystal Lynn, Deputy Title IX Coordinator; 540-828-5356; clynn@bridgewater.edu
- Jean Willi, Deputy Title IX Coordinator, Associate Director of Athletics; 540-828-5400; jwilli@bridgewater.edu
- Student Life staff, to include Area Coordinators
- Student Resident Advisors
- International Education Coordinator
- Athletic Coaches and Staff Trainers
- Faculty members
- Campus Police and Safety
- Work Study supervisors
- Student organization and Club advisors
- Executive Administrators to include the President and Vice-Presidents

- Director level staff and above

Before a Complainant reveals any information to a Responsible Employee, the employee should ensure that the Complainant understands the employee's reporting obligations, and, if the Complainant wants to maintain confidentiality, direct the Complainant to confidential resources. If the Complainant wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the Complainant that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the Sexual Misconduct incident to the Title IX Coordinator, the Responsible Employee will also inform the Coordinator of the Complainant's request for confidentiality.

Responsible Employees will not pressure a Complainant to request confidentiality, nor will they pressure a Complainant to make a full report if the Complainant is not ready to do so. Instead, they will honor and support the Complainant's wishes, including for the College to fully investigate a Sexual Misconduct incident. To the extent possible, information reported to a Responsible Employee will be shared only with people responsible for handling the College's response to the report, as well as those responsible for recording and reporting criminal activity while, to the extent possible, maintaining the confidentiality of personally identifying information. A Responsible Employee should not share information with law enforcement without the Complainant's consent or unless the Complainant has also reported the incident to law enforcement.

A report of Sexual Misconduct may be made at any time, day or night, by contacting Campus Police and Safety at 540-828-5609 or the Student Life Area Coordinator on call at 540-705-0668.

- E. Other Campus Reporting. Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents of Sexual Misconduct, are not considered notice to the College of Sexual Misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College may provide information about students' Title IX rights at these events.
- F. Reporting to Local Law Enforcement. As noted earlier, Sexual Misconduct may constitute both a violation of College policy and criminal activity. The College strongly encourages students to report alleged Sexual Misconduct promptly to Campus Police and Safety as well as the Town of Bridgewater Police Department. Nevertheless, a Complainant has the option not to make a report with law enforcement. In circumstances of sexual assault, if a Complainant does not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease and provide for support.

A Complainant may seek assistance to commence a criminal investigation from Campus Police, the Town of Bridgewater Police Department or the Rockingham County Sheriff's Office, and the Complainant will be informed that, upon request, College authorities will assist in notifying law enforcement authorities. The Campus Police Department can assist in contacting either the Town of Bridgewater police or the Rockingham County Sheriff's Office.

The responding officer's primary responsibility will be the Complainant's physical well-being and emergency medical needs, to include arranging for transportation to the hospital. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this policy, criminal investigations or reports are not determinative of whether Sexual Misconduct, for purposes of this policy, has occurred. In other words, conduct may constitute Sexual Misconduct under this policy even if law enforcement agencies lack sufficient evidence of a crime and, therefore, decline to prosecute.

The filing of a complaint of Sexual Misconduct under this policy is independent of any criminal investigation or proceeding, and (except that the College's investigation may be delayed temporarily while police criminal investigators are gathering evidence) the College will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and take Interim Measures to protect the Complainant and the College community.

Campus Police and Safety may be contacted by calling 540-828-5609. Town of Bridgewater Police may be contacted by calling 540-828-2611 or 911, and the Rockingham County Sheriff's Office may be contacted by calling 540-564-3800 or 911.

- G. Reporting to Off-Campus Resources. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the College unless the Complainant requests the disclosure and signs a consent or waiver form. The following is contact information for these off-campus resources:
- Collins Center, 24-Hour Sexual Assault Crisis Hotline - 540-432-6430
 - The Collins Center is a sexual assault crisis center located in Harrisonburg, and all services are free of charge and strictly confidential.
 - First Step, 24-Hour Domestic and Dating Violence Hotline - 866-223-9169
 - Sentara RMH Medical Center - 540-689-1300
 - Crime Victim Assistance Info-Line – 888-887-3418
- H. Reporting to Office for Civil Rights. A student also has the option of contacting the Office for Civil Rights regarding sex discrimination issues at: Washington D.C. (Metro), Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475, Telephone: 202-453-6020, FAX: 202-453-6021; TDD: 800-877-8339; e-mail: OCR.DC@ed.gov.
- I. Reporting while Abroad. Victims of sexual misconduct abroad can still access the support and resources they need. There are several ways to ensure the recovery and support of victims abroad. Contact the Office for Study Abroad at (804) 289-8836 or atmarsh@bridgewater.edu. If no one is available or if it is after hours, call the Bridgewater Campus Police and Safety Department at 540-828-5609. As a Responsible Employee, the Bridgewater faculty/staff member must notify the Title IX Coordinator who is available and trained to help you while abroad and upon return to campus.
- 1) U.S. Consulate
- a) Contact the U.S. consulate and ask to talk to the warden (or emergency officer) on call. They are available to help 24 hours a day, seven days a week. <http://travel.state.gov/content/passports/english/emergencies/victims.html> The

Department of State website explains how to get help. When you call the consulate, they will ask your name and a number where you can be reached. The consulate officer on duty will return your call quickly. In addition, you may be contacted by the Regional Security Officer at the embassy as well as a representative of the American Citizen Services. They will help you with medical, legal and other advice. They will not require you to make a police report, but will help you do so if you wish to take legal action. You can ask someone from the consulate to accompany you to the medical exam and to help you make the police report. If you want your parent or another family member to talk to the U.S. consulate to help you, then you will need to sign or give a verbal privacy waiver. They will only communicate with this individual about your situation.

2) Additional Resources for Help if Outside the U.S.

- a) RAINN (Rape, Abuse and Incest National Network) –Toll-free 24/7 hotline for sexual assault counseling and referrals: 1-800-656-HOPE <http://www.rainn.org/get-help/sexual-assault-and-rape-international-resources>
- b) SASHAA (Sexual Assault Support and Help for Americans Abroad) - Free and confidential services for all genders and sexualities available 24 hours a day, 7 days a week. Support services include an international toll free hotline, 866-USWOMEN, a live chat feature, and a crisis email: crisis@866uswomen.org. More information can be found at <http://sashaa.org/>.
- c) U.S. Department of Justice Violence Against Women Office – Information about local sexual assault victim assistance: <http://ojp.gov/programs/victims.htm>

- J. False Reporting. All College community members are expected to provide truthful information in any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident is prohibited and subject to disciplinary sanctions and disciplinary action. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

IV. Initial Process

- A. Meeting with Complainant. As soon as possible after a complaint is made alleging Sexual Misconduct, the Title IX Coordinator will schedule a meeting with the Complainant to (a) determine the name of the Respondent, and the date, location and nature of the alleged incident of Sexual Misconduct, and (b) obtain the Complainant's consent to begin an investigation.

The Title IX Coordinator will provide the Complainant with an electronic or written copy of this Policy, and shall inform the Complainant of: (i) the available law-enforcement options for investigation and prosecution; (ii) the importance of collection and preservation of evidence; (iii) the available options for a protective order; (iv) the available campus options for investigation and adjudication under the College's policies; (v) the Complainant's rights to participate or decline to participate in any investigation to the extent permitted under state or federal law; (vi) the applicable federal or state confidentiality provisions that govern information provided by a Complainant; (vii) the available on-campus resources (e.g., the College's Counseling Center, Student Health Services, financial aid office) and any

unaffiliated community resources, including sexual assault crisis centers, domestic violence crisis centers (e.g., the Collins Center), or other victim support services (e.g., counseling, health, mental health, victim advocacy, legal assistance, and visa and immigration assistance); and (viii) the importance of seeking appropriate medical attention and the opportunity for referrals for medical treatment.

The meeting may also involve a discussion of any accommodations that may be appropriate concerning the Complainant's academic, College housing, and/or College employment arrangements. The College will provide the Complainant with periodic updates on the status of the investigation. The use of mediation for Sexual Assault complaints is prohibited. Informal processes may be used for other Title IX cases as appropriate.

- B. **Complainant Requests Confidentiality.** If the Complainant does not wish to pursue a complaint and/or requests that the complaint remain confidential, the College nevertheless is required to investigate and take reasonable action to the extent it can do so within the restrictions requested by the Complainant. The Title IX Coordinator will inform the Complainant that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent(s) may be limited. In order to determine the extent to which the College can honor the Complainant's request for confidentiality, the Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct.

When weighing a Complainant's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, such as:

1. The increased risk that the Respondent will commit additional acts of Sexual Misconduct or violence, such as:
 - a. whether there have been other Sexual Misconduct complaints about the same Respondent
 - b. whether the Respondent has a history of arrests or records from a prior school indicating a history of Sexual Misconduct or violence
 - c. whether the Respondent threatened further Sexual Misconduct or violence against the Complainant or others;
 - d. whether the Sexual Misconduct was committed by multiple Respondents;
2. Whether the Sexual Misconduct was perpetrated with a weapon;
3. Whether the Complainant is a minor;
4. Whether the College possesses other means to obtain relevant evidence of Sexual Misconduct (e.g., security cameras or personnel, physical evidence, etc.)
5. Whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit drugs or alcohol) of Sexual Misconduct at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate, and if appropriate, pursue disciplinary action. If none of these factors is present, and except as provided in paragraph C below, the College will likely observe the Complainant's request for confidentiality. Even if the College cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality or that the complaint not be adjudicated, the College nonetheless will take prompt and effective action to limit the effects of the alleged Sexual Misconduct and to prevent its recurrence, such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education

and prevention efforts, including to targeted population groups; conducting climate surveys; and/or revisiting its policies and practices. If the College determines that it cannot maintain a Complainant's confidentiality, the College will (a) inform the Complainant prior to starting an investigation, (b) to the extent possible, only share information with people responsible for handling the College's response, and (c) if requested by the Complainant, inform the Respondent that the Complainant asked the College not to investigate or seek discipline, but that the College made the decision to go forward. The College may not require a Complainant to participate in any investigation or disciplinary proceeding.

- C. Meeting with Respondent. If not inconsistent with any request of the Complainant for confidentiality, the Title IX Coordinator will meet with the Respondent to inform the Respondent of the allegation of Sexual Misconduct and obtain a preliminary account of the Respondent's response to the allegation of Sexual Misconduct. The Title IX Coordinator shall: (a) provide the Respondent with an electronic or written copy of this Policy; (b) inform the Respondent of campus options for investigation and adjudication under the College's policies; (c) inform the Respondent about available on-campus resources (e.g., the College's Counseling Center and Student Health Services) and any unaffiliated community resources; and (d) inform the Respondent of any Interim Measures with which the Respondent may be required to comply.
- D. Review Committee. Notwithstanding the provisions of paragraph B above, upon receipt of information regarding an act of sexual violence (as defined in Va. Code § 23-9.2:15) which occurred on campus, in or on a noncampus building or property, or on public property (all as defined in Va. Code § 23-9.2:15), the Title IX coordinator shall promptly report the information, including any personally identifiable information, to the Review Committee. The Review Committee shall meet to review the information within 72 hours of the Title IX Coordinator receiving information. If, based on the consideration of all factors, the Review Committee, or if the Review Committee cannot reach a consensus, the representative of law enforcement on the Review Committee, determines that the disclosure of the information, including personally identifiable information, is necessary to protect the health or safety of the Complainant or other individuals, the representative of law enforcement on the review committee shall immediately disclose such information to the law-enforcement agency that would be responsible for investigating the alleged act of sexual violence. Such disclosure shall be for the purposes of investigation and other actions by law enforcement. Upon such disclosure, the Title IX Coordinator or her designee shall notify the Complainant that such disclosure is being or has been made. In cases in which the alleged act of sexual violence would constitute a felony, the representative of law enforcement on the Review Committee shall inform the other members of the Review Committee and shall, within 24 hours of receiving the information, consult with the attorney for the Commonwealth or other prosecutor responsible for prosecuting the alleged act of sexual violence and provide the information received by the Review Committee without disclosing personally identifiable information, unless such information was disclosed as described above. In addition, if such consultation does not occur and any other member of the Review Committee individually concludes that the alleged act of sexual violence would constitute a felony, that member shall, within 24 hours of receiving the information, consult with the attorney for the Commonwealth or other prosecutor responsible for prosecuting the alleged act of sexual violence and provide the information received by the Review Committee without disclosing personally identifiable information, unless such information was disclosed as describe above.

At the conclusion of the review by the Review Committee, the Title IX Coordinator and the law-enforcement representative shall each retain (i) the authority to proceed with any further investigation or adjudication allowed under state or federal law and (ii) independent records of the Review Committee's considerations, which shall be maintained under applicable state and federal law.

- E. **Other Related Misconduct.** In accordance with its policies, the College is empowered to hear allegations of, and to impose sanctions for, Sexual Misconduct and any other violations of the College's code of conduct directly related to the circumstances involved in the alleged Sexual Misconduct or any alleged violations of this Policy. It is not, however, the practice of the College to pursue disciplinary action against a Complainant or witness for improper use of alcohol or drugs that occurs during the events involved in the alleged Sexual Misconduct, provided that such student is acting in good faith to related events. Students, whether as parties to the proceedings or as witnesses, are expected to provide truthful information and testimony in accordance with the College's Honor Code.
- F. **Interim Measures.** Interim measures are those services, accommodations, or other assistance that the College puts in place for a Complainant after receiving notice of alleged sexual misconduct but before any final outcomes – investigatory, disciplinary, or remedial – have been determined. Interim measures are for the duration of the investigation and adjudication process. The College wants students to be safe, to receive appropriate medical attention, and to get the help they need to heal and to continue to access their educational opportunities. The College also wants students to understand their reporting options and how to access available interim measures. The College encourages victims of Sexual Misconduct to report those incidents to the College's Title IX Coordinator or any Responsible Employee with whom the victim feels comfortable. The College recognizes that Sexual Misconduct can be traumatic and may leave victims feeling overwhelmed and confused. This policy seeks to provide clear guidance regarding available resources and who can help in securing them.

Upon receiving a report of Sexual Misconduct, the College will provide the Complainant or Complainant's counselor with a written explanation of the interim measures available on campus and through local community resources and shall ask the Complainant, or their counselors, what measures are sought. Some possible interim measures are listed below, and the College determines which measures are appropriate for a particular victim on a case-by-case basis. Not all of the measures listed below will be necessary in every case to keep a Complainant safe and ensure equal access to educational programs and activities. If the Complainant or counselor identifies an interim measure that is not already provided by the College, the College will consider whether the request can be granted. In those instances where interim measures affect both a Complainant and the Respondent, the College will minimize the burden on the Complainant wherever appropriate.

The Complainant or their counselor may request the interim measures listed below. The College – after consulting with the Complainant – will determine which measures are appropriate to ensure the Complainant's safety and equal access to educational programs and activities:

- Academic accommodations
- Medical and mental health services, including counseling
- Change in campus housing and/or dining locations
- Assistance in finding alternative housing

- Assistance in arranging for alternative College employment arrangements and/or changing work schedules
- A “No Contact” directive pending the outcome of an investigation. Such a directive serves as notice to both parties that they must not have verbal, electronic, written, or third party communication with one another
- Providing an escort to ensure that the student can move safely between school programs and activities
- Transportation accommodations, such as shuttle service, cab voucher, or parking arrangements to ensure safety and access to other services
- Assistance identifying an advocate to help secure additional resources or assistance including off-campus and community advocacy, support, and services

The College will work with the Complainant or their counselors to identify what interim measures are appropriate in the short term (e.g., during the pendency of an investigation or other school response), and will continue to work collaboratively throughout the College’s process and as needed thereafter to assess whether the instituted measures are effective, and if not, what additional or different measures are necessary to keep the Complainant safe.

The Respondent may be required prior to and during the investigation and hearing process to comply with the determined interim measures. In addition, the College may determine that an interim suspension of the Respondent during the investigation and hearing process may be appropriate. The College will maintain as confidential any interim or protective measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the interim or protective measures. The Respondent will be informed of interim Measures only to the extent necessary to ensure that the Respondent complies with interim measures which impact the Respondent’s conduct.

When a Complainant’s counselor requests any of the above measures on the Complainant’s behalf without disclosing that Sexual Misconduct is the basis for the request, the College will consider those requests for supportive measures consistent with its general policy of allowing counselors to seek such measures for victims of trauma without requiring that the nature of the trauma be disclosed.

The College will provide reasonable remedial and protective measures to third parties as appropriate and available, taking into account the role of the third party, the actions of the Respondent, and the nature of any contractual relationship with the College.

- G. Protective Orders. Protective orders are civil court orders meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. The Bridgewater College Campus Police will explain and provide assistance in the process of obtaining protective orders. A Complainant also may seek the assistance of the Town of Bridgewater Police Department or the Rockingham County Sheriff’s Department.

An emergency protective order (EPO) aims to protect the health or safety of any person regardless of a decision to arrest. A police officer may request an EPO for a Complainant for any act involving violence, force, or threat that results in bodily injury, or places one in reasonable apprehension of death, sexual assault, or bodily injury. Such acts include, but are not limited to, any forceful detention, stalking, or criminal sexual assault in violation of

Virginia law that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

An EPO is issued by a judge or magistrate, upon request of a law enforcement officer or a Complainant. To obtain an emergency protective order, the Complainant must have been subjected to an act of violence, force, or threat, and the judge or magistrate must find that (i) there is probable danger of a further such act being committed by the Respondent against the Complainant or (ii) a petition or warrant for the arrest of the Respondent has been issued for a criminal offense resulting from the commission of an act of violence, force, or threat. An EPO can:

- Prohibit acts of violence, force, or threat or criminal offenses resulting in injury to person or property,
- Prohibit contacts by the Respondent with the Complainant or the Complainant's family or household members, and
- Grant other conditions that the judge or magistrate deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses resulting in injury to person or property, or (iii) communication or other contact of any kind by the Respondent.

The EPO remains in effect for 72 hours. The Complainant may request a preliminary protective order, within a reasonable period of time following the incident, through the General District Court. A preliminary protective order (PPO) is issued by a judge, upon request of a Complainant or law enforcement officer. To obtain a PPO, the Complainant must have been subjected to an act of violence, force, or threat, or a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat. A Complainant must appear before a judge in person to request a PPO. A PPO can:

- Prohibit acts of violence, force, or threat or criminal offenses that may result in injury to person or property,
- Prohibit contacts by the Respondent with the Complainant or the Complainant's family or household members, and
- Grant other conditions that the court deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses resulting in injury to person or property, or (iii) communication or other contact of any kind by the Respondent.

A PPO is valid for 15 days, or until the date of the next hearing scheduled at the time of issuance of the preliminary protective order for a permanent or full protective order. A full protective is issued by a judge, following a hearing at which both the Complainant and Respondent are present. A full protective order can:

- Prohibit acts of violence, force, or threat or criminal offenses that may result in injury to person or property,
- Prohibit contacts by the Respondent with the Complainant or the Complainant's family or household members, and
- Grant other conditions that the court deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses resulting in injury to person or property, or (iii) communication or other contact of any kind by the Respondent.

A Protective Order is valid for any period of time up to a maximum of two years. It is very important to keep a copy of the Protective Order with you at all times. Show it to the police officer, magistrate, prosecutor, or judge if the Respondent violates the order.

The Campus Police and Safety Department will enforce protective orders from other states or possessions of the United States as if they were issued in the Commonwealth of Virginia, so a Complainant is encouraged to inform Campus Police of any protection orders.

- H. Retaliation. It is a violation of College policy for anyone to retaliate against any person making a complaint of Sexual Misconduct or against any person cooperating in the investigation of (including testifying as a witness to) any allegation of Sexual Misconduct. Retaliation against those accused of Sexual Misconduct is also a violation of this policy.

Retaliation does not include good faith actions lawfully pursued in response to a report of Sexual Misconduct. For these purposes, “Retaliation” includes intimidation, threats or harassment against any Complainant or third party. Retaliation should be reported promptly to Campus Police and Safety, the Title IX Coordinator, or the Department of Student Life and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of Sexual Misconduct.

V. Resolution

- A. Investigation. Upon receiving a report (either verbally or in writing), the Title IX Coordinator will conduct an initial assessment of the available information, the complainant’s immediate and ongoing safety and well-being; the incident or conduct at issue; any risk of harm to the parties, any other individuals, or the broader campus community; the existence of severe, persistent or pervasive conduct, including evidence of a pattern, use of a weapon or other predatory conduct; and the necessity for any interim measures or accommodations. As outlined above, the Title IX Coordinator will also consider the interest of the complainant and the complainant’s expressed preference for manner of resolution, which may include confidentiality or the initiation of an investigation to determine if disciplinary action is warranted.

If the report and/or intake appear upon initial assessment to be a possible violation of this policy, taking into consideration any requests for confidentiality from the Complainant, the Title IX Coordinator will either conduct an investigation of the allegation or assign an investigator to investigate the allegation of Sexual Misconduct. Investigators will receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation that protects the safety of victims and promotes accountability. Ordinarily, this investigation will include interviews with and obtaining statements from both or all parties, interviews with witnesses, and a review of documentary evidence. The College will conduct this investigation regardless of whether a report has been made to law enforcement, but the College will be mindful of an active law enforcement investigation. In such circumstances the College’s investigator should not ordinarily conduct independent interviews or gather evidence while law enforcement is actively interviewing witnesses or gathering evidence on the matter that concerns the College; however, under special circumstances, the investigator may proceed to do so.

Typically, the period from commencement of an investigation through resolution (finding and sanction, if any,) will not exceed sixty (60) calendar days. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law

enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for College breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. The parties will be notified in writing of any extension of this timeframe and the reason for such extension. The time for consideration and disposition of any appeal of the resolution will be in addition to the sixty (60) calendar days.

- B. **Determination to Charge.** Following the conclusion of the investigation, the Title IX Coordinator will determine, based on the information obtained from the investigation, whether there is sufficient information available to charge the Respondent with an alleged violation of the policy. The Title IX Coordinator will provide written notification of the determination of the administrative review to the Complainant and Respondent concurrently.

If the Title IX Coordinator determines that there is sufficient information to charge a violation of this Policy:

- (a) any written report of the investigation will be made available for review by the parties;
- (b) the Title IX Coordinator will cause a transcript hold to be placed on the Respondent's transcript pending final resolution of the complaint; and
- (c) the Title IX Coordinator will refer the case for a hearing.

The determination to charge the Respondent does not mean that the Respondent will be found responsible for a violation of the Policy. Instead, it means that the Title IX Coordinator has determined that, based upon the available information obtained from the investigation, the matter warrants further review in a hearing. The Respondent will be found in violation only if the hearing officer(s) determines, by a preponderance of the evidence, that the Respondent has committed a violation of the policy.

Should the Title IX Coordinator determine that there is not sufficient information to charge the Respondent, the Title IX Coordinator will so inform the parties in writing concurrently, and will document the matter as closed. The Complainant may appeal the determination that there is not enough information to charge the Respondent by submitting a letter to the Dean of Students outlining all reasons for the appeal. The appeal must be submitted to the Dean of Students within five (5) calendar days of receipt of the written determination of the Title IX Coordinator. The Dean of Students will review the appeal and notify the Complainant and Respondent in writing whether the appeal has been granted or denied. This determination by the Dean of Students will generally be made within twenty (20) calendar days of when the appeal has been received. That determination is final and may not be appealed further.

- C. **Advisors.** The Complainant and Respondent may seek the advice and assistance of an Advisor of their choice, at their own expense. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. Following written notification by the Title IX Coordinator formally charging the Respondent with a violation of this Policy, an Advisor may accompany a party to meetings and any hearing, but may not present evidence, question witnesses, or otherwise participate in the hearing. Any party may request a brief recess of the hearing to consult with their Advisor, which will be granted at the discretion of the hearing officer(s).
- D. **Notice of Hearing.** The Complainant and Respondent shall receive advanced written

notification of the specific charges and the date, time, and location of the hearing and an electronic or written copy of this Policy. The parties may request a reasonable extension of time to prepare for the hearing. Requests for an extension will not be granted for a period to exceed two business days except in unusual circumstances where the party can demonstrate the necessity for a longer delay. All requests for an extension of time should be made in writing at least 24 hours prior to the scheduled hearing, except in cases of documented serious illness or emergency. A Complainant or Respondent who fails to appear at a scheduled hearing without good cause (e.g., serious illness), after proper notice of the hearing, may have the case be decided notwithstanding an absence. In such cases, decisions will be based solely on witness testimony and other information presented during the hearing. Failure to appear does not preclude a party from appealing a decision through the process detailed below.

- E. **Hearing Officer.** The hearing will be conducted by one hearing officer, or at the College's election, more than one hearing officer, such hearing officer(s) selected by the College. The College may use College employees, or may ask other individuals with relevant experience and training to serve as a hearing officer(s). Hearing officers will receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct a hearing process that protects the safety of victims and promotes accountability. If more than one hearing officer conducts the hearing, the hearing officers shall select one of them to serve as chair of the hearing, and decisions of the hearing officers shall be made by majority vote.
- F. **Pre-Hearing Submissions.** All parties shall have the opportunity to provide information in advance of the hearing to be considered by the hearing officer(s). Any additional information must be submitted in writing to the hearing officer(s) at least two business days prior to the proceeding. The Complainant and Respondent each will have the opportunity to review any written information submitted by any other party. The hearing officer(s) may set reasonable parameters for written submissions.

All parties may provide to the hearing officer(s) the names of witnesses who have relevant information pertaining to the incident and will be called to testify. Any witness list must be submitted in writing to the hearing officer(s) at least two business days prior to the proceeding. The hearing officer(s) will determine whether the suggested witnesses will be permitted to participate in the proceeding. Character witnesses will not be heard. In general, witnesses who are not members of the College community will not be permitted to serve as a witness in the proceeding. The parties are responsible for the attendance of their respective witnesses at the hearing. The Complainant and Respondent each will have the opportunity to review any witness list submitted by the other.

In addition, the parties may submit in writing to the hearing officer(s) questions the party would like the hearing officer(s) to ask the other party or a witness. Any questions must be submitted in writing to the hearing officer(s) at least two business days prior to the proceeding. The hearing officer(s) will determine whether to ask the questions.

- G. **Resolution Prior to Hearing.** The hearing officer(s) will review the investigation report and any written submissions. The hearing officer(s) may determine that a hearing is not necessary when the hearing officer(s) concludes that the information in the investigation report and the written submissions (if any) is sufficient to make a determination. If the hearing officer(s) decides that a hearing is not necessary, the hearing officer(s) will so notify the parties and

then proceed directly to make a determination, including an explanation of why a hearing is not necessary, as described below.

If, at any time prior to the hearing, the Respondent elects to acknowledge the alleged actions and take responsibility for the alleged Sexual Misconduct, the Respondent may request that the hearing officer(s) propose a resolution to the charges and a sanction and, with the consent of the Complainant, resolve the complaint without a hearing.

- H. Conduct of the Hearing. A hearing is closed to the public, including friends and parents of the parties and College personnel without an official interest in the case. Only the hearing officer(s), the Complainant, Respondent, and their advisors, witnesses, and necessary College personnel may be present in the hearing room during the proceeding, and the Complainant, Respondent, and their advisors, and the witnesses may be in the hearing room only when the respective individual is presenting testimony.

The hearing will not follow a courtroom model, and formal rules of process, procedure, and/or technical rules of evidence, such as applied in criminal or civil court, will not be observed. The hearing is intended to be an informal process. What might be considered hearsay or secondhand or other indirect evidence may be presented and given that weight to which it may be entitled, as determined by the hearing officer(s) as part of considering the totality of the information and the credibility of any witness. Deviations from prescribed procedures shall not necessarily invalidate a decision, unless significant prejudice to the Respondent, Complainant or the College results.

The parties have the option not to appear and/or testify; however, the exercise of that option will not preclude the hearing officer(s) from proceeding and determining the complaint on the basis of the evidence presented.

The hearing officer(s) will not consider the romantic or sexual history of either the Complainant or Respondent, except for testimony offered by one or the other about the Complainant's and Respondent's shared sexual history that the hearing officer(s) deems relevant. If such information is offered by the Complainant or Respondent, the other party will be advised of the information and given an opportunity to respond. The existence of a prior consensual dating or sexual relationship between the Complainant and Respondent by itself does not support an inference of Effective Consent to alleged act(s) of Sexual Misconduct.

If the hearing officer(s) determines that unresolved issues exist that would be clarified by the presentation of additional evidence, the hearing officer(s) may recess the hearing and reconvene it in a timely manner to receive such evidence. A recess may not be based on the failure of witnesses to appear.

At the discretion of the hearing officer(s), an audio, video or stenographic recording of the hearing may be made for the use of the hearing officer(s), for sanctioning, and for purposes of appeal. Any such recording shall remain the sole property of the College.

- I. Evidentiary Standard. The evidence of alleged Sexual Misconduct will be evaluated under a "preponderance of the evidence" standard, meaning that the evidence must show that it is "more likely than not" that the Respondent violated the policy. The Respondent will be found

to be responsible for the alleged Sexual Misconduct if the hearing officer(s) concludes that such Sexual Misconduct more likely than not occurred based upon a review of all the evidence presented.

- J. **Decision.** Following the hearing, the hearing officer(s) will issue a written decision letter, delivered concurrently to both the Respondent and the Complainant. The decision letter will set forth the names of the Complainant and Respondent; the violation(s) of the policy for which the Respondent was found responsible, if any; any essential findings supporting the hearing officer(s)'s decision on the issue of responsibility; and the sanction(s) imposed, if any. The Respondent shall not be notified of any individual remedies offered or provided to the Complainant. The privacy of all parties to a report of Sexual Misconduct must be respected, except insofar as it interferes with the College's obligation to fully investigate allegations of Sexual Misconduct. When confidentiality is not strictly kept, information will still be tightly controlled on a need-to-know basis. The College will not disseminate information and/or written materials to persons not involved in the resolution process without the consent of both parties. Witnesses are also required to maintain the privacy of information shared with them during interviews and/or hearings. Violations of the privacy of the Complainant or the Respondent may lead to conduct action by the College, though both parties are allowed to share their perspectives and experiences. All parties, including witnesses, involved in an allegation are strongly encouraged to maintain the privacy of information and/or written materials.
- K. **Sanction.** If the hearing officer(s) concludes that the alleged Sexual Misconduct occurred, the hearing officer(s) may impose any sanction that is fair and proportionate to the violation. In determining an appropriate sanction, the hearing officer(s) may consider any record of past violations of the standards of conduct, as well as the nature and severity of such past violation(s). The hearing officer(s) will consider as part of deliberations whether the sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation on the Complainant and the Bridgewater College community. Any sanction imposed will be described in the written decision of the hearing officer(s). The hearing officer(s) may impose any one or more of the following sanctions on a Respondent determined to have violated the Policy:
- Reprimand/warning
 - Assigned restorative activities
 - Removal from extracurricular activities and clubs
 - Restitution and/or fines
 - Changing the Respondent's academic schedule
 - Disciplinary probation
 - Revocation of honors or awards
 - Restricting access to College facilities or activities (including student activities and campus organizations)
 - Community service
 - Issuing a "no contact" and minimum distance order or requiring that such an order remain in place both as to campus and off campus contact
 - Reassigning campus residence
 - Dismissal, suspension, demotion or restriction from College employment
 - Removal from student housing

- Suspension (limited time or indefinite)
- Notation on transcript
- Expulsion
- Revocation of degree
- No trespass notice and ban from College campus or having any contact with or doing any transaction or attempted transaction with the College
- Other sanctions as may be determined appropriate under the circumstances

In addition to any other sanction (except when the sanction is expulsion or revocation of a degree), the College will require any Respondent determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the misconduct violation at issue. The College may also require counseling or other support services for the Respondent.

L. Appeals. Either party may appeal the hearing officer(s)' decision by notifying the Title IX Coordinator in writing within five (5) business days after receipt of the hearing officer(s)'s decision. The party appealing the decision shall submit a detailed statement which shall include the reasons the party believes the decision of the hearing officer(s) should be modified or reversed. The only three permitted grounds for appeal are:

1. A substantial procedural error that would materially change the determination or sanction;
2. New, substantial and credible information that was not available at the time of the investigation or hearing and that would materially change the determination or sanction; and
3. Excessiveness or insufficiency of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The appeal may be conducted by one or, at the election of the College, more than one appeal officers selected by the College. The College may use College employees, or may ask other individuals with relevant experience and training to serve as an appeal officer(s). Appeal officers will receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an appeals process that protects the safety of victims and promotes accountability. If more than one appeal officer is used, the appeal and any other decisions on appeal shall be decided by majority vote.

If the appeal officer(s) concludes that a change in the hearing officer(s)'s determination is warranted, the appeal officer(s) may enter a revised determination, reconvene the hearing officer(s) to reconsider the determination, or return the matter for additional investigation. After consultation with the Title IX Coordinator, the appeal officer(s) may also modify the sanction. If both the Complainant and Respondent appeal, the appeals will be considered concurrently. Within thirty (30) calendar days after receipt of the notice of appeal (or such longer time as the appeal officer(s) may for good cause determine), the appeal officer(s) will provide to both parties, concurrently, and to the Title IX Coordinator, a copy of the written decision. The decision of the appeal officer(s) is final, and there is no further appeal following this decision.

M. Transcript Notation. The College's registrar shall include a prominent notation on the academic transcript of each student who has been suspended for, has been permanently

dismissed for, or withdraws from the College while under investigation for an offense involving sexual violence under this policy, stating that such student was suspended for, was permanently dismissed for, or withdrew while under investigation for an offense involving sexual violence under this policy, substantially as follows: "[Suspended, Dismissed, or Withdrew while under investigation] for a violation of the College's student conduct policies." The Respondent will be notified that any such suspension, permanent dismissal, or withdrawal will be documented on the student's academic transcript. The College shall remove from a student's academic transcript any notation placed on such transcript due to such student's suspension if the student (i) completed the term of the suspension and any conditions thereof and (ii) has been determined by the College to be in good standing according to the College's code, rules, or set of standards governing such a determination.

- N. **Effective Date of Sanction.** Sanctions imposed by the hearing officer(s) are not effective until any timely appeal of the decision is resolved within the appeal process of this Policy. However, if advisable to protect the welfare of the Complainant or the campus community, the hearing officer(s) may include in its determination letter that any sanction be effective immediately and continue in effect until such time as any appeal is finally resolved. The hearing officer may notify other campus officials to implement a decision that includes sanctions to protect the welfare of the Complainant or the campus community. If the matter is appealed, the appeal officer(s) may suspend the determination pending exhaustion of appeal, or allow the student to attend classes or other activity on a supervised or monitored basis, or make such other modifications to the determination as may be advisable.
- O. **Readmission.** A student who is absent from the College for a semester or longer, or one who has withdrawn from the College for any reason, voluntarily or involuntarily, must apply for readmission through the admissions office. Readmission is never guaranteed. If the applicant was suspended for violating academic or student conduct policies, readmission is dependent on the applicant demonstrating full compliance with the terms of suspension, the College being satisfied that the student takes responsibility for his or her individual choices and actions, and that the student is ready to participate as a positive, contributing member of this academic community, which includes full acceptance of the expectations of the College for the members of its community.
- P. **Effect of Policy.** As with other College policies, this Policy does not create a contract and may be changed at any time without consent or prior notice. Any incident of Sexual Misconduct, however, shall be subject to the policy in effect at the time of the alleged incident.

Sex Offender Information

Law enforcement agency information provided by the Commonwealth of Virginia under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), concerning registered sex offenders may be obtained at the Office of the Chief of Campus Police and Safety located at 122 College View Drive, or by going to the Virginia State Police website at: <http://sex-offender.vsp.virginia.gov/sor/>.

Missing Student Policy

The purpose of the policy is to establish protocols for Bridgewater College's response to reports of

missing students, as required by federal law. The policy applies to students who reside in on-campus student housing facilities.

For purposes of the policy, a student may be considered to be a "missing person" if the student's absence is contrary to his/her usual pattern of behavior and there is reason to believe that unusual circumstances may have caused the absence. Such circumstances may include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, has been with persons who may endanger the student's welfare, or is overdue to return to campus and is unheard from after giving a specific return time to friends or family. Students will be given the opportunity during the Fall and Spring semester to designate an individual or individuals to be contacted by the College no more than 24 hours after the time that the student is determined to be missing, in accordance with the procedures set forth in this policy. A designation will remain in effect until changed or revoked by the student.

Contact information provided by students will be registered confidentially, will be accessible only to authorized campus officials, and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

Any individual on campus who has information that a residential student may be a missing person should notify a member of the Department of Student Life at 540-828-5380, or a member of the Campus Police and Safety Department at 540-828-5609 as soon as possible. The Campus Police and Safety Department will gather all essential information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule). The Department of Student Life will be notified and residence life staff will be alerted to aid in the search for the student.

No later than 24 hours after determining that a residential student is missing, the Campus Police and Safety Department will contact local law enforcement regarding the missing student, and either the Chief of Police or Dean of Students will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

Policies Applicable to Employees

The security policies of the College applicable to employees are set forth principally in the [*Employee Handbook*](#). The following information is from the current version of the [*Employee Handbook*](http://www.bridgewater.edu/files/hr/EmployeeHandbook.pdf): <http://www.bridgewater.edu/files/hr/EmployeeHandbook.pdf>.

Background Checks. In an effort to provide a safe campus environment for its students and employees, the College reserves the right to conduct a background investigation of all applicants selected for any position at the College including staff, faculty, adjuncts and temporary positions. Job offers made are contingent upon the results of this investigation. All applicants for employment with the College are required to sign an authorization form giving Bridgewater College permission to conduct a background investigation. The College will conduct and utilize these background investigations as they relate to the fitness for duty for a particular position, in accordance with applicable law. A relevant job-related conviction is grounds for termination of employment or non-selection of an applicant. Falsification of application materials, including failure to disclose misdemeanor or felony convictions, is grounds for termination of employment or non-selection.

Policy and Rules on Alcohol and Drugs. As a recipient of federal aid and federal grants, the College must certify under the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 that it will take certain steps to provide a drug-free workplace. Possessing, being under the influence of, using, distributing, dispensing, or manufacturing alcohol or illegal or controlled substances is prohibited on College property, in College vehicles, while conducting College business, or as a part of College activities except on occasions when the consumption of alcoholic beverages in a social setting is authorized and sponsored by the College. Any employee who is convicted for any drug statute violation must notify his or her supervisor within five days of the conviction. The College will take appropriate action against an employee who violated any part of this workplace rule, up to and including termination and referral for prosecution, which is in the best interest of the College and in accordance with the Drug-Free Workplace Act. Employees not terminated may be required to satisfactorily participate in an approved drug abuse assistance or rehabilitation program.

In accordance with the Drug-Free Schools and Communities Act of 1989, the College distributes to employees annually, information on applicable legal sanctions and health risks associated with the unlawful possession or distribution of alcohol or illegal drugs, and a description of drug and alcohol treatment programs available to members of the College community.

Separate from the legal requirements, the College is concerned with the health and well-being of members of the College community. Employees may contact the Director of Human Resources, in confidence, for referrals or information regarding available and appropriate substance abuse counseling, treatment and rehabilitation programs.

In furtherance of its commitment to a safe workplace and safe learning environment, the College reserves the right to require testing of employees for alcohol (including medications containing alcohol) or illegal or controlled substances, on a random basis and/ or on the basis of reasonable suspicion.

Weapons Policy. Bridgewater College is committed to providing a safe and secure learning and working environment for students, faculty, staff and visitors on all campus properties. The use, possession or storage of any firearm, dangerous weapon, explosive, or other dangerous article is prohibited on all properties owned, leased, or otherwise operated by Bridgewater College. This prohibition applies to a concealed weapon for which the carrier has a legal permit, as well as weapons in any College facility or within any parked vehicle on College property or the streets within or adjoining College property. Only sworn law enforcement officers duly authorized to carry weapons are exempt from this policy. Any person violating this policy will be subject to possible disciplinary action, including dismissal.

Safety and Security. Bridgewater attempts to provide for the safety and security of its faculty and staff by a continuous effort to maintain buildings, grounds, equipment and lighting. Staff can contribute to the safety and security of the campus and their departments by alerting supervisors or the Director of Facilities (540-828-5316) of any areas that need attention. If a staff member is working after hours, doors to the work area should be locked. The phone number for Campus Police and Safety is 540-828-5609.

Non-Discrimination Statement. In accordance with all federal, state and local laws, it is the policy of the College not to discriminate against any employee or applicant for employment in hiring,

promotion, discharge, pay, fringe benefits, job training, classification, referral, or other aspects of employment on the basis of race, color, national or ethnic origin, sex, marital status, gender identity or expression, sexual orientation, disability, religion, age, veteran status, or political affiliation. Employees are urged to inform any Vice President of any violations of this policy.

Policy on Prohibited Discrimination and Harassment. Bridgewater College is a community based on trust and respect for others. The quality of its life, academic and social, is shaped by the guiding principle of civility, and every member of the community is entitled to expect civil behavior from all other members. Students, faculty and staff have the right to be free from prohibited discrimination and harassment within the College community. Specifically, the College prohibits discrimination, including harassment, on the basis of race, color, national or ethnic origin, sex, marital status, gender identity or expression, sexual orientation, disability, religion, age, veteran status, or political affiliation in its educational programs and activities and with regard to employment. Such conduct violates not only College policy, but may also violates state and federal law.

Unwelcome verbal or physical conduct toward a member of the College community may constitute prohibited harassment, depending on the circumstances of each case. Such conduct constitutes prohibited harassment if: 1) the conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile or offensive work or academic environment; 2) submission to such conduct is an implicit or explicit condition of employment or academic success; or 3) submission to or rejection of such conduct is used as the basis for an employment or academic decision.

Any employee who believes herself or himself to be the object of prohibited discrimination or harassment by a member of the faculty or staff should consult with the Director of Human Resources or one of the designated officers listed below responsible for enforcement of the College's policy. The designated officer will provide that person with information concerning Bridgewater's policy and procedures for dealing with formal complaints of prohibited discrimination and harassment.

- Dr. David W. Bushman, President (540) 828-5605, dbushman@bridgewater.edu
- Heidi Hoover, JD, Title IX Coordinator; (540) 828-8063; hhoover@bridgewater.edu
- Jean Willi, Associate Director of Athletics and Deputy Title IX Coordinator; (540) 828-5400; jwilli@bridgewater.edu
- Roy W. Ferguson, Jr., Executive Vice President (540)828-5307, rferguso@bridgewater.edu
- Anne B. Keeler, Vice President for Finance (540) 828-5470, akeeler@bridgewater.edu
- Dr. Leslie Frere, Dean of Students (540)828-5382, lfrere@bridgewater.edu
- Dr. Leona Seveck, Provost and Vice President for Academic Affairs (540) 828-5607, lseveck@bridgewater.edu
- Dr. Maureen M. Silva, Vice President for Institutional Advancement (540) 828-5450, msilva@bridgewater.edu
- Reginald A. Webb, Vice President for Enrollment Management (540)828-8014, rwebb@bridgewater.edu

No employee will be disciplined or otherwise retaliated against for identifying such discrimination or harassment. It is important to inform the College; we cannot remedy the situation if we are unaware that a problem exists. Confidentiality will be maintained to the extent possible without jeopardizing a full investigation of the complaint.

Policy and Procedures for Employee Sexual Misconduct Complaints

I. Introduction

- A. Overview and Purpose. Bridgewater College is committed to providing all students and employees, regardless of gender, sexual orientation or gender identity, with an educational environment free from discrimination. The sexual harassment of students or employees, including sexual violence and exploitation, domestic and dating violence, non-consensual sexual contact or intercourse, gender-based harassment, and stalking, interferes with an employee's opportunity to engage in employment, free from discrimination and, in the case of sexual violence, is a crime and is considered "Sexual Misconduct." Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct may be committed by men or by women, and it can occur between people of the same or different sex. This policy covers complaints by employees of alleged Sexual Misconduct committed by Bridgewater College students, faculty, or staff, as well as alleged Sexual Misconduct committed by third parties on College property, as well as any complaint of alleged Sexual Misconduct by a College employee on College property when the Complainant is not a Bridgewater student or employee. Sexual Misconduct, as defined by this policy, comprises a broad range of behavior that will not be tolerated. Sexual Misconduct violates Bridgewater College policy, federal civil rights laws and may also result in criminal prosecution. Bridgewater College is committed to fostering a community that promotes prompt reporting of Sexual Misconduct, support for anyone who has been subject to Sexual Misconduct, and timely and fair resolution of Sexual Misconduct cases. Creating a safe and respectful environment is the responsibility of all members of the campus community.
- B. Title IX Coordinators. Bridgewater College has a Title IX Coordinator and one (1) Deputy Title IX Coordinator:
- Title IX Coordinator – Heidi Hoover JD, Title IX Coordinator; (540) 828-8063; hhoover@bridgewater.edu
 - Deputy Title IX Coordinator – Jean Willi, Associate Director of Athletics; (540) 828-5400; jwilli@bridgewater.edu
- C. Medical Attention. If an employee is the victim of a sexual assault, it is important to seek immediate medical attention at a local hospital for several reasons: (1) to assess and treat any physical injuries; (2) to determine the risk of sexually transmitted diseases or pregnancy and to take appropriate measures; and (3) to gather evidence that may be used in a criminal prosecution if the Complainant chooses to press charges either immediately or at a later time. Physical evidence should be collected immediately, ideally within the first 24 hours, and usually not later than 72 hours after the incident. In order not to destroy any evidence needed if the Complainant should decide to seek prosecution, it is important that she/he DOES NOT:
- Bathe or shower
 - Brush or comb your hair
 - Douche
 - Change clothes (if clothes are changed, take the clothes worn at the time of the assault to the hospital in a PAPER bag)

- Eat or drink anything or brush or rinse your teeth if there was oral contact
- Touch items at the incident or crime scene
- Put on or remove makeup

Take a change of clothes to the hospital because some items of clothing may be kept as evidence. At the emergency room the physician may collect hair samples, semen and other evidence. The police will be contacted to take possession of these samples until the Complainant makes a decision about prosecution.

The hospital serving the Bridgewater area is Sentara RMH Medical Center – (540) 689-1000 or 911 may be called.

II. Definitions

- A. “Coercion” is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. There is no requirement that a party resists the sexual advance or request, but resistance is an example of a clear demonstration of non-consent.
- B. “Complainant” means a person who has made a report of a possible violation of this Policy to a Responsible Employee Title IX Coordinator, the Human Resources Department, or the Campus Police and Safety Department.
- C. “Dating Violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not, however, include acts covered under the definition of Domestic Violence.
- D. “Domestic Violence” means a felony or misdemeanor crime of violence committed—
 - (i) By a current or former spouse or intimate partner of the Complainant;
 - (ii) By a person with whom the Complainant shares a child in common;
 - (iii) By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
 - (v) By any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- E. “Effective Consent” is clear, knowing and voluntary. Consent is active, not passive.

Silence in and of itself cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to any other form of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. Consent cannot be gained by force and/or incapacitation (see definitions below). In order to give effective consent, one must be of legal age.

- F. “Force” Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and Coercion that can overcome resistance or produce inadequate consent. For example: “Have sex with me or I will hit you;” “Okay, don’t hit me, I’ll do what you want.”
- G. “Gender-based Harassment” means acts of aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitutes gender-based harassment. Gender-based harassment can occur if employees are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with a person’s college employment, or create an intimidating, hostile, demeaning, or offensive work environment.
- H. “Hostile Environment” may arise when unwelcome conduct of a sexual or gender-based nature unreasonably interferes with a person’s college employment, or creates an intimidating, threatening or abusive work environment. A single, isolated incident of sexual or gender-based harassment may, based on the facts and circumstances, create a hostile environment.
- I. “Incapacitation”, or diminished capacity, means the physical and/or mental inability to make informed, rational judgments. States of Incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol and other drugs are involved, one does not have to be intoxicated or drunk to be considered incapacitated. Incapacitation is determined by how the alcohol consumed impacts a person’s decision making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the Respondent knew, or a sober, reasonable person in the position of the Respondent should have known, that the Complainant was incapacitated. Because incapacitation may be difficult to discern in some circumstances, employees are strongly encouraged to err on the side of caution; when in doubt, assume that another person is incapacitated and therefore unable to give Effective Consent. Being intoxicated, drunk or under the influence of a drug is never a defense to a complaint of Sexual Misconduct under this policy.
- J. “Intimidation” means any threat of violence or other threatening behavior directed toward another person or group that reasonably leads the target(s) to fear for their physical well-being or to engage in sexual conduct for self-protection.
- K. “Non-Consensual Sexual Contact” means Sexual Contact that occurs without Effective Consent. “Sexual Contact” means the deliberate, direct or indirect touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those

areas), or using Force to cause a person to touch his or her own or another person's intimate parts.

- L. “Non-Consensual Sexual Intercourse” means Sexual Intercourse that occurs without Effective Consent. “Sexual Intercourse” means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.
- M. “Respondent” is a person against whom a report of a possible violation of this Policy has been made.
- N. “Responsible Employee” is an employee of the College who has the authority to take action to redress the alleged misconduct with appropriate College officials, or an individual whom an employee could reasonably believe has this authority or responsibility to redress or report the alleged misconduct. The College has defined the following employees as Responsible Employees:
- Title IX Coordinators
 - Human Resources staff
 - Campus Police and Safety
- O. “Sexual Exploitation” means taking sexual advantage of another person without Effective Consent and includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such person; causing the prostitution of another person; recording, photographing, or transmitting identifiable images of private sexual activity and/or intimate parts (including genitalia, groin, breast or buttocks) of another person; allowing third parties to observe private sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.
- P. “Sexual Harassment” means unwelcome conduct of a sexual nature which unreasonably interferes with a person’s college employment, or creates a working environment that a reasonable person would find intimidating, hostile or offensive. Sexual Harassment may include, for example, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, including acts of sexual violence. In evaluating any complaint of sexual harassment the perceived offensiveness of a particular expression, standing alone, is not sufficient by itself to constitute sexual harassment. The conduct in question must be objectively intimidating, hostile or offensive and interferes with a person’s right to equally participate in programs and activities of the College.
- Q. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to either fear for the person's safety or the safety of others, or suffer substantial emotional distress. For the purpose of this definition—
- (i) “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - (ii) “Substantial emotional distress” means significant mental suffering or anguish that may,

but does not necessarily, require or involve medical or other professional treatment or counseling.

- (iii) “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the Complainant.

III. Reporting Sexual Misconduct

- A. General. The College encourages employees impacted by Sexual Misconduct to talk promptly to someone about what happened, so that employees who have been assaulted can get the support they need, and the College can respond appropriately. Employees are required to report all the details of an incident (including the identities of both the Complainant and the Respondent) to the Title IX Coordinator. A report to those employees (Responsible Employees) constitutes a report to the College – and generally obligates the College to investigate the incident and take appropriate steps to address the situation.
- B. Reporting to Campus Police and Safety. A member of the Bridgewater College Campus Police and Safety Department is always on patrol on campus, and is available to provide assistance to our employees. A report of Sexual Misconduct may be made at any time, day or night, by contacting the Campus Police and Safety officer on duty at 540-828-5609. Campus Police and Safety officers will report the incident to a Title IX Coordinator.
- C. Reporting to a Responsible Employee. All Responsible Employees must report all experienced or observed alleged incidents of Sexual Misconduct to a Title IX Coordinator, who is required to investigate and take appropriate action. As noted above, the College has defined the following employees as Responsible Employees:
- Heidi Hoover, JD, Title IX Coordinator; (540) 828-8063; hhoover@bridgewater.edu
 - Jean Willi, Associate Director of Athletics and Deputy Title IX Coordinator; (540) 828-5400; jwilli@bridgewater.edu
 - Human Resources staff
 - Campus Police and Safety

Before a Complainant reveals any information to a Responsible Employee, the employee should ensure that the Complainant understands the employee’s reporting obligations. If the Complainant wants to tell the Responsible Employee what happened but also maintain confidentiality, the employee should tell the Complainant that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the Responsible Employee will also inform the Coordinator of the Complainant’s request for confidentiality. To the extent possible, information reported to a Responsible Employee will be shared only with people responsible for handling the College’s response to the report. A Responsible Employee should not share information with law enforcement without the Complainant’s consent or unless the Complainant has also reported the incident to law enforcement.

- D. Reporting to Local Law Enforcement. As noted earlier, Sexual Misconduct may constitute both a violation of college policy and criminal activity. The College encourages employees to report alleged Sexual Misconduct promptly to Campus Police and Safety as well as the Town of Bridgewater Police Department. The Campus Police Department can assist in contacting the Town police. Criminal investigations may be useful in the gathering of relevant

evidence, particularly forensic evidence. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this policy, criminal investigations or reports are not determinative of whether Sexual Misconduct, for purposes of this policy, has occurred. In other words, conduct may constitute Sexual Misconduct under this policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute.

The filing of a complaint of Sexual Misconduct under this policy is independent of any criminal investigation or proceeding, and (except that the College's investigation may be delayed temporarily while police criminal investigators are gathering evidence) the College will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and take Interim Measures to protect the Complainant and the College community.

Town of Bridgewater Police may be contacted by calling (540) 828-2611 or 911.

- E. Reporting to Off-Campus Resources. Off-campus counselors, advocates, and health care providers will generally maintain confidentiality and not share information with the College unless the Complainant requests the disclosure and signs a consent or waiver form.

Following is contact information for these off-campus resources:

- Collins Center 24-Hour Sexual Assault Crisis Hotline - (540) 432-6430. The Collins Center is a sexual assault crisis center located in Harrisonburg, and all services are free of charge and strictly confidential.
 - Sentara RMH Medical Center - (540) 689-1300
 - Crime Victim Assistance Info-Line - (888) 887-3418
- F. Reporting to Office for Civil Rights. An employee also has the option of contacting the Office for Civil Rights regarding sex discrimination issues at: Washington D.C. (Metro), Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475, Telephone: (202) 453-6020, FAX: (202) 453-6021; TDD: 800-877-8339, e-mail: OCR.DC@ed.gov.

IV. Initial Process

- A. Meeting with Complainant. As soon as possible after a complaint is made alleging Sexual Misconduct, a Title IX Coordinator will schedule a meeting with the Complainant to (a) determine the name of the Respondent, and the date, location and nature of the alleged sexual misconduct, (b) identify forms of support or immediate interventions available to the Complainant, and (c) obtain the Complainant's consent to begin an investigation. The meeting may also involve a discussion of any accommodations that may be appropriate concerning the Complainant's employment arrangements.

The Title IX Coordinator will provide the Complainant with an electronic or written copy of this policy, and shall inform the Complainant of: (i) the available law-enforcement options for investigation and prosecution; (ii) the importance of collection and preservation of evidence; (iii) the available options for a protective order; (iv) the available campus options for investigation and adjudication under the College's policies; (v) the Complainant's rights

to participate or decline to participate in any investigation to the extent permitted under state or federal law; (vi) the applicable federal or state confidentiality provisions that govern information provided by a Complainant; (vii) the available resources, including sexual assault crisis centers, domestic violence crisis centers (e.g., the Collins Center), or other victim support services (e.g., counseling, health, mental health, victim advocacy, legal assistance, and visa and immigration assistance); and (viii) the importance of seeking appropriate medical attention and the opportunity for referrals for medical treatment.

- B. Complainant Requests Confidentiality. If the Complainant does not wish to pursue a complaint and/or requests that his or her complaint remain confidential, the College nevertheless is required to investigate and take reasonable action in response to the

Complainant's request to the extent it can do so within the restrictions imposed by the Complainant. The Title IX Coordinator will inform the Complainant that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent(s) may be limited. The College has designated the Title IX Coordinator as the person(s) to evaluate whether the Complainant's request for confidentiality can be honored. In order to make such an evaluation, the Title IX Coordinator may request the Campus Police to conduct a preliminary investigation into the alleged Sexual Misconduct.

When weighing a Complainant's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator managing the case will consider a range of factors, to include:

- The increased risk that the Respondent will commit additional acts of sexual or other violence, such as:
- Whether there have been other sexual violence complaints about the same Respondent
- Whether the Respondent has a history of arrests or records from a prior school indicating a history of violence
- Whether the Respondent threatened further sexual violence or other violence against the Complainant or others;
- Whether the sexual violence was committed by multiple Respondents;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the Complainant is a minor;
- Whether the College possesses other means to obtain relevant evidence of the sexual violence (i.e. security cameras or personnel, physical evidence, etc.);
- Whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate, and if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the Complainant's request for confidentiality. Even if the College cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality or that the complaint not be adjudicated, the College nonetheless is required to take prompt and effective action to limit the effects of the alleged Sexual Misconduct and to prevent its recurrence, such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate surveys; and/or revisiting its policies and practices. If the College determines that it cannot maintain a

Complainant's confidentiality, the College will (a) inform the Complainant prior to starting an investigation, (b) to the extent possible, only share information with people responsible for handling the College's response, and (c) if requested by the Complainant, inform the Respondent that the Complainant asked the College not to investigate or seek discipline, but that the College made the decision to go forward. The College may not require a Complainant to participate in any investigation or disciplinary proceeding.

- C. Interim Measures. The Title IX Coordinator will notify the Complainant of his or her options to avoid contact with the Respondent and allow the Complainant to change his or her working situation as appropriate. The College will provide written notification to the Complainant of his or her Title IX rights and any available resources, such as counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and the right to report a crime to campus or local law enforcement. Even when a school has determined that it can respect a Complainant's request for confidentiality and therefore may not be able to respond fully to an allegation of Sexual Misconduct and initiate formal action against an alleged Respondent, the College will take immediate action to protect the Complainant while keeping the identity of the Complainant confidential. These actions may include: providing support services to the Complainant; changing work schedules or assignments; and providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred. The College should provide the Complainant with periodic updates on the status of the investigation. The specific interim measures implemented and the process for implementing those measures will vary depending on the facts of each case. The College will consider a number of factors in determining what interim measures to take, including, for example, the specific need expressed by the Complainant; the severity or pervasiveness of the allegations; any continuing effects on the Complainant; whether the Complainant and alleged Respondent share the same job location; and whether judicial measures have been taken to protect the Complainant (e.g., civil protection orders). In general, when taking interim measures, the College will seek to minimize the burden on the Complainant.
- D. Retaliation. It is a violation of College policy for anyone to retaliate against any person making a complaint of Sexual Misconduct or against any person cooperating in the investigation of (including testifying as a witness to) any allegation of Sexual Misconduct. For these purposes, "retaliation" includes Intimidation, threats or harassment against any Complainant or third party. Retaliation should be reported promptly to Campus Police and Safety, a Title IX Coordinator, or the Human Resources Department and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of Sexual Misconduct.

V. Resolution

- A. Investigation. The Title IX Coordinator will, with assistance from Campus Police, conduct an investigation. Ordinarily, this investigation will include interviews with and obtaining statements from both parties, interviews with witnesses, and a review of documentary evidence. The College is obligated to conduct this investigation regardless of the

Complainant's requests, but it should be particularly careful while an active law enforcement investigation is ongoing. In such circumstances it should not ordinarily conduct independent interviews or gather evidence while off campus law enforcement is actively interviewing

witnesses or gathering evidence on the matter that concerns the College. Typically, an investigation will be completed within thirty (30) days following receipt of the complaint.

In addition to interviews and a review of documents, the Title IX Coordinator, in his or her sole discretion, may conduct a hearing to obtain additional evidence. If the Title IX Coordinator conducts a hearing, only the Title IX Coordinator, Complainant, Respondent, and necessary College personnel may be present in the hearing room during the proceeding, and only during those portions of the proceeding as determined in the sole discretion of the Title IX Coordinator. The hearing will not follow a courtroom model, and formal rules of process, procedure, and/or evidence, such as applied in criminal or civil court, will not be observed. What might be considered hearsay or secondhand or other indirect evidence may be presented and given that weight to which it may be entitled, as determined by the Title IX Coordinator as part of considering the totality of the information and the credibility of any witness. The parties have the option not to appear and/or testify; however, the exercise of that option will not preclude the Title IX Coordinator from proceeding and determining the complaint on the basis of the evidence presented. The Title IX Coordinator may recess the hearing and reconvene it in a timely manner to receive additional evidence if he or she deems it appropriate. However, a recess will not be based on the failure of witnesses to appear. At the discretion of the Title IX Coordinator, an audio recording of the hearing may be made for the use of the Title IX Coordinator for sanctioning and for purposes of appeal.

- B. Determination. Following the conclusion of the investigation, the Title IX Coordinator will determine, based on the information obtained from the investigation, whether the Respondent has committed a violation of the policy. The evidence of alleged Sexual Misconduct will be evaluated under a “preponderance of the evidence” standard, meaning that the evidence must show that it is “more likely than not” that the Respondent violated the policy. The Respondent will be found to be responsible for the alleged Sexual Misconduct if the Title IX Coordinator concludes that such Sexual Misconduct more likely than not occurred based upon a review of all the evidence presented. The Title IX Coordinator will provide written notification of the determination to the Complainant and Respondent concurrently. The determination letter will set forth the name of the Respondent; the violation(s) of the policy for which the Respondent was found responsible, if any; any essential findings supporting the Title IX Coordinator’s decision on the issue of responsibility; and the sanction imposed, if any (see below). The Respondent shall not be notified of any individual remedies offered or provided to the Complainant.

Should the Title IX Coordinator determine that there is not sufficient information to conclude that the Respondent violated the policy, the Title IX Coordinator will document the matter as closed. The Complainant may appeal the determination that there is not enough information to charge the Respondent by submitting a letter to the Executive Vice President outlining all reasons for the appeal. The appeal must be submitted to the Executive Vice President within five (5) calendar days of receipt of the outcome letter. The Executive Vice President will evaluate the appeal and notify the Complainant and Respondent in writing whether it has been granted or denied. This determination by the Executive Vice President will generally be made within thirty (30) calendar days of when the appeal has been received. That determination is final and may not be further appealed.

- C. Sanction. If the Title IX Coordinator concludes that the alleged Sexual Misconduct occurred, the Title IX Coordinator may impose any sanction that he or she finds to be fair and

proportionate to the violation. In determining an appropriate sanction, the Title IX Coordinator may consider any record of past violations of the provisions of the Handbook, as well as the nature and severity of such past violation(s). The Title IX Coordinator will consider as part of deliberations whether the sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation on the Complainant and the Bridgewater College community. Any sanction imposed will be described in the written determination of the Title IX Coordinator.

The Title IX Coordinator may impose any one or more of the following sanctions on a Respondent determined to have violated the Policy:

- Reprimand/warning
- Restitution and/or fines
- Changing the Respondent's work schedule or responsibilities
- Disciplinary probation
- Restricting access to College facilities or activities
- Community service
- Issuing a "no contact" order to the Respondent or requiring that such an order remain in place
- Dismissal or restriction from College employment
- Suspension from employment (limited time or indefinite)
- Termination of employment

In addition to any other sanction (except where the sanction is termination of employment), the College will require any Respondent determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the misconduct violation at issue. The College may also require counseling or other support services for the Respondent.

D. Appeals. Either party may appeal the Title IX Coordinator's decision to the Executive Vice President by notifying the Executive Vice President in writing within five (5) business days after receipt of the Title IX Coordinator's decision. The party appealing the decision shall submit a statement to the Executive Vice President which shall include the reasons the party believes the decision of the Title IX Coordinator should be reversed. The only three permitted grounds for appeal are:

- A significant procedural error affecting the determination or sanction:
- New information that was not available at the time of the investigation or hearing and that would significantly alter the determination or sanction; and
- Excessiveness or insufficiency of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

If the Executive Vice President concludes that a change in the Title IX Coordinator's determination is warranted, the Executive Vice President may enter a revised determination, direct the Title IX Coordinator to reconsider the determination, or return the matter for additional investigation. After consultation with the Title IX Coordinator, the Executive Vice President may also change the sanction. If both the Complainant and Respondent appeal, the

appeals will be considered concurrently. Within thirty (30) calendar days after receipt of the notice of appeal (or such longer time as the Executive Vice President may for good cause determine), the Executive Vice President will provide to both parties, concurrently, and to the Title IX Coordinator, a copy of the Executive Vice President's written decision. The decision of the Executive Vice President is final, and there is no further appeal following the Executive Vice President's decision.

- E. Effective Date of Sanction. Sanctions imposed by the Title IX Coordinator are not effective until any timely appeal of the decision is resolved. However, if advisable to protect the welfare of the Complainant or the campus community, the Title IX Coordinator may include in its determination letter that any sanction be effective immediately and continue in effect until such time as the Executive Vice President may otherwise determine. The Title IX Coordinator may notify other campus officials to implement a decision that includes sanctions to protect the welfare of the Complainant or the campus community. If the matter is appealed, the Executive Vice President may suspend the determination pending exhaustion of appeal, or allow the employee to continue to work on a supervised or monitored basis, or make such other modifications to the determination as may be advisable.

Crime Statistics

The Act requires the College to report and disclose statistics concerning the number of each of the following crimes that occurred on or within the College's "Clery geography", as defined by 34 CFR 668.46(a), that are reported to local police agencies or to a Campus Security Authority. Incidents that were not reported to local police agencies or to a Campus Security Authority are not reflected in the numbers below. Additionally, incidents are recorded for the calendar year in which the crime was reported to local police agencies or to a campus security authority.

As of July 1, 2015, new regulations were issued under the Higher Education Act of 1965, as amended, to implement the changes made to the Clery Act by the Violence Against Women Reauthorization Act of 2013. As a part of those regulations, the classification of sexual offenses changed from "forcible sex offenses" and "nonforcible sex offenses", to "rape", "fondling", "incest" and "statutory rape", as used in the FBI's Uniform Crime Reporting System. Under the new regulations, a "sex offense" is defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. "Rape" is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. "Fondling" is defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. "Incest" is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. "Statutory rape" is defined as sexual intercourse with a person who is under the statutory age of consent.

Also as required by the new regulations, the College states that there were no unfounded crime reports for the years 2013, 2014, and 2015.

Crime Statistics Reporting Table

OFFENSE	YEAR	ON- CAMPUS PROPERTY	ON- CAMPUS STUDENT HOUSING FACILITIES	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/Non- Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Sex Offenses, Forcible	2013	5	5	0	0
	2014				
	2015				
Rape	2014	3*	3*	0	0
	2015	5	5	0	0
Fondling	2014	0	0	0	0
	2015	9	3	0	0
Sex Offenses, Non- Forcible	2013	0	0	0	0
	2014				
	2015				
Incest	2014	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2014	0	0	0	0
	2015	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Burglary	2013	3	2	1	0
	2014	3	3	0	0
	2015	3	3	0	0
Motor Vehicle Theft	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arrests:	2013	0	0	0	0

Weapons Carrying, Possessing, etc.	2014	0	0	0	0
	2015	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arrests: Drug Abuse Violations	2013	1	0	0	1
	2014	6	5	0	2
	2015	2	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2013	18	16	5	2
	2014	3	1	0	3
	2015	19	19	0	0
Arrests: Liquor Law Violations	2013	0	0	0	0
	2014	2	2	0	0
	2015	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	255	254	0	2
	2014	130	129	0	0
	2015	158	157	0	0
Stalking	2013	4	1	0	0
	2014	1	1	0	0
	2015	2	2	0	0
Dating Violence	2013	1	1	0	0
	2014	1	0	0	0
	2015	3	3	0	0
Domestic Violence	2013	0	0	0	0
	2014	2	2	0	0
	2015	0	0	0	0

* It does not appear that, based on the information provided to the College, one of the offenses classified above as rape for 2014, meets the definition of “rape” found in the Federal Bureau of Investigation’s Uniform Crime Reporting Program; but, the College nevertheless has classified the offense as advised and prescribed by the Campus Safety Help Office of Westat. The two involved students reportedly had a pre-existing relationship.

The College must compile crime statistics for the number of each type of crime listed above (except liquor and drug law violations and illegal weapons possession), as well as larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, that are determined to be hate crimes. For any hate crime recorded, the College must identify the geographic area in which the crime occurred, and the category of bias that motivated the crime. For the purposes of this report, the categories of bias include a victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability. There were no reported hate crimes for the years 2013, 2014 and 2015 within the College’s Clery geography (34 CFR 668.46(a)).

Annual Fire Safety Report

The Higher Education Opportunity Act of 2008 requires any institution of higher education that maintains any on-campus student housing to prepare an annual fire safety report. This report is submitted in compliance with the Act.

Residence Hall Fire Drills. Fire drills are held once a semester for each residence hall. Fire drills are mandatory, supervised evacuations of a building. The fire drill is scheduled with the individual residence hall staff and the Campus Police and Safety Department. Students who fail to leave the building during a fire drill may be fined and the incident is reviewed by the Associate Dean of Students.

Fire Safety Education and Training Provided to Students and Employees. Fire safety education programs for all students living in on-campus housing and all residence life staff employees are held at the beginning of each academic year. These programs are designed to familiarize everyone with the fire safety systems in each residence facility. Residence life staff are trained in the proper use of fire extinguishers as well as receiving instruction on the procedures to be followed in case of fire alarms. During this training it is emphasized that mandatory evacuation of residence halls shall occur when a fire alarm is activated.

Fire Safety Regulations. Based upon recommendations by the Virginia State Fire Marshall, the following fire safety regulations have been adopted by Bridgewater College. The College may amend these from time to time.

- Any person or persons responsible for discharging or tampering with a fire extinguisher, pulling or tampering with a fire alarm, may be subject to suspension and a fine. Failure to evacuate the building when the fire alarm sounds will result in a fine.
- Any person or persons responsible for tampering with, or removing the battery from, a smoke detector will be fined and may be subject to further disciplinary action, including suspension.
- Open flames, candles, or incense may not be burned in the residence halls because of the potential fire hazard. Any person responsible for open flames or burning a candle or incense in a residence hall may be fined and may be subject to further disciplinary action.
- All halogen lights are prohibited.
- No sheet, wardrobe, or other article may be placed or hung in such a manner that would block full view of the room from the doorway.
- No sheet, towel, or other object may be hung or draped around the overhead light in the middle of the ceiling.
- Live Christmas trees, wreaths, or other similar decorations are prohibited in residence hall rooms and hallways.
- Bicycles cannot be stored in the residence hall exits, stairways, or hallways. Bicycles may be stored in dorm rooms.
- Telephone lines may not connect two or more rooms.
- College-installed lighting may not be tampered with in any way.
- Hallways, stairwells, and fire exits must remain clear at all times.
- Removal of fire evacuation plans from a residence hall room will result in a fine.

Procedures for Student Housing Evacuation. In case of a fire, students are instructed to sound the nearest fire alarm, evacuate the building, and follow these instructions:

- Know your emergency routes from your room and residence hall.
- Check to see if your door is hot or has smoke around it. If so, stay in your room and wait to be evacuated by firefighters.
- Shut your door tightly when you leave.
- Exit the building and follow the directions of Residence Life Staff, Campus Police and/or Firefighters.
- Do not remain in close proximity to the buildings. Remain in designated locations until cleared by either Residence Life Staff or Campus Police.
- If you can use a fire extinguisher in your hall without endangering yourself, please do so. However, the first concern is student safety. Do not attempt to extinguish a fire if personal safety becomes threatened.

Reporting a Fire. In case of a fire, students or employees should report the fire to one of the following College officials:

- Chief of Campus Police
- Sergeant of Campus Police
- Campus Police and Safety Department Officers
- Vice President for Student Life and Dean of Students
- Associate Dean of Students
- Area Coordinators
- Resident Advisors
- Director of Residence Life
- Director of Facilities

Plans for Future Improvements in Fire Safety. Bridgewater College annually reviews the fire systems in the residence halls and will make upgrades, repairs or revisions if deemed necessary. Within the next 3 years, the College has tentative plans to upgrade Wakeman Hall, Geisert Hall and Blue Ridge Hall, to include adding sprinkler systems.

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Residence Hall Fire Safety Systems

Residence Hall	911 Address	Fire Detection System	Sprinkler System	Smoke Detection	Audible Alarm	Fire Exting'ers	24/7 Monitoring Off Site	Evacuation Plan Posted	No. of drills in 2015
Blue Ridge	449 Dinkel Avenue	Yes	No	Yes	Yes	Yes	Yes	Yes	2
Daleville	451 Dinkel Avenue	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Dillon	461 Dinkel Avenue	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Geisert	400 Dinkel Avenue	Yes	No	Yes	Yes	Yes	Yes	Yes	2
Heritage	401 Dinkel Avenue	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Wakeman	460 Dinkel Avenue	Yes	No	Yes	Yes	Yes	Yes	Yes	2
Wright	110 3rd Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Wright East Link	110 3rd Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Wright West Link	110 3rd Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Wampler Apts. Tower A	440 Dinkel Avenue	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Wampler Apts. Tower B	440 Dinkel Avenue	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Wampler Apts. Tower C	440 Dinkel Avenue	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Wampler Apts. Tower D	450 Dinkel Avenue	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Stone Village 424	424 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Stone Village 428	424 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Stone Village 432	432 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Stone Village 436	436 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2

Stone Village 440	440 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Stone Village 444	444 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2
Cottage 305	305 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 307	307 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 308	308 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 418	418 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 420	420 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 425	425 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 427	427 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 429	429 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Cottage 431	431 E. College Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
2nd Street Apts.	102 N. 2nd Street	Yes	Yes	Yes	Yes	Yes	Yes	No	2
Crimson Inn	116 N. Main Street	Yes	Yes	Yes	Yes	Yes	Yes	No	0

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Fire Statistics

Residence Hall	911 Address	2013 Fires	No. Injured / No. deaths / Damages (\$)	2014 Fires	No. Injured / No. deaths / Damages (\$)	2015 Fires	No. Injured / No. deaths / Damages (\$)
Blue Ridge	449 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Daleville	451 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Dillon	461 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Geisert	400 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Heritage	401 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Wakeman	460 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Wright	110 3rd Street	0	0/0/0	0	0/0/0	0	0/0/0
Wright East Link	110 3rd Street	0	0/0/0	0	0/0/0	0	0/0/0
Wright West Link	110 3rd Street	0	0/0/0	0	0/0/0	0	0/0/0
Wampler Apts. Tower A	440 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Wampler Apts. Tower B	440 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Wampler Apts. Tower C	440 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Wampler Apts. Tower D	450 Dinkel Avenue	0	0/0/0	0	0/0/0	0	0/0/0
Stone Village 424	424 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Stone Village 428	424 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Stone Village 432	432 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Stone Village 436	436 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Stone Village 440	440 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0

Stone Village 444	444 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 305	305 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 307	307 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 308	308 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 418	418 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 420	420 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 425	425 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 427	427 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 429	429 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
Cottage 431	431 E. College Street	0	0/0/0	0	0/0/0	0	0/0/0
2nd Street Apts.	102 N. 2nd Street	0	0/0/0	0	0/0/0	0	0/0/0
Crimson Inn	116 N. Main Street	0	0/0/0	0	0/0/0	0	0/0/0

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