



# Annual Security Report

October 1, 2018



***As Required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act***

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*Lord Fairfax Community College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award associate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Lord Fairfax Community College*

# Table of Contents

INTRODUCTION: THE ANNUAL DISCLOSURE OF CRIME STATISTICS.....	3
Communications and Timely Warnings .....	5
Reporting Crimes .....	5
Reporting Procedures of Professional Counselors .....	6
Confidential Reporting.....	6
Access to Campus Facilities.....	6
Campus Security Authority .....	7
Procedures for Emergency Response and Evacuation.....	7
ERT Response .....	8
Emergency Response Coordinators .....	8
SAFETY/SECURITY AWARENESS PROGRAMS .....	10
Student Success Activities.....	11
Accessing Registered Sex Offender Information .....	11
STUDENT DRUG AND ALCOHOL POLICY.....	12
Ethical Standards for Professional Relationships and Sexual Misconduct Policy and Procedures.....	12
Ethical Standards.....	13
SEXUAL HARASSMENT POLICY .....	14
Quid pro quo .....	14
Hostile Environment .....	14
Process Governing Cases of Alleged Sexual Harassment.....	15
SEXUAL ASSAULT POLICY AND PROCEDURES .....	18
Sexual Assault Policy .....	18
Procedures for Reporting Sexual Assault.....	19
Policy on Sexual Violence, Domestic Violence, Dating Violence, and Stalking.....	19
ADDITIONAL POLICY/PROCEDURES RELATED TO STUDENTS.....	37
Tobacco and Related Products Policy .....	49
Expressive Activities Policy .....	51
CRIME STATISTICS.....	54

## ABOUT LFCC

### INTRODUCTION: THE ANNUAL DISCLOSURE OF CRIME STATISTICS

Lord Fairfax Community College (LFCC) is required by the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (the "Act"), AND Higher Education Act to disclose campus security policy and crime statistics annually. This Annual Security Report (ASR) is prepared by the Campus Police Department to remain in compliance with the Act. The statistics in this report were acquired from Campus Police Incident reports, the Office of Student Success and with the cooperation of local law enforcement agencies surrounding all LFCC locations and Non-Campus Locations. These are statistics of all Clery reportable crimes without revealing the identity of victims/witnesses making confidential reports. This report contains policies, procedures and programs relating to crime prevention along with crime statistics collected during the 2014 calendar year.

Reportable offenses for Clery Act purposes are:

- Criminal homicide, including murder and both negligent and non-negligent manslaughter;
- Sexual offenses, including both forcible and non-forcible sexual assault;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Hate crimes and any associated larceny, simple assault, intimidation, or vandalism/destruction of property;
- Arrests and/or disciplinary referrals for liquor law violations, drug law violations, or illegal weapons possession.

In the Annual Security Report (ASR) the Department of Education requires that the following be used to classify and record Clery reportable crimes:

- The Federal Bureau of Investigation (FBI), Uniform Crime Reporting (UCR) Handbook is used for all definitions of offenses except for sex offenses.
- For sex offenses only, the National Incident-Based Reporting System (NIBRS) Edition of the UCR Handbook is used for classification.
- Clery Act reporting does not require disclosure of all other sexual related offenses (e.g., sexual harassment, voyeurism and incident exposure).
- Offenses are counted on the basis of calls for service, complaints and investigations.
- Findings of courts, coroners, juries, prosecutorial decisions and student judicial boards are not a basis for counting Clery Act crimes.

The reported crimes are cataloged utilizing the "hierarchy rule," which is when the offender/perpetrator commits multiple offences in the same incident. When this occurs, the hierarchy rule is used when counting multiple offenses. The hierarchy rule requires that the most serious offense be counted when more than one offense was committed during a single incident. A single incident means that the offenses must be committed at the same time and place; and that the time interval and distance between the offenses were insignificant. Not all crimes committed in the same incident are counted

with the statistics only the most serious per the hierarchy rule.

## **LFCC Clery Geography**

The Department of Education requires statistical data to be included within the report from three distinct Clery geographical locations. LFCC has to comply with three reportable statistical locations since the College does not currently have on-campus dorms or on-campus student housing.

**On-Campus:** The Department of Education provided two separate three prong tests to determine if locations should be considered on-campus.

Locations are considered to be on-campus if:

- the institution owns or controls them;
- they are reasonably contiguous to one another;
- they directly support or relate to the institution's educational purposes;

Locations are also considered to be on-campus if:

- the institution owns, but does not control them;
- they are frequently used by students;
- they are used to support the institution's educational purposes;

**Public Property:** Under Clery, public property encompasses the following: all public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus.

For example, the sidewalk adjacent to campus property, the street, and the median are included within public property statistics.

**Non-Campus:** The first part of the Clery non-campus definition is any building or property owned or controlled by a student organization that is officially recognized by the institution. Also, any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably close geographic area of the institution.

The Clery non-campus definition also includes a second definition which must be complied with under a four-prong test.

**Non-Campus Property:**

- is owned or controlled by the institution;
- supports or is used for the institution's educational purposes;
- is frequently used by students;
- is not considered part of the core campus.

The policy statements address the College's policies, procedures and programs concerning safety and security, for example, policies for responding to emergency situations and sexual offenses. Three years' worth of statistics are included for certain types of crimes that were reported to have occurred on campus.

A copy of this report can be found at the Campus Police Desk on either the Middletown or Fauquier Campuses and with the Luray-Page County Center and Vint Hill Site Managers. Employees can also receive a copy from Human Resources in room 310 at the Middletown campus and with campus police in room 183. Students and employees are notified of the report via e-mail, message boards and College website. The website to access the report and Clery reportable crimes is available at <https://lfcc.edu/about-lfcc/office-of-financial-and-administrative-services/campus-police-and-security/annual-security-report-and-crime-statistics/>. Statistics are also available through the Office of Post-Secondary Education at <http://ope.ed.gov/security/>.

## Communications and Timely Warnings

LFCC is committed to delivering a “Timely Warning” when an incident, that, the Chief of Police or designee concludes, is an immediate or ongoing threat to the safety and security of the college community. The timely warning notification will include threats either on or off campus. LFCC Alert will deliver the warning through e-mail, cell phone, pager and or Smartphone/PDA (BlackBerry, Treo & other handhelds). LFCC Alert is a free service offered by LFCC. New users may register via the College website located at [www.lfcc.edu](http://www.lfcc.edu) or by sending a text message to 411911, keyword: FAIRFAX.

In situations that pose an immediate threat, a notice will be posted on the plasma screen bulletin boards throughout the college and sent via Informacast (phone-top messaging) into all classrooms and offices. A notice will also be placed on the College website immediately accessible by computer and will be updated as the situation changes. The “timely warning” may be delayed if the notification would hinder or put at risk the safety of law enforcement or emergency medical/fire personnel or the on-going investigation and apprehension of suspects. The College also has a campus wide P/A system for notification if necessary.

Campus Police will work closely with the Crisis Communication Team to deliver a Timely Warning Notification of any Clery Act crime that is reported to Campus Police and is considered to represent a serious or continuing threat to students and employees, unless such communication, in the judgment of responsible authorities, will put at risk the efforts to respond to the emergency or assist victims. The following persons are responsible for delivering this notification:

- Public Relations Specialist
- Web Master
- Director of Technology Services
- Chief of Police

Anyone having information that would necessitate a “timely warning” should contact Campus Police by phone at 540-868-SAFE (7233) for the Middletown campus and Luray/Page County Center or 540-351-1555 for the Fauquier campus and Vint Hill location. Reports can also be made in person at the Police Desk.

## Reporting Crimes

The Campus Police Department encourages victims and witnesses of crimes to make a report to Campus Police in a timely manner. To report a crime, call or contact campus police at 540-868-SAFE (7233) for the Middletown Campus or the Luray Page County Center, Vint Hill location call 911, and 540-351-1555 for the Fauquier Campus for non-emergency crime reporting. Call 911 for emergencies only, and then

call Campus Police. Anyone wishing to report a non-emergency crime or suspicious activity can also make a report through SEE SOMETHING SAY SOMETHING via the LFCC Website. Additionally, a report of crime may be made to any designated college official (Campus Security Authority) listed below:

- Campus Police and Security Officers
- Vice President of Financial and Administrative Services
- Vice President of Academic and Student Affairs
- Dean of Students– Middletown Campus
- Dean – Fauquier Campus
- Director, Human Resources
- Director, Technology Services
- Dean of Students-Middletown
- Director of Learning Resources
- Director of Instructional Technology

All College officials, except designated professional counselors, receiving information of a *Clery* reportable crime must contact Campus Police to ensure the “timely warning” requirement is met to further protect the college community from a potentially dangerous threat.

### **Reporting Procedures of Professional Counselors**

LFCC Campus Police strongly encourages all members of the campus community to immediately report criminal activity and suspicious persons to Campus Police or local law enforcement. Professional counselors are encouraged to inform persons being counseled of the procedures for reporting crimes voluntarily and confidentially. However, counselors are exempt from the reporting requirements.

### **Confidential Reporting**

If requested, a confidential report may be made to the Chief of Police or designee without revealing the identity of a victim. A confidential report will allow Campus police to notify others of potential danger and collect crucial information about a crime with regard to location, description of suspects and methods used without releasing victim/witness identity. Confidential reports of crimes may be made by phone to 540-868-SAFE (7233) for the Middletown campus and Luray/Page County Center or 540-351-1555 at the Fauquier campus and Vint Hill, in person at the Campus Police Office, Police Desk or by making a report through SEE SOMETHING SAY SOMETHING via the LFCC Website.

Help is always available upon request and those willing to make a report of a crime to Campus Police may, at a minimum, receive counseling and referral information.

### **Access to Campus Facilities**

LFCC is an open access facility during normal business hours for staff, students, parents, guests and contractors. Authority to hold exterior door keys outside of normal business hours will be limited to Campus Police, Security, and Maintenance/Custodial Personnel who routinely have a need to enter and unlock/lock all exterior doors. Exterior door keys to buildings will be limited to technicians, and administrators having a frequent official need for access outside of normal business hours. All others requiring specific access to buildings will call Campus Police at 540-868-7233 for the Middletown campus and 540-351-1555 at the Fauquier campus to arrange access. The Luray/Page County Center will be accessed by key only, if issued. There is no residential housing on any of the LFCC campuses.

The Chief of Police continually reviews issues such as lighting, locks, landscaping, camera surveillance, alarms and communication to maintain a safe and secure environment. Furthermore, the Safety Committee meets quarterly to address areas that have been identified as problematic and assign necessary action steps for resolution. This team is made up of staff, faculty and administrators from each campus with representatives from Campus Police, Buildings and Grounds, Student Success, Learning and Human Resources.

### **Campus Security Authority**

Campus Police is committed to maintaining a safe and secure learning environment for all students, employees, visitors and community members. The team strives to provide courteous and professional service while remaining vigilant to protect the life and property of those who come to LFCC's campus locations. Campus police officers may exercise the powers and duties conferred by law upon police officers of cities, towns, or counties according to Va. Code § 23-234 including, but not limited to, enforcing criminal and traffic laws of the Code of Virginia, making arrests, issuing traffic summonses and conducting criminal investigations. Campus police officers are required to comply with the standards set forth by the Department of Criminal Justice Services. Campus security officers do not have arrest power.

Police and Security Officers assist with emergencies, evacuations, and drills, as well as vehicle battery re-charge and escorts to parking lots. LFCC's Security Officers are certified by the Virginia Department of Criminal Justice Services as Campus Security Officers. They are also trained and certified in CPR and with the use of an AED (automatic emergency defibrillator).

LFCC Campus Police has a well-established professional relationship with the Middletown Police, Frederick County Sheriff, Fauquier County Sheriff, Warrenton Police, Luray Police, Page County Sheriff and State Police. Campus Police have requested cooperation from local police to notify the College about situations that may warrant an emergency response or crimes reported to them that may warrant a timely warning. Crimes should be reported to Campus Police to assure a "timely warning" is given.

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

Key members of the Financial and Administrative Services Team, Emergency Response Coordinators, and Campus Police will serve as members of the Emergency Response Team (ERT). They are first responders for ALL campus emergencies and are responsible for identifying significant emergencies or dangerous situations and determining which segment of the campus community to notify and the content of the notification.

#### **LFCC Emergency Response Team:**

Chief of Police  
Vice President of Administrative and Financial Services  
Information Technology Strategist  
Administrative Coordinator of Facilities  
Police Sergeant  
Trades Tech II (Buildings and Grounds)– Middletown  
Trades Tech III (Buildings & Grounds) – Fauquier  
Creative Solutions Architect  
Public Relations Specialist

## **ERT Response**

- Assess the emergency
- Contact appropriate authorities
- Contact appropriate LFCC Administration through Chain of Command
- Proceed to emergency location
- Provide basic emergency response direction
- Implement Crisis Communication Plan
- Stay at location until emergency is completely resolved

## **Emergency Response Coordinators**

An Emergency Response Coordinator (ERC) is a key member of the College who will assist College Administrators, Campus Police and Security Officers and the Emergency Response Team in the event of an emergency. The role of an ERC is to assist in emergency situations, evacuations, crowd control and other safety- related situations at the College.

Effective communication is critical to the proper handling of emergency situations. The Emergency Response Team (ERT) at the College has established the following systems in order to communicate quickly and effectively with the staff, faculty, and students during an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus:

### Notifications

- E-mail
- ERC/ERT
- Plasma Screens (Visual/Sound Warnings)
- LFCC ALERT (text messages: e-mail, cell phones, pagers)
- Public Address System/Megaphone
- Radio
- Contact Trees
- Informacast (phone top messaging)

### Visual Aids

- Classroom Guides for Emergency Routes/Safe Haven
- Threat Level Reference Guides (Procedures)
- ADA Compliant Devices (Flashing Lights)

## Emergency Action Instructions

- LFCC Crisis Communication Plan
- LFCC Continuity of Operations Plan
- Guide for Emergency Action Response

In the event of an actual emergency, the ERT will work closely with the Crisis Communication Team to deliver without delay information internally and externally, taking into account the safety of the community, unless such communication, in the judgment of responsible authorities, will put at risk the efforts to respond to the emergency or assist victims. The following persons are responsible for delivering this notification:

- Public Relations Specialist
- Web Master
- Director of Technology Services
- Chief of Police

The ERT and ERC will annually test emergency response procedures using the following procedures. These procedures are published in the Guide for Emergency Action Response and posted in all offices and classroom on an emergency response guide (flipchart).

Fire Drills - An audible fire alarm or an in-person message to evacuate by a designated LFCC employee will mark emergency situations that call for evacuation of classrooms and buildings. Emergency Response Coordinators will assist in the evacuation procedure for their assigned area. Treat all alarms as genuine emergencies:

1. USE APPROPRIATE EXITS. Exit the building following the posted routes that are displayed next to each exit door in the classrooms and/or office complex. Maps are located in the Appendix.
2. ASSIST SPECIAL NEEDS INDIVIDUALS. All persons should be alert and responsive to individuals requiring special needs.
3. Emergency Response Coordinators: CHECK ALL AREAS IN YOUR ZONE. All employees are expected to help in assuring all areas including the student lounges and restrooms are evacuated.
4. Persons who do not have a class group or laboratory to help evacuate should be particularly alert to the need to assist in clearing all areas. As zones are cleared, coordinators report to the administrator in command.
5. CLOSE WINDOWS AND DOORS: Remember that closed windows and doors reduce the spread of fire as well as helping to keep the building secure. *(In case of a bomb threat, all classroom and office doors should be left open.)*
6. TURN OFF LABORATORY GASES, EXHAUST FANS, etc. Turn off all sources of fuel and oxygen (air) that might feed a fire.
7. DO NOT DELAY. Do not take time to turn off computers, lights, or lock doors.
8. For onsite evacuations, walk to the designated evacuation areas. Do not stand near or between buildings.
9. All designated evacuation areas should be 100 ft. from the building.
10. Certain evacuations may require special actions that may require an evacuation off the College premises.

*LFCC participated in a Tornado Drill on April 10, 2018, at all Campuses, using the following established procedures. (LFCC Conducted a Full-Scale Active Threat Exercise at the Fauquier Campus on March 7, 2018 and a Missing Child "Code Adam" Table-top exercise on August 8, 2018).*

#### Shelter-in-Place

When an emergency occurs where evacuation is not an option, the College can offer limited sheltering. For example, there may be circumstances in the regional area that would discourage/prohibit travel, such as an external environmental emergency or the threat of severe weather. The College is equipped to shelter-in-place for only short periods of less than 24 hours due to inadequate sanitary and health facilities necessary for longer sheltering periods.

The following are instructions on what to do when a severe weather warning has been issued for the College or whenever a severe weather threatens:

- Campus Police and Security Officers, in conjunction with the ERT, will monitor weather conditions and may evacuate outlying buildings and activity areas as a precautionary step.
- Go to interior rooms and halls on the lowest floor – See Safe Havens
- Stay away from glass enclosed places or areas with wide-span roofs such as auditoriums and warehouses.
- Crouch down and cover your head.
- No one should leave safe havens until Campus Police have given the official "all-clear". There may have been damage to other campus areas that will require the assessment of emergency professionals.

NOTE: Coordinators for outdoor activities should always have an Engenius phone on hand in order to send or receive emergency information.

## **SAFETY/SECURITY AWARENESS PROGRAMS**

LFCC is dedicated to educating the college community about safety procedures, crime prevention, substance abuse and sexual assault prevention. Campus Police is committed to protecting life and property on campus and informs the college community of the individual responsibility to take necessary steps to protect themselves including:

- ✓ Lock your car and remove valuables from plain view.
- ✓ Have your keys ready when you approach your car.
- ✓ Take a moment to look in your car before entering.
- ✓ Be aware of events that may affect your safety on campus.
- ✓ Observe posted speed limits and be aware of pedestrian traffic.
- ✓ Walk with a friend or a group, or call 540-868-7233 for an escort.
- ✓ Take notice of your surroundings.
- ✓ Take notice of the locations of building exits.
- ✓ Protect your identity. Keep paperwork, identification cards, credit cards and passwords confidential.
- ✓ Report suspicious activity or make suggestions concerning safety to the LFCC Police Chief

These general safety tips are posted on the College website:

<http://www.lfcc.edu/about-the-college/office-of-financial-and-administrative-services/safety-and-security/general-safety-tips/index.html>.

## Student Success Activities

Student Success holds two New Student Welcome Days on the Middletown and Fauquier Campus in August and January of each year. This event is open to all new LFCC students and we average an attendance of 600 students for August and 300 for January. During the event Campus Police provide handouts about safety on campus as well as conduct information sessions that explain safety and security procedures at LFCC. Additionally, students and employees receive information on safety/crime prevention tips via the plasma screen information boards.

From January 2015 – December 2015 the LFCC Student Activities Office, in partnership with the LFCC Violence Prevention Team, hosted the following events for students, faculty and staff.

- Jan 15 Breaking Bread Event for MLK Jr. Day
- Jan 25 The Wall: Breaking Down Stereotypes
- Feb 2 The Wall: Breaking Down Stereotypes
- Feb 8 Black History Month “Kahoot Trivia”
- Feb 13 “Private Violence” Domestic Violence Film and Discussion
- Feb 14 The Wall: Breaking Down Stereotypes (2-times)
- Feb 15 Campus Safety Presentation
- Feb 15 Invisible Advantages (Privilege Walk)
- Feb 16 “The Hunting Ground” film showing and Title IX Resource
- Feb 20 Black History Month Immersion Film (Virtual Reality Experience Sit-In)
- Feb 21 LA Riots Presentation with Laurie Alphonse
- Feb 22 The Wall: Breaking Down Stereotypes
- Mar 5 Volunteer with Winchester Rescue Mission
- Mar 11,18,25 Rape Aggression Defense Course
- Mar 28 Global Awareness Day
- Mar 30 Islamophobia: Sponsored by the Interfaith Alliance Club
- Mar 30 Global Awareness Day
- Apr 10 Health Fair
- Apr 10 Light it up Blue
- Sep 14 A Class Divided
- Sep 18 Constitution Day
- Sep 30 A Common Grace
- Oct 16-20 Violence Prevention Week
  - Oct 16-20 Red Flag Campaign
  - Oct 16 Bystander Effect
  - Oct 16 Fatal Vision Experience
  - Oct 17 Human Trafficking Discussion
  - Oct 17 The Clothespin Project
  - Oct 17 The Wall: Breaking Down Stereotypes
  - Oct 17 How to Avoid the Everyday Psychopath
  - Oct 18 “The Hunting Ground” showing & Title IX/S.A.F.E. resources
  - Oct 19 “Private Violence” Domestic Violence Film and discussion

- Oct 18 Global Awareness Day
- Oct 29 Privilege Walk
- Nov 4 The Wall: Breaking Down Stereotypes
- Nov 4-7 Stress Less Week
- Nov 9 The Wall: Breaking Down Stereotypes
- Nov 3,10,17 Rape Aggression Defense Course

Campus Police and Student Success lead the R.A.D. Program (Rape Aggression Defense). RAD is taught each semester on the Middletown and Fauquier campuses.

*R.A.D. is a program that is designed to help women overcome the effects of sexual harassment and sexual violence on campus by teaching assertiveness, awareness, risk reduction, risk recognition, avoidance and physical defense strategies, since it has been well established that sexual harassment and sexual violence on campus are forms of sexual discrimination prohibited by Title IX.*

For more information about R.A.D. visit [www.rad-systems.com](http://www.rad-systems.com).

Anti-drug and alcohol abuse posters are distributed throughout the College, along with flyers warning participants of the dangers of drug and alcohol abuse.

## Accessing Registered Sex Offender Information

In accordance with the Federal Campus Sex Crimes Prevention Act, the College community is advised that the following, Virginia State Police web site, may be accessed to obtain information on registered sex offenders in the area surrounding LFCC, as well as anywhere in Virginia: [www.vsp.state.va.us](http://www.vsp.state.va.us)

## STUDENT DRUG AND ALCOHOL POLICY

<http://www.lfcc.edu/wp-content/uploads/2014/07/Policy-62001-Student-Drug-and-Alcohol-Policy-2005-08.pdf>

Students shall not possess, use, distribute or manufacture illegal drugs and alcohol (defined as neither prescription nor OTC) on school property including buildings, facilities, grounds, property controlled by the College, as part of College activities on or off campus, while serving as a representative of the College at off-campus meetings, in any state-owned, controlled or leased property or at a site where state work is performed.

A disciplinary hearing will occur for those students not adhering to the policy.

Depending on the severity of the violation and the results of a disciplinary hearing, one or more of the following penalties can be imposed: admonition, warning probation, disciplinary probation, restitution, suspension or expulsion.

### FACULTY AND STAFF

LFCC follows DHRM policy. Refer to DRHM Policy Manual – Section 1 Alcohol and Other Drugs Policy 1.05 ([http://web1.dhrm.virginia.gov/itech/hrpolicy/pol1\\_05.html](http://web1.dhrm.virginia.gov/itech/hrpolicy/pol1_05.html)).

Individuals in violation of this policy may also be subject to legal sanctions under local, state or federal law regarding the unlawful possession or distribution of illegal drugs and alcohol. Illegal distribution of prescription drugs and medications is also prohibited in these venues. Students that are inebriated or otherwise under the influence of drugs or alcohol according to the subjective standards of a College official are not allowed in LFCC classrooms at any point. LFCC students experiencing a problem with drug or alcohol abuse or dependency are encouraged to seek counseling services. Counselors in the Office of Student Success can provide referral to an appropriate community agency that will assist with private confidential counseling or information.

## Ethical Standards for Professional Relationships and Sexual Misconduct Policy and Procedures<sup>1</sup>

The purpose of this policy is to provide all Lord Fairfax Community College students, administrators, faculty and classified staff with a method for addressing complaints of sexual misconduct. A further purpose is to communicate the intent of the College to create a campus environment free of such behavior. A college is a community of learners in which strong emphasis is placed on self-awareness and consideration for the lives and feelings of others. In a setting of this kind, there is no place for conduct that diminishes, humiliates or abuses another person. Such conduct subverts the mission of the College and threatens the careers, the quality of educational experience and the well-being of students, faculty and staff. For these reasons sexual misconduct of any kind is unacceptable at Lord Fairfax Community College. VCCS Policy 3.14.1, Sex Discrimination and Sexual Misconduct, applies to all members of the College community; specifically, administration, faculty, classified staff and students and includes mechanisms for addressing student-to-student problems, employee-to-employee problems and employee-to-student or student-to-employee problems.

## What is Sexual Misconduct?

Some examples include but are not limited to:

- Unwelcome physical contact, such as touching;
- Persistent, unwelcome requests for a relationship or sexual contact;
- Requests for romantic or sexual contact from someone who grades, advises or supervises you;
- Unwelcome sexual remarks about a person's clothing, body, sexuality or sexual orientation;
- Sexual violence and sexual assault;
- Using technology and/or social media to spread rumors, share compromising photos/videos, or make persistent unwelcome sexual advances.

## Mandatory Reporting of Child Abuse

While everyone should be concerned about child abuse and neglect, certain individuals are required by law to report suspected instances. In 2012, the Virginia General Assembly (SB 239) added "any person employed by a public or private institution of higher education" to the list of "mandated reporters" set out in § 63.2-1509 of the Code of Virginia. Mandated reporters, including all LFCC faculty and staff, are those persons who in their professional or official capacity, are required to report instances of suspected child abuse and neglect to the local Social Service Department or to the Virginia Department of Social Services (DSS). The toll-free child abuse and neglect hotline is 1-800-552-7096.

The Code of Virginia § 63.2-100 defines an abused or neglected child as any child under 18 years of age whose parent or any person responsible for his or her care:

- Causes or threatens to cause a non-accidental physical or mental injury;
- Has a child present during the manufacture of a controlled substance or during the unlawful sale of such substance where such activity would constitute a felony violation;
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care;
- Abandons the child;
- Neglects or refuses to provide adequate supervision in relation to a child's age and level of development;
- Knowingly leaves a child alone in the same dwelling with a person, not related by blood or marriage who had been convicted of an offense against a minor for which registration is required as a violent sexual offender, or;
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material.

## Ethical Standards

VCCS Policy 3.14.2, Consensual and Familial Relations, provides clear direction about the professional risks associated with consensual amorous and/or sexual relationships and familial relationships where a definite power differential between the parties exists. The VCCS prohibits consensual amorous and/or sexual relationships between employees and students for whom the employee has direct professional responsibility; familial relationships where a faculty member or supervisor will have a power differential over one's immediate or extended family (activities generally prohibited are instruction, advising,

counseling or supervising work activities); other potential conflicts of interest which have a negative impact on college operations. This policy applies to all employees.

### **Committee on Sexual Misconduct**

A committee on sexual misconduct is appointed by the president or the president's designated Official. The committee is charged with advising the president or the designated official on matters covered by the policies and procedures governing adjudication of cases of sexual misconduct, sexual harassment, and with assisting complainants of sexual harassment, and those respondent, to deal with College procedures and to locate appropriate resources, while protecting the rights of individuals alleged to have violated the College policy. Members of the committee receive training regarding the College's sexual misconduct policy and complaint procedures to enable them to carry out their duties and responsibilities.

## **SEXUAL HARASSMENT POLICY**

Sexual harassment in any situation is reprehensible and will not be tolerated. Sexual harassment is a form of sex discrimination prohibited by Title IX (students) of the Educational Amendments of 1972 and Title VII (employees) of the Civil Rights Act of 1964. Sexual harassment of employees and students at LFCC is defined as any unwelcome sexual advances, unwelcome requests for sexual favors or other unwelcome verbal or physical conduct of a sexual nature. It takes two legal forms:

### **Quid Pro Quo**

1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or academic performance.
2. Submission to or rejection of such conduct is used as a basis for an employment decision, performance evaluation or academic performance evaluation concerning a member of the College community.

### **Hostile Environment**

Hostile environment harassment differs from "quid pro quo" harassment in that no discriminatory effect on grades, wages, job assignments or other tangible benefits is required. Instead, such unwelcome sexist or sexual conduct has one of these purposes or effects:

1. It unreasonably interferes with an individual's work or academic performance.
2. It creates an intimidating, hostile or offensive work or academic environment.

Direct propositions of a sexual nature, subtle and/or persistent pressure for sexual activity, conversations of a sexist or sexual nature or similar jokes and stories, sexual remarks about a person's clothing, body or sexual relations or the display of sexually explicit materials may constitute harassment if shown to be unwelcome and sufficiently pervasive or severe. Nothing in this policy precludes academically relevant discussions or presentations concerning gender or sex. The fact that such discussions or presentations may cause some students discomfort does not in itself indicate hostile environment harassment. If relevant to course content, gender and sex are legitimate areas of inquiry. It is important to realize that some physical acts that constitute sexual harassment may also constitute criminal offenses that may be separately prosecuted in court. It is a violation of College policy for any faculty member, administrator, student or staff employee, hereafter referred to as members of the College community, to seek or offer gain, advancement or consideration in return for sexual favors. It is

a violation of College policy for any member of the College community to make an intentionally false accusation of sexual harassment. Any deliberately false accusations may be subject to the following: warning, probation, suspension, dismissal or other actions deemed appropriate by the committee, (i.e., counseling, education, referral and also including prosecution for libel or slander in the court systems). It is a violation of College policy for any member of the College community to initiate a negative personnel or academic action against an individual in retaliation for reporting an incident or allegation of sexual harassment, except in cases of intentionally false accusations of sexual harassment. In determining whether the alleged conduct constitutes sexual harassment, those charged with such determinations will consider all relevant information including the nature of the alleged sexual conduct and the context in which the alleged conduct occurred. Such determinations will be based on fact and will be made on a case-by-case basis.

## **Process Governing Cases of Sexual Harassment**

This process is to be used by any member of LFCC to address complaints of sexual harassment where a member of the administration, faculty, classified staff or a student is a party as complainant or respondent. The complainant and the respondent have a right not to have his or her unrelated past sexual history discussed as part of these proceedings. A member of the College community who believes that he or she is or has been the victim of sexual harassment, as defined by College policy and who wishes to seek a remedy by using the informal or formal procedures discussed below, should contact a member of the sexual misconduct committee.

Consistent with LFCC's *Code of Student Rights, Responsibilities and Conduct*, the rights of the respondent will include the right to an explanation of the charges; the right to be accompanied by a person of his/her choice at the hearing; the right to remain silent; the right to testify on his/her own behalf; the right to be informed in a timely manner of the finding and outcome of the proceedings; and the right to an appeal.

This process is not intended to impair or to limit the right of anyone to seek remedies available under state or federal law. Since federal and state procedures require that complaints be filed within specific deadlines from the onset of the behavior construed as sexual harassment, individuals who pursue the internal complaint procedures described below may fail to meet state and federal guidelines for filing a complaint. A complaint may be filed with an external agency in order to meet state and federal agency deadlines without jeopardizing one's right to a College hearing. However, if relief is sought outside the College, the College is not obliged to continue processing a grievance while the case is being considered by an outside agency or civil or criminal court.

### **Step 1 – COMPLAINT AND INFORMAL RESOLUTION PROCEDURES**

The purpose of this informal procedure is to provide assistance and guidance to both the individual complaining of sexual harassment and the respondent in the functioning of the College's procedures. It provides an opportunity for the complainant and the individual respondent to resolve the problem in an informal manner, without the necessity of disciplinary action or the more formal procedure for processing a complaint. However, use of the informal procedure shall not impair the right of a complainant, not satisfied by this procedure, to utilize the formal procedure described below.

When a complaint has been initiated, the chair of the sexual misconduct committee or a committee member designated by the chair meets with the complainant to discuss that individual's concern and

to clarify the College's policy and internal complaint procedures. Additional information about federal and state complaint procedures is available from the chair of the sexual misconduct committee. The committee member prepares a brief summary of the meeting. The summary is forwarded to the chair of the committee, or designee, in order for the chair, or designee, to assess the effectiveness of the policy and complaint procedures relevant in the case.

The resolution procedure followed to the conclusion of the case depends upon the complainant's willingness to have her or his identity disclosed to the respondent that committed the unwelcome behavior covered by these procedures.

- A. If the complainant does not agree to the disclosure of her or his identity, the committee member, within a two week period and with the consent of the complainant shall, meet with the respondent. The committee member advises the respondent of the College's sexual harassment policy and complaint procedures and affords the respondent an opportunity to respond to the allegation. The committee member subsequently contacts the complainant to confirm that the meeting was held and to describe the response of the respondent of violating College policy. The committee member prepares a written summary report of the complaint procedure followed, without disclosing the identities of the parties involved and files the report with the chair of the committee, or designee, within ten (10) working days after the meeting with the respondent. The respondent may demand the "right to know" his/her complainant in which case Step B, below, may be followed to informally resolve the case. Step 2 may be followed to formally resolve the case, or the accusation(s) may be dropped by the complainant at this point, thereby bringing the case to resolution.
- B. If the complainant agrees to the disclosure of his or her identity, the committee member, within a two-week period and with the consent of the complainant, shall meet with the respondent to discuss the allegations raised by the complainant. The committee member advises the respondent of the College's sexual harassment policy and complaint procedures. Based on the information obtained from the complainant and the respondent, the committee member prepares a written resolution agreement believed to be acceptable to both parties. The resolution agreement releases the College and all parties from any claims arising from the specific incident or behavior which prompted the initiation of the complaint procedure. Each party receives a copy of the resolution agreement. A copy is also filed with the chair of the committee, or designee, not later than three working days after the resolution agreement has been signed by both parties.
- C. If the resolution agreement proposed by the committee member is unacceptable to the complainant or to the respondent, each is advised in writing of that fact by the committee member and of the formal internal procedure for addressing sexual harassment complaints. A copy of this letter is sent also to the chair of the committee, or designee. Upon request, the committee member may assist the complainant in drafting a formal complaint as provided for in the following section.
- D. The written reports and resolution agreements described in this section are not released to any individual or administrative authority at the College, other than the complainant, the respondent and the chair of the sexual misconduct committee, or designee. In the event that formal litigation or external complaint procedures require disclosure; however, it may be necessary for the College to comply with formal requests for such records under subpoena. Records will be

kept for five years.

## **Step 2 – COMPLAINT AND FORMAL RESOLUTION PROCEDURES**

The purpose of this formal procedure is to provide assistance and guidance to individuals complaining of sexual harassment regarding the formal complaint and resolution procedures governing cases of alleged sexual harassment where a member of the administration, faculty, classified staff or a student is a party. This formal procedure may also be initiated by an individual respondent of sexual harassment.

Any member of the College community who believes that she or he is or has been the victim of sexual harassment, as defined by the College policy, and who elects to seek a remedy through formal College procedures must file a written statement with the chair of the sexual misconduct committee. Provisions to safeguard the identity of the complainant outside of the confidential proceedings of the College's disciplinary process will be addressed as outlined and presented in the *Complaint and Informal Resolution Procedures* sections A and B. 30 day timeframes deleted.

Within two weeks of receipt of the complaint, the chair or a committee member designated by the chair meets separately with the complainant and the respondent to advise them of the College's policy on sexual harassment, the complaint procedures and to determine the facts relevant to the complaint. Within 10 working days of meeting with the respondent, the committee member will present a written statement of findings to the chair, or designee, together with a recommended resolution agreement. A copy of the committee member's report, with the recommended resolution agreement, is sent by the chair to the complainant and to the respondent with an invitation to comment on the findings within five days. Within ten (10) working days after receipt of notification of a request for a formal hearing, the chair, or designee, convenes a meeting of the sexual misconduct committee (except for the student member) to consider the report of the investigator and any written comments offered by the complainant or the respondent. The committee may supplement the substance or procedures of the initial investigation to ensure adequate consideration of the matter and adequate protection of the legal rights of the respondent. A written summary report of the committee's deliberations, together with the chair's, or designee's, initial report, is then transmitted by the chair, or designee, to the appropriate senior level administrator. In matters involving students, the appropriate administrator is the vice president of student success. At the same time, a copy of the summary report of the committee's deliberations is sent to the complainant and the respondent.

In findings of fault, sanctions may include a warning, probation, suspension, dismissal, expulsion or other actions deemed appropriate by the committee, (i.e., counseling, education or personal/professional development). When the matter has been resolved, the respondent's supervisor, senior level administrator or the vice president of student success informs the chair, or designee, of the final outcome of the complaint. The chair, or designee, advises the complainant and the respondent. The written complaint and the statement of findings and recommendations are maintained by the EEO/AA for a period of five years from the date received. These records may be considered in the event that other formal complaints are filed against the same individual during that period.

LFCC is committed to educating the College community on how each person can protect themselves from being victims of sexual assault.

# SEXUAL ASSAULT POLICY AND PROCEDURES

## Sexual Assault Policy

Sexual assault includes sexual intercourse or assault without consent. A person's mental or physical helplessness or impairment shall constitute evidence of the person's inability to give consent. Sexual assault includes (but is not limited to) any intentional touching by the respondent, either directly or through the clothing, of the victim's genitals, breasts, thighs or buttocks without the victim's consent. Sexual assault also includes touching or fondling of the respondent by the victim when the victim is forced to do so against his or her will. Sexual assault is punishable by penalties ranging from probation to dismissal.

Sexual intercourse without consent, including sexual violence or rape (whether by acquaintance or stranger), sodomy or other forms of sexual penetration is prohibited and is punishable by either suspension or permanent dismissal.

Verbal conduct, without accompanying physical contact as described above, is not defined as sexual assault. Verbal conduct may constitute sexual harassment, which is also prohibited under College regulations.

## Procedures for Violations of the Sexual Assault Policy

Alleged incidents of sexual assault will be adjudicated according to the standards set forth in the College's student code of conduct with the following special procedures:

1. Both the complainant and the respondent are each entitled to declare whether the hearing will be by the entire sexual misconduct committee (hereafter referred to as the committee) or by two hearing officers. Each will be consulted individually about the preferred type of hearing. If the complainant and the respondent do not select the same type of hearing, the vice president of student success, or designee, will determine the type of hearing to be held. The administrator who makes this decision will not hear the case.
2. If the hearing officers' option is selected, the hearing will be conducted by two members of the committee, one male and one female, appointed by the committee chair.
3. The complainant and the respondent may have present at the hearing a personal advisor of his/her choosing. The advisor will not participate in the hearing process and will be bound by the rules of confidentiality governing the hearing.
4. The complainant is permitted but not required to be present throughout the hearing. The complainant may present the case in whole or in part, in lieu of the College presenter (vice president of student success or designee). The complainant and College presenter may not ask repetitive questions of any witness. Upon prior consultation, either the complainant or the presenter may make summary comments in the hearing.
5. The complainant and the accused have a right not to have his or her unrelated past sexual history discussed in the hearing. The hearing officers or chair of the committee will make the determination.
6. The complainant and the respondent will receive written notification of the outcome of the hearing and any action imposed.

## Procedures for Reporting Sexual Assault

All victims of sexual assault crimes are encouraged to report the incident(s) immediately to any Campus Security Authority (CSA) and local or state police. The College will assist complainants with notifying law enforcement, if desired, that a sexual assault has taken place.

Steps to take if sexually assaulted:

1. Call 911 or Campus Police immediately
2. Stay with a trusted friend in a safe place
3. Seek emergency medical attention at a hospital right away and ask for a rape kit exam
4. Preserve evidence of the assault in the following ways:
  - Do not wash, bathe or brush your teeth
  - Do not change your clothes
  - Write down a description of suspect(s)

Following the above steps is crucial to collecting and preserving evidence for prosecution of suspects, without which identification and prosecution could be more difficult. Although a victim may choose not to prosecute, they are still encouraged to seek medical attention to determine risk of STD's, pregnancy and the possibility of being drugged even if there are no physical injuries.

Victims may receive valuable assistance by contacting victim services at:

- Page County Victim/Witness Program  
116 South Court Street, Suite D Luray, VA 22835 540-743-4951
- Frederick County Victim/Witness Program  
107 North Kent Street, Suite 202 Winchester, VA 22601, 540-665-6369
- Fauquier County Victim/Witness Program  
40 Culpeper Street Warrenton, VA 20186 540-341- 8178
- State Sexual Assault/ Rape Crisis Center (will provide direct contact to local/ county agency)  
Virginians Aligned Against Sexual Assault 434-979-9002

## Policy on Sexual Violence, Domestic Violence, Dating Violence, and Stalking

### A. Notice of Nondiscrimination

As a recipient of federal funds, LFCC is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, sexual misconduct, sexual harassment, and similar conduct constitute sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. The Title IX Coordinator is Lyda Costello Kiser, whose office is located at the Middletown Campus, Fairfax Hall, Room 160A, and may be contacted by phone at 540-869-0623 or by email at [titleix@lfcc.edu](mailto:titleix@lfcc.edu).

### B. Policy

LFCC is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. This Policy supplements the following general policy statement set forth

by the Virginia Community College System: This institution promotes and maintains educational opportunities without regard to race, color, sex, ethnicity, religion, gender, age (except when age is a bona fide occupational qualification), disability, national origin, or other non-merit factors. This Policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act).

This Policy is not intended to substitute or supersede related criminal or civil law. Individuals should report incidents of sexual and domestic violence, dating violence, and stalking to law enforcement authorities. Criminal and civil remedies are available in addition to the potential remedies that the College may provide.

### **C. Purpose**

The purpose of this Policy is to establish that the College prohibits discrimination, harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation and to set forth procedures by which such allegations shall be filed, investigated and resolved.

### **D. Applicability**

This Policy applies to all campus community members, including students, faculty, staff and third parties, e.g., contractors and visitors. Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this Policy, e.g. if off-campus harassment has continuing effects that create a hostile environment on campus.

### **E. Definitions**

**Advisor:** An individual who provides the complainant and respondent support, guidance, or advice. Advisors may be present at any meeting or hearing, but may not speak directly on behalf of the complainant or respondent.

**Campus:** The term “campus” refers to (i) any building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used in direct support of, or in a manner related to, the College’s educational purposes, and (ii) any building or property that is within or reasonably contiguous to the area described in clause (i) that is owned by the College but controlled by another person, is frequently used by students, and supports institutional purposes, such as a food or other retail vendor.

**Complainant:** A complainant refers to an individual who may have been the subject of a violation of this Policy and files a complaint against a faculty, staff member or student.

**Consent:** Any sexual activity or sex act committed against one’s will, by the use of force, threat, intimidation, or ruse, or through one’s mental incapacity or physical helplessness is without consent. Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually-agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). An individual cannot consent who is under the age of legal consent. The existence of consent is based on the totality of the circumstances, including the context in which the

alleged incident occurred.

*Mental incapacity* means that condition of a person existing at the time which prevents the person from understanding the nature or consequences of the sexual act involved (the who, what, when, where, why, and how) and about which the respondent knew or should have known. This includes incapacitation through the use of drugs or alcohol. Intoxication is not the same as incapacitation.

*Physical helplessness* means unconsciousness or any other condition existing at the time which otherwise rendered the person physically unable to communicate an unwillingness to act and about which the respondent knew or should have known. Physical helplessness may be reached through the use of alcohol or drugs.

**Dating Violence:** Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

**Respondent:** A respondent refers to the individual who has been respondent of violating this Policy.

**Responsible Employee:** A responsible employee is one designated for purposes of initiating notice and investigation of alleged violations of this Policy or who has the authority to take action to redress violations of this Policy. A responsible employee also is any employee who a person reasonably believes is a responsible employee. Responsible employees also must report to the Title IX Coordinator, any information obtained in the course of his or her employment that an act of sexual violence may have been committed against a student or may have occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus. [Any employee with supervisory authority is a responsible employee. (Alternatively, the College may name responsible employees by title, or name CSAs as responsible employees.)] Any LFCC employee who receives a complaint of sexual misconduct is expected to immediately notify the Title IX Coordinator. (Lyda Costello Kiser, 540-869-0623. [titleix@lfcc.edu](mailto:titleix@lfcc.edu))

**Sex Discrimination:** Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in college program or activity.

**Sexual Assault:** Sexual assault is defined as the intentional sexual contact with a person against that person's will by the use of force, threat, or intimidation, or through the use of a person's mental incapacity or physical helplessness. Sexual assault includes intentionally touching, either directly or through clothing, of the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual battery is a type of sexual assault.

**Sexual Exploitation:** Sexual exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to invasion of sexual privacy; prostituting another person; non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in voyeurism; exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals, and knowingly transmitting HIV or an STD to another.

**Sexual Harassment:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment shall be considered to have occurred in the following instances:

**Quid Pro Quo:** The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly; or

**Hostile Environment:** Conduct so severe, pervasive, and objectively offensive that it undermines and detracts from an employee's work performance or a student's educational experience.

**Sexual Mis-Conduct:** Sexual misconduct encompasses a range of behavior used to obtain sexual gratification against another's will or at the expense of another. Sexual misconduct includes sexual harassment, sexual assault, sexual exploitation, and sexual violence.

**Sexual Violence:** Sexual violence is any intentional physical sexual abuse committed against a person's will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, and sexual battery.

**Stalking:** Stalking occurs when someone, on more than one occasion, engages in conduct directed at another person with the intent to place, or knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member.

**Third Party:** A third party is any person who is not a student or employee of the College.

## **F. Retaliation**

Any form of retaliation, including intimidation, threats, harassment, and other adverse action taken or threatened against any complainant or person reporting a complaint alleging a violation of this Policy, or any person cooperating in the investigation of allegations of violations of this Policy, to include testifying, assisting or participating in any manner in an investigation pursuant to this Policy and the resolution procedures is strictly prohibited by this Policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of violations of this Policy.

## **G. Reporting Incidents**

1. Members of the campus community who believe they have been subjected to any of these crimes should immediately report the incident to campus or local police. All emergencies or any incident where someone is in imminent danger should be reported immediately to campus police/security or local police by dialing 911 or 540-868-7233.
2. Whether or not a report is made to law enforcement, members of the campus community should report alleged violations of this Policy to the Title IX Coordinator during normal business hours. The Title IX Coordinator is solely responsible for overseeing the prompt, fair, and impartial investigation and resolution of complaints filed with the College. To help ensure a prompt, fair, and impartial investigation and resolution, individuals are encouraged to complete the online form in the Maxient System, "See Something, Say Something" or a written complaint form found in Appendix.

Link to Form: <https://publicdocs.maxient.com/incidentreport.php?LordFairfaxCC>

The written complaint will be submitted to the Title IX Coordinator. Although strongly encouraged, a complainant is not required to submit a complaint on the Complaint Form or in writing. Any report outside of normal business hours (8 a.m. to 4:30 p.m., Monday through Friday) should be made to Campus Police.

#### **Lord Fairfax Community College Title IX Campus Resources**

Title IX Coordinator: Lyda Costello Kiser  
Middletown Campus, Room 510, Fairfax Hall  
540-869-0623  
titleix@lfcc.edu

After normal business hours, members of the campus community should report alleged violations of this Policy to Campus Police.

3. There is no time limit for filing a complaint with the College. However, complainants should report possible violations of this Policy as soon as possible to maximize the College's ability to respond effectively. Failure to report promptly could result in the loss of relevant evidence and impair the College's ability to adequately respond to the allegations.

#### **H. Handling of Reports and Investigations**

The Title IX Coordinator will assist members of the campus community in reporting incidents to law enforcement authorities upon request. The Title IX Coordinator will request the consent of the complainant (or alleged victim, if different from the complainant) to report incidents of alleged sexual violence that occur on campus property, to law enforcement. Members of the campus community may decline to notify law enforcement authorities and decline their consent for the Title IX Coordinator to notify law enforcement, if they wish. Reports received by the College concerning the abuse of a minor must be reported in compliance with state law. The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed gathering evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the

same incident have been filed or that charges have been dismissed or reduced.

## **I. Confidentiality and Anonymous Reports**

1. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College has a responsibility to end conduct that violates this Policy, prevent its recurrence, and address its discriminatory effects. For this reason, College employees may not keep secret any report of sexual violence, domestic violence, dating violence, or stalking. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and with as much privacy as possible. College employees must share such information only with those College and law enforcement officials who must be informed of the information pursuant to this Policy.
2. Responsible employees must report all alleged violations of this Policy to the Title IX Coordinator. Other campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus law enforcement, local police, student activities staff, human resources staff, and advisors to student organizations. Reports received by the College concerning the abuse of a minor must be reported in compliance with state law.
3. If a complainant wishes to keep the report confidential, it is recommended that he or she reports the alleged conduct to someone with a duty to maintain confidentiality, e.g., mental health counselor or clergy. Employees may contact the Employee Assistance Program. If the complainant requests that his/her identity not be released to anyone else, the College's ability to investigate and take reasonable action in response to a complaint may be limited. In such cases, the College will evaluate the request(s) that a complaint remain confidential in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Title IX Coordinator may conduct a preliminary investigation into the alleged violation of this Policy and may weigh the request(s) against the following factors:
  - The seriousness of the allegation(s);
  - The complainant's or alleged victim's age;
  - Whether there have been other similar complaints alleged against the same respondent;
  - The respondent's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA; and
  - The applicability of any laws mandating disclosure.

Therefore, the College may pursue an investigation even if the complainant requests that no action is taken and the College will not be able to ensure confidentiality in all cases. The College will notify the complainant in writing when it is unable to maintain confidentiality or respect the complainant's request for no further action.

4. Additionally, upon receiving a report of an alleged act of sexual violence against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College's response team or review committee within 72 hours to review the information reported and any information obtained through law

enforcement records, criminal history record information, health records, conduct or personnel records, and any other facts and circumstances, including personally identifiable information related to the alleged incident known to the response team or review committee. If it is determined by the law enforcement representative of the response team or review committee that the disclosure of information, including the personally identifiable information, is necessary to protect the health and safety of the alleged victim or other individuals, the College will immediately disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident. The Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

5. If the report of an alleged at of sexual violence would constitute a felony sexual assault, within 24 hours of the first response team or review committee meeting, the law enforcement representative of the team shall notify the local Commonwealth's Attorney and disclose the information received by the review or response team, including personally identifiable information, if such information was disclosed pursuant to paragraph (4). The law enforcement representative will usually make this disclosure; however, any member of the team may decide independently that such disclosure is required under state law and, within 24 hours of the first review team meeting, shall disclose the information to the local Commonwealth's Attorney, including personally identifiable information, if such information was disclosed pursuant to paragraph (4). If the Title IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim, in writing, that such disclosure is being made.
6. The College will accept anonymous reports, but it will be limited in its ability to investigate and take reasonable action. The College must have sufficient information to conduct a meaningful and fair investigation. A respondent has a right to know the name of the complainant and information regarding the nature of the allegations in order to defend against the complaint. The College, when reasonably available and when requested, may arrange for changes in academic, parking, transportation, or work arrangements after an alleged violation of this Policy. When such accommodations are provided, the College will protect the privacy of the complainant to the extent possible while still providing the accommodation.

## **J. Amnesty**

The College encourages the reporting of incidents that violate this Policy. The use of alcohol or drugs should not be a deterrent to reporting an incident. When conducting the investigation, the College's primary focus will be on addressing the alleged misconduct and not on alcohol and drug violations that may be discovered or disclosed. The College does not condone underage drinking; however, the College will extend limited amnesty from punitive sanctioning in the case of drug or alcohol use to complainants, witnesses, and others who report incidents, provided that they are acting in good faith in such capacity. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

## **K. Timely Warnings**

The College is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure, to every extent possible, that an alleged victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

## **L. Interim Measures**

1. Prior to the resolution of a complaint, the College may suspend or place on disciplinary or administrative leave the respondent when it is determined that the respondent's continued presence on campus threatens the safety of an individual or of the campus community generally; may hamper the investigation into the alleged misconduct; or is necessary to stop threatening or retaliatory contact against the complainant or complainant's witnesses. The College shall provide advance notice of such measures, except in cases where the individual's presence constitutes a threat. In all cases, however, the College shall notify individuals subject to these interim measure(s) in writing of the specific facts and circumstances that make such interim measure(s) necessary and reasonable. Individuals subject to proposed interim measures shall have the opportunity to show why such measure(s) should not be implemented.
2. Notwithstanding the above, the College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means. The College also will enforce orders of protection issued by courts on all College property to the extent possible.
3. The College may implement other measures for either the complainant or the respondent if requested, appropriate, and reasonably available, whether a formal complaint has been filed or whether an investigation by either campus administrators or law enforcement agencies has commenced. Such measures may include, but are not limited to, course schedule adjustments, reassignment of duty, changing work arrangements, changing parking arrangements, rescheduling class work, assignments, and examinations, and allowing alternative class or work arrangements, such as independent study or teleworking.

## **M. Sexual and Domestic Violence Procedures**

Anyone who has experienced sexual violence, domestic violence, dating violence, or stalking should do the following:

- Safely find a place away from harm.
- Call 911 or if on campus, contact campus police/security.
- Call a friend, a family member or someone else you trust and ask her or him to stay with you.
- Go to the nearest medical facility/emergency room. It is important to seek appropriate medical attention to ensure your health and well-being, as well as to preserve any physical evidence.
- If you suspect that you may have been given a drug, ask the hospital or clinic where you receive medical care to take a urine sample. The urine sample should be preserved as evidence. “Rape drugs,” such as Rohypnol and GHB, are more likely to be detected in urine than in blood.
- For professional and confidential counseling support, call the Virginia Family Violence & Sexual Assault Hotline at 1-800-838-8238. Help is available 24 hours a day.
- You should take steps to preserve any physical evidence because it will be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protective order.
- Do not wash your hands, bathe, or douche. Do not urinate, if possible.
- Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if oral contact took place.
- Keep the clothing worn when the incident occurred. If you change clothing, place the worn clothing in a paper bag.
- Do not destroy any physical evidence that may be found in the vicinity of the incident by cleaning or straightening the location of the crime. Do not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.
- Tell someone all the details you remember or write them down as soon as possible.
- Maintain text messages, pictures, online postings, video and other documentary or electronic evidence that may corroborate a complaint.

## **N. Written Notification of Rights and Options**

Members of the campus community who report incidents of sexual assault, domestic violence, dating violence, or stalking, whether the incident occurred on or off campus, shall receive a written explanation of their rights and options, including (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 victim; (vii) information on contacting available on-campus resources and community resources, including the local sexual assault crisis centers, domestic violence crisis centers, or other victim support services with which the College has entered into a Memorandum of Understanding; (viii) the importance of seeking appropriate medical attention; and (ix) options related to changes in academic, parking, and working arrangements, when requested and when reasonably available.

## **O. Support Services**

1. All students and employees will receive information in writing of available counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus.
2. For more information about available resources, go to:

### **National and State Resources**

#### National Domestic Violence Hotline

1-800-799-SAFE (7233)

1-800-787-3224 (TTY)

#### National Sexual Assault Hotline

1-800-656-HOPE (4673)

#### National Teen Date Abuse Hotline

1-866-331-9474

1-800-331-8453 (TTY)

#### Virginia Family Violence and Sexual Assault Hotline

1-800-838-8238

#### LGBTQ Partner Abuse and Sexual Assault Hotline

1-866-356-6998

#### RAINN – Rape, Abuse and Incest National Network

<https://ohl.rainn.org/online>

<https://hotline.rainn.org/es> (for service in Spanish)

### **P. Education and Awareness**

1. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual violence, domestic violence, dating violence, and stalking.
2. Incoming students and new employees must take part in a mandatory primary prevention and awareness program. The program, at a minimum, shall include:
  - A statement that the College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
  - The definition of domestic violence, dating violence, sexual assault, and stalking;
  - The definition of consent;
  - Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
  - Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;

- Information on possible sanctions, procedures to follow after an incident of sexual violence, domestic violence, dating violence or stalking, disciplinary procedures, and the protection of confidentiality; and
  - Written notification about available resources and services, and options for academic and work accommodations, if requested and reasonably available.
3. The College also conducts an ongoing prevention and awareness campaign for all students and employees. The campaign shall include, at a minimum, the information provided to incoming students and new employees.

#### **Q. Resolution of Complaints.**

1. The College has an obligation to provide prompt, fair, and impartial investigation and resolution of alleged violations to this Policy and is committed to so doing. Title IX Coordinator(s), investigators, and hearing officials must receive annual training on sexual violence, domestic violence, dating violence, and stalking, and the conduct of investigations and hearings. The College may resolve complaints either by an informal or formal resolution process.
2. The parties may agree to proceed under the informal resolution process in matters not involving sexual violence, domestic violence, dating violence, or stalking. The formal resolution process will be applied (i) when any party that participated in the informal resolution process chooses to terminate the process, and (ii) to all matters that are not eligible for informal resolution.

#### **R. Formal Resolution Process**

1. **Complainant's Initial Meeting with the Title IX Coordinator.** As soon as it is practicable, the Title IX Coordinator will contact the complainant to schedule an initial meeting. If the complainant is not the alleged victim, the Title IX Coordinator also will contact the alleged victim as soon as possible to schedule an initial meeting. The complainant may be accompanied by an advisor of his or her choosing. At this initial meeting, the Title IX Coordinator will:
  - a) Provide the complainant a copy of this Policy;
  - b) Provide the complainant with a Complaint Form, if necessary;
  - c) Provide a written explanation of the complainant's rights and options related to changes in academic, parking, and working arrangements;
  - d) Explain avenues for formal resolution and informal resolution of the complaint;
  - e) Explain the steps involved in an investigation;
  - f) Discuss confidentiality standards and concerns with the complainant;
  - g) Determine whether the complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind;
  - h) Refer the complainant to campus and community resources, including the local sexual assault crisis center, domestic violence crisis center, or other victim support service(s) with which the College has entered into a Memorandum of Understanding.
  - i) Discuss with the complainant, as appropriate, possible interim measures that may be taken or provided when necessary during the pendency of the investigative and resolution processes;
  - j) Discuss the right to a fair and impartial resolution of the complaint;
  - k) Discuss the College's obligation to disclose information about the complaint, including personally identifiable information, to the campus/local law enforcement or to the local Commonwealth's Attorney, or both, under certain conditions.

**2. Respondent's Initial Meeting with the Assigned Title IX Coordinator.** As soon as is practicable, the Title IX Coordinator will schedule an initial meeting with the respondent. The respondent may be accompanied by an advisor of his or her choosing. During the initial meeting with the respondent, the Title IX Coordinator will:

- a) Provide the respondent, in writing, sufficient information to allow him or her to respond to the substance of the allegation;
- b) Provide the respondent a copy of this Policy;
- c) Provide a written explanation of the respondent's rights and options related to changes in academic, parking, and working arrangements;
- d) Explain the College's procedures for formal resolution and informal resolution of the complaint;
- e) Explain the steps involved in an investigation;
- f) Discuss confidentiality standards and concerns with the respondent;
- g) Discuss non-retaliation requirements;
- h) Inform the respondent of any interim measures that may be imposed on the respondent;
- i) Refer the respondent to campus and community resources, as appropriate; and
- j) Discuss with the respondent, as appropriate, possible interim measures that can be provided to the respondent during the pendency of the investigative and resolution processes;
- k) Discuss the respondent's right to due process and a fair and impartial resolution of the complaint; and
- l) If the respondent is a student, and the complaint involves an alleged act of sexual violence, explain to the respondent that the College will include a notation on the academic transcript, if the respondent is suspended or dismissed after being found responsible, or withdraws while under investigation, and that the investigation will continue in the respondent's absence while being afforded notice of the charges and an opportunity to respond to all of the evidence.

### **3. Title IX Coordinator's Initial Determination**

- a) The College shall conduct an investigation of the complaint unless (i) the complainant does not want the College to pursue the complaint and the Title IX Coordinator has determined that the College can honor the request; (ii) it is clear on its face and based on the Title IX Coordinator's initial meetings with the parties that no reasonable grounds exist for believing that the conduct at issue constitutes a violation of this Policy. The Title IX Coordinator will consider the following factors in determining whether it is reasonable to investigate the complaint: the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the information; and whether the individuals allegedly subjected to the conduct can be identified.
- b) In the event that the Title IX Coordinator determines that an investigation of the complaint should not be conducted, he or she will document (in consultation, as necessary, with the complainant, respondent, and other College officials) the appropriate resolution of the complaint and inform the parties of the same. The Title IX Coordinator shall provide specific and clear written reason(s) why an investigation should not be conducted. The Title IX Coordinator shall provide the determination that the College will not investigate the matter to the complainant and the respondent, concurrently, within five (5) workdays of the completion of the initial meetings. This decision is final.

### **4. Appointment of the Investigator and Conduct of the Investigation**

- a) If the Title IX Coordinator determines that an investigation should be conducted, he or she will appoint an investigator within five (5) workdays of the completion of the initial meetings. The Title IX Coordinator will share his or her name and contact information with the complainant and respondent and will forward the complaint to the investigator. Within three (3) workdays of such appointment, the investigator, the complainant or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest posed by assigning such investigator to the matter. The Title IX Coordinator will consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest exists.
- b) The investigator will contact the complainant and respondent promptly. In most cases, this should occur within three (3) workdays from the date of the investigator's appointment or the conclusion of the informal resolution process, whichever is later. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and recommendations of witnesses to be interviewed during the course of the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.
- c) In the conduct of the investigation, the investigator should weigh the credibility and demeanor of the complainant, respondent, and witnesses; the logic and consistency of the evidence, motives, and any corroborating evidence.
- d) The investigation of any alleged violation of this Policy should be completed within 60 days of the filing of the complaint or the date on which the College becomes aware of the alleged violation, unless good cause exists to extend the timeframe. If more time is necessary, the parties will be notified in writing and given the reason for the delay and an estimated time of completion.
- e) Both complainant and respondent will have the opportunity to review and respond to evidence obtained during the investigation. Each party also will have the opportunity to review and comment on the written investigative report within seven (7) workdays of receiving the report. The final written investigative report and the parties' responses thereto shall be part of the record.
- f) The investigator will complete a written investigative report that includes summaries of all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant electronic records, and a detailed report of the events in question. The written investigative report shall include at minimum, the following information:
  - The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation;
  - A statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);
  - The date that the complaint or other report was made;
  - The date the respondent was interviewed;
  - The names and gender of all persons alleged to have committed the alleged violation;
  - The names and gender of all known witnesses to the alleged incident(s);
  - The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
  - Any written statements of the complainant or the alleged victim, if different from the complainant;
  - The date on which the College deferred its investigation and disciplinary process because the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process (if applicable); and

- The outcome of the investigation.
- g) The investigator will forward the written investigative report to the Title IX Coordinator.
- h) The withdrawal of a student from the College while under investigation for an alleged violation of this Policy involving an act of sexual violence shall not end the College's investigation and resolution of the complaint. The College shall continue the investigation as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence to review and respond to all the evidence against the student, and to the written investigative report prior to making a final determination. The student shall also receive notice in writing of any hearing, including the day, time, and location. Upon the student's withdrawal, the College shall place a notation on the student's academic transcript that states "*Withdrew while under investigation for a violation of LFCC's Sexual Misconduct Policy.*" After the College has completed its investigation and resolution of the complaint, the College shall either (1) remove the notation, if the student is found not responsible or (2) change the notation to "*Withdrew while under investigation and subsequently found responsible for a violation of LFCC's Sexual Misconduct Policy.*" Upon a final determination, the Title IX Coordinator shall immediately notify the registrar and direct that the appropriate notation is made.

#### **S. Determination of Title IX Coordinator and Corrective Action Report**

1. The Title IX Coordinator will determine whether there is a preponderance of the evidence to find that the respondent violated this Policy as alleged. In most cases, this should occur within five (5) workdays of receiving the written investigative report from the investigator. The "preponderance of the evidence" standard requires that the weight of the evidence, in totality, supports a finding that it is more likely than not that the alleged violation occurred.
2. If the Title IX Coordinator finds that the evidence does not prove by a preponderance of the evidence that the respondent committed the alleged violation, the matter will be closed. The Title IX Coordinator will make the determination in writing and distribute the written investigative report with such finding to the complainant and the respondent concurrently. All parties to whom the written investigative report is distributed pursuant to this Policy should maintain it in confidence. Both the complainant and the respondent may appeal the finding under the procedure described below.
3. If the Title IX Coordinator finds by a preponderance of the evidence that a violation of this Policy did occur, the Title IX Coordinator will make the determination in writing and distribute the written investigative report with such finding to the complainant and the respondent concurrently. All parties to whom the written investigative report is distributed pursuant to this Policy should maintain it in confidence. Both the complainant and the respondent may appeal the finding under the procedure described below.
4. When the Title IX Coordinator finds that a violation has occurred, he or she also shall write a separate written corrective action report that will contain recommendations for steps that should be taken to prevent recurrence of any such violation and to remedy any discriminatory effects. If interim measures as described above have been taken, the written corrective action report shall include a recommendation regarding continuation, suspension or modification of any such interim measures. The Title IX Coordinator shall distribute the written corrective action report to the complainant and respondent concurrently. In most cases, the written

corrective action report should be completed within five (5) workdays after the distribution of the written investigative report. The written investigative report and the corrective action report may be submitted concurrently. The Title IX Coordinator also shall provide the written investigative report and the written corrective action report to the appropriate College official, as described below.

5. If the respondent is a student, the Title IX Coordinator will forward the reports to the Judicial Officer, Dean of Students/Vice President for Student Affairs, or other appropriate official. Within ten (10) workdays, the Judicial Officer shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s). When the respondent is a student, within five (5) workdays of receipt, the Title IX Coordinator may disclose to the complainant the sanctions imposed on the respondent that directly relate to the complainant as permitted by state and federal law, including the Federal Educational Rights and Privacy Act (FERPA) and the Virginia Freedom of Information Act, when such disclosure is necessary to ensure the safety of the complainant. The Title IX Coordinator also may disclose in writing to the complainant the final results of a disciplinary proceeding involving the respondent with regard to an alleged forcible or non-forcible sex offense, act of stalking, domestic violence or dating violence on the complainant, as permitted by state and federal law including FERPA and the Virginia Freedom of Information Act. The disclosure of final results must include only the name of the student, the violation committed, and any sanction imposed by the College against the student.
6. If the respondent is an employee, the Title IX Coordinator will forward the reports to the employee's supervisor, HR Director or other college official. Within ten (10) workdays, the supervisor and HR Director shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s).
7. If the respondent is a third party, the Title IX Coordinator will forward the reports to Vice President of Finance and Administrative Services, Police Chief, or other College official. Within ten (10) workdays, the Vice President, Police Chief, or other official shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s). The Title IX Coordinator may disclose to the complainant information as described above.
8. The Title IX Coordinator will advise the respondent and the complainant of their right to appeal any finding or sanction in writing. The written notification also shall provide information on the appeals process. If the respondent does not contest the finding or recommended sanction(s), the respondent shall sign a statement acknowledging such. The signed statement shall be part of the record.

## **T. Informal Resolution**

1. After receiving a request from both parties to resolve the complaint with the informal resolution process, the Title IX Coordinator will appoint a College official to facilitate an effective and appropriate resolution. Within five (5) workdays of the appointment, the College official will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed. Within ten (10) workdays of receiving the written statements, the College official will hold a meeting(s) with the parties and coordinate

informal resolution measures. The College official shall document the meeting(s) in writing. Each party may have one advisor of his or her choosing during any meeting; however, the advisor may not speak on the party's behalf.

2. The informal resolution process should be complete within thirty (30) days in most cases, unless good cause exists to extend the timeframe. The parties will be notified in writing and given the reason for the delay and an estimated time of completion. Any party may request in writing that the informal resolution process be terminated at any time, in which case the formal resolution process will commence. In addition, any party can pursue formal resolution if he or she is dissatisfied with the proposed informal resolution.
3. Any resolution of a complaint through the informal process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also respecting the due process rights of the respondent. Informal resolution remedies might include mandatory education, counseling, written counseling by an employee's supervisor, or other methods. The College official will provide the complainant and respondent with a copy of the final written report concurrently. The final written report shall include the nature of the complaint, a meeting(s) summary, the informal resolution remedies applied, and whether the complaint was resolved through the informal resolution process.
4. There is no right of appeal afforded to the complainant or the respondent following the informal resolution process.

#### **U. Sanctions & Corrective Actions**

1. The College will take reasonable steps to prevent the recurrence of any violations of this Policy and to correct the discriminatory effects on the complainant (and others, if appropriate). Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.
2. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education, a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, verbal or written warning, a no-contact order, written or verbal apology, verbal or written warning, probation, suspension, and dismissal from the College.
  - a. If a student is found responsible for an act of sexual violence under this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: *"Suspended/Dismissed for a violation of LFCC Sexual Misconduct Policy."* In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension, and any conditions thereof, and when the student is considered to be in good standing. The student shall be considered to be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator shall meet with the student to confirm completion of the conditions, and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript.
  - b. If a student withdraws from the College while under investigation involving an act of sexual violence under this Policy, the student's academic transcript shall be noted as follows:

*“Withdrew while under investigation for a violation of LFCC’s Sexual Misconduct Policy.”*  
Students are strongly encouraged not to withdraw and to participate in the investigation and resolution of the complaint.

- c. The College shall immediately remove the notation from the student’s academic transcript upon a subsequent finding that the student is not responsible for an offense of sexual violence under this Policy. Upon such finding, the Title IX Coordinator shall direct the registrar to remove the notation from the student’s transcript.
  - d. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student’s academic transcript after resolution of all appeals.
3. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and corrective actions include required discrimination or harassment education, informal or formal counseling, reassignment, demotion, suspension, non-reappointment, and termination from employment.
  4. Third parties, e.g., contractors, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary.
  5. Title IX Coordinator will determine the final accommodations to be provided to the complainant, if any.
  6. Sanctions imposed do not take effect until the resolution of any timely appeal. However, sanctions may take effect immediately when the continued presence of an individual on campus may threaten the safety of an individual or the campus community, generally. Sanctions will continue in effect until such time as the appeal process is exhausted in such cases.

## **V. Appeals**

Either the complainant or the respondent has the opportunity to appeal the outcome of the written investigative report or the sanction(s) recommended. Appeals shall be conducted in accordance with the applicable grievance procedures described in the Student Handbook, VCCS Policy Manual, and the Grievance Procedure Manual of the Department of Human Resource Management. Third parties may appeal to the Vice President of Finance and Administrative Services or designee.

1. Either the complainant or the respondent has the opportunity to appeal the outcome of the written investigative report or the sanction(s) recommended. Individuals must submit a written request for appeal to the Vice President of Finance and Administrative Services or designee within ten (10) workdays of the outcome of the investigation or imposition of sanction(s), whichever is later. The appeal request must cite the reason(s) for the appeal and provide evidence to support those reason(s).
2. Appeals shall be granted for the following reasons only:
  - The investigator exhibited unfair bias, which influenced the results of the investigation;
  - New evidence, unavailable at the time of the investigation, which could substantially impact the investigator’s finding. The appeal should explain why the evidence was unavailable previously, and why such evidence may substantially impact the investigator’s finding;
  - Error in the conduct of the investigation that is of such magnitude as to deny fundamental fairness;
  - The sanction(s) are unjustified by the evidence and/or mitigating factors warrant a

lesser sanction or aggravating factors warrant a greater sanction.

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

1. This Policy does not allow censorship of constitutionally protected expression. As a “marketplace of ideas,” the College encourages intellectual inquiry and recognizes that such inquiry may result in intellectual disagreements. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from an employee’s work performance or a student’s educational experience. Verbal or written communications, without accompanying unwanted sexual physical contact, is not sexual violence or sexual assault.
2. In addressing all complaints and reports of alleged violations of this Policy, the College will take all permissible actions to ensure the safety students and employees while complying with any and all applicable guidance regarding free speech rights of students and employees. This Policy does not apply to curriculum, curricular materials, or abridge the use of particular textbooks.

#### **X. False Allegations**

Any individual who knowingly files a false complaint under this Policy, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a complaint may be subject to disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff. An allegation that cannot be proven by a preponderance of the evidence is not necessarily proof of knowingly filing a false complaint.

#### **Y. Consensual Relationships**

Pursuant to VCCS Policy 3.14.2, consenting romantic or sexual relationships between college employees and students for whom the employee has a direct professional responsibility are prohibited. Consenting romantic or sexual relationships between employees where one employee has a direct professional responsibility are also prohibited. Consenting romantic or sexual relationships between other employees (not in a supervisory position), or with students for whom the employee does not have a direct professional responsibility, although not expressly forbidden, are unwise and are strongly discourages. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome.

#### **Z. Record Keeping**

The Title IX Coordinator shall maintain, in a confidential manner, for at least seven (7) years, paper or electronic files of all complaints, witness statements, documentary evidence, written investigative reports, review committee records, written corrective action reports, sanctions, appeal hearings and associated documents, the responses taken by campus personnel for each complaint, including any interim and permanent steps taken with respect to the complainant and the respondent, and a narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

## **ADDITIONAL POLICY/PROCEDURES RELATED TO STUDENTS**

The following policies/procedures are reproduced from the 2012-2013 LFCC Catalog and Student Handbook.

## **CODE OF STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT**

### **Short Title**

These rules shall be known as the Lord Fairfax Community College Code of Conduct.

### **Bill of Rights**

The following enumeration of rights shall not be construed to deny or disparage others retained by students in their capacity as members of the student body or as citizens of the community at large:

- A. Free inquiry, expression, and assembly are guaranteed to all students consistent with the First Amendment to the United States Constitution.
- B. Students are free to pursue their educational goals and appropriate opportunities for learning in the classroom and on the campus shall be provided by the institution.
- C. The right of students to be secure in their persons, papers, and effects against unreasonable searches and seizures consistent with the Fourth Amendment of the United State Constitution.
- D. No disciplinary sanctions may be imposed upon any student without notice to the respondent of the nature and cause of the charges and an opportunity for a fair hearing.

The College has the right to set and expect reasonable standards for behavior and conduct that safeguard the College, College property, and all additional components of the educational process.

**Definition** - When used in this Code:

- A. The term "institution" means Lord Fairfax Community College and, collectively, those responsible for its control and operation.
- B. The term "student" includes all persons taking courses at the institution both full-time and part-time.
- C. The term "instructor" means any person hired by the institution to conduct classroom activities. In certain situations a person may be both "student" and "instructor." Decisions regarding his/her status in a particular situation shall be determined by the surrounding facts.
- D. The term "legal compulsion" means a judicial or legislative order which requires some action by the person to whom it is directed.
- E. The term "organization" means a number of persons who have complied with the formal requirements of institution recognition as provided in number 10.
- F. The term "group" means a number of persons who have not yet complied with the formal requirements for becoming an organization.
- G. The term "student press" means either an organization whose primary purpose is to publish and distribute any publication on campus or a regular publication of an organization.
- H. The term "administrator" shall refer to any designated employee who has the authority to act on the behalf of the College on the whole.
- I. The term "College official" shall refer to any designated employee who has the authority to enforce the parameters of the student code of conduct.
- J. The term "vice president" shall mean the vice president of academic and student affairs unless otherwise indicated.

- K. The term “shall” is used in the imperative sense.
- L. The term “may” is used in the permissive sense.
- M. All other terms may have their natural meaning unless the context dictates otherwise.

### **Access to Higher Education**

Within the limits of its facilities, LFCC shall be open to all applicants who are qualified according to its admission requirements. Under no circumstances may an applicant be denied admission because of race, ethnicity, religion, sex, age, veteran status, political affiliation, disability or any other irrelevant criterion as defined by case law.

### **Classroom Expression**

Orderly discussion and expression of all views relevant to the subject matter is permitted in the classroom subject to the responsibility of the instructor to maintain order. Information about student views, beliefs, and political associations acquired by professors in the course of their work as instructors, advisors, and counselors, is confidential and is not to be disclosed to others unless under legal compulsion. (Questions relating to intellectual or skills capacity are not subject to this section.)

### **Campus Expression**

Discussion and expression of all views are permitted at LFCC, subject only to requirements for the maintenance of safety, order, and respect for others’ right to privacy, freedom from harassment, and other applicable policies of the institution. Students, groups, and campus organizations may invite and hear any persons of their own choosing subject only to the requirements for use of institutional facilities.

### **Institutional Governance**

All constituents of the College community are free, individually and collectively, to express their views on issues of College policies affecting academic and student affairs. The role of student government and its responsibilities shall be made explicit. On questions of educational policy, students are entitled to a participatory function.

### **Publications**

A student, group, or organization may distribute pre-approved written material on campus providing such distribution does not disrupt the operation of the College. Student activities personnel reserve the right to deny posting of written material for any reason.

The College press is to be free of censorship. The editors and managers shall not be arbitrarily suspended because of student, faculty, administration, alumni, or community disapproval of editorial policy or content. Similar freedom is assured to oral statements of views on an institution controlled and student operated radio or television station. (This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of the Federal Communications Commission.) All student communications shall explicitly state on the editorial page or in broadcast that the opinions expressed are not necessarily those of the institution or its student body.

### **Proscribed Conduct**

The College may institute its own proceedings against a student who violates a law on campus, which is also a violation of a published institution regulation. Official notices conspicuously displayed on bulletin boards in public areas throughout the campus are considered to be published institutional regulations. It is the responsibility of every student to read all official notices conspicuously posted through the College

facilities. In addition, students are held to obey all local, state, and federal laws and violation of said may subject them to punishment by relevant law enforcement authorities. Any violations not listed below are subject to the discretion of the vice president or other College official as designated by the vice president. Consequences for said actions will be determined by the vice president (or designee).

### ***Alcohol and Drugs***

Students shall not possess, use, distribute or manufacture illegal drugs and alcohol (defined as neither prescription nor OTC) on College property including buildings, facilities, grounds, property controlled by the College, as part of College activities on or off campus, while serving as a representative of the College at off-campus meetings, in any state-owned, controlled or leased property or at a site where state work is performed. Individuals in violation of this policy may also be subject to legal sanctions under local, state or federal law regarding the unlawful possession or distribution of illegal drugs and alcohol. Illegal distribution of prescription drugs and medications is also prohibited in these venues. Students that are inebriated or otherwise under the influence of drugs or alcohol according to the subjective standards of a College official are not allowed in LFCC classrooms at any point.

### ***Camping***

Camping on College property is not permitted without a **written** permit signed by student activities personnel. Camping is defined as overnight visitation on campus grounds. Overnight parking may also be punished by relevant law enforcement authorities.

### ***Computer Misuse--Information Technology Student/Patron Acceptable Use Agreement***

As a user of the Virginia Community College System's local and shared computer systems students must understand and agree to abide by the following acceptable use agreement terms. These terms govern your access to and use of the information technology applications, services and resources of the VCCS and the information they generate. The College has granted access to students as a necessary privilege in order to perform authorized functions at the institution where they are currently enrolled. Students will not knowingly permit use of their entrusted access control mechanism for any purposed other than those required to perform authorized functions related to their status as a student. These include log-on identification, password, workstation identification, user identification, digital certificates or 2-factor authentication mechanisms. Students will not disclose any information concerning any access control mechanism unless properly authorized to do so by the College. Students will not use any access mechanism that the College has not expressly assigned to you. Students will treat all information maintained on the College computer systems as strictly confidential and will not release information to any unauthorized person. Computer software, databases, and electronic documents are protected by copyright law. A copyright is a work of authorship in a tangible medium. Copyright owners have the sole right to reproduce their work, prepare derivatives or adaptations of it, and distribute it for sale, rent, license lease, or lending and/or to perform or display it. A student must either have an express or implied license to use copyrighted material or data, or be able to prove fair use. Students and other users of College computers are responsible for understanding how copyright law applies to their electronic transactions. Students may not violate the copyright protection of any information, software, or data with which they come into contact through the College computing resources. Downloading or distributing copyrighted materials such as documents, movies, music, etc. without the permission of the rightful owner may be considered copyright infringement, which is illegal under federal and state copyright law. Use of the College's network resources to commit acts of copyright infringement may be subject to prosecution and disciplinary action. The penalties for infringing copyright law can be found under the U.S. Copyright Act, 17 U.S.C. §§ 501-513 (<http://www.copyright.gov/title17/92chap5.html>) and in the US Copyright Office's summary of the Digital Millennium Copyright Act (<http://www.copyright.gov/legislation/dmca.pdf>).

Students must agree to abide by all applicable state, federal, VCCS, and College policies, procedures and standards that relate to the VCCS Information Security Standard and the VCCS Information Technology Acceptable Use Standard. These include, but are not limited to:

- Attempting to gain access to information owned by the College or by its authorized users without the permission of the owners of that information;
- Accessing, downloading, printing, or storing information with sexually explicit content as prohibited by law or policy;
- Downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images;
- Installing or downloading copyrighter materials or proprietary agency information contrary to policy;
- Sending e-mail using another's identity, an assumed name, or anonymously;
- Attempting to intercept or read messages not intended for them;
- Intentionally developing or experimenting with malicious programs (viruses, worms, spy-ware, keystroke loggers, phishing software, Trojan horses, etc.) on any College-owned computer;
- Knowingly propagating malicious programs;
- Changing administrator rights on any College-owned computer, or the equivalent on non-Microsoft Windows based systems;
- Using College computing resources to support any commercial venture or for personal financial gain.

Students must follow any special rules that are posted or communicated to them by responsible staff members, whenever they use the College computing laboratories, classrooms, and computers in the Learning Resource Centers. They shall do nothing intentionally that degrades or disrupts the computer systems or interferes with systems and equipment that support the work of others. Problems with College computing resources should be reported to the staff in charge or to the Information Technology Help Desk.

If students observe any incidents of non-compliance with the terms of this agreement, they are responsible for reporting them to the Information Security Office and/or management of the College. Students must understand that they must use only those computer resources that they have the authority to use. They must not provide false or misleading information to gain access to computing resources. The VCCS may regard these actions as criminal acts and may treat them accordingly. Students must not use VCCS IT resources to gain unauthorized access to computing resources of other institutions, organizations, individuals, etc.

The VCCS and College reserve the right (with or without cause) to monitor, access, and disclose all data created, sent, received, processed, or stored on VCCS systems to ensure compliance with VCCS policies and federal, state, or local regulations. College or System Office officials will have the right to review and/or confiscate (as needed) any equipment (state owned or personal) connected to a state owned device or network.

Students must understand that it is their responsibility to read and abide by this agreement, even if they do not agree with it. If you have any questions about the VCCS Information Technology Acceptable Use Agreement, you need to contact the College Information Security Officer or appropriate College official.

By acknowledging this agreement you hereby certify that you understand the preceding terms and provisions and that you accept responsibility of adhering to the same. You further acknowledge that should you violate this agreement, you will be subject to disciplinary action.

### ***Dangerous Practices***

Use of fireworks or firecrackers on campus is prohibited. Candles and other forms of fire are also prohibited. (Cigarette lighters or matches used to light tobacco products in a designated smoking area are the only exception). Disabling exit doors or blocking handicap access ramps is not permitted. Violations of any conduct prohibited herein may also be punishable by relevant law enforcement authorities.

### ***Disorderly Conduct***

No student shall cause or incite any disturbance (including excessive noise) in or near any campus building. This restriction extends to any activity which interrupts the standard safe and orderly operation of the College.

### ***Disruption of Educational Process***

Generally, College discipline should be limited to conduct which adversely affects the College community's pursuit of its educational objectives. Disruptive conduct is subject to disciplinary action, in addition to possible relevant law enforcement action. Examples of this conduct include, but are not limited to:

- A. All forms of dishonesty including cheating, plagiarism, and knowingly furnishing false information to the institution, and forgery, alteration or use of institutional documents or instruments, or identification with intent to defraud.
- B. Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities.
- C. Damaging, defacing, stealing, or destroying College property or property of a member of the College community or campus visitor.
- D. Violation of published institutional regulations including those relating to entry and use of institutional facilities, the rules in this Code of Conduct, and any other regulations which may be enacted.
- E. Violation of law on institutional premises in a way that affects the College community's pursuit of its proper educational purposes.

### ***Failure to Comply with a College Official***

No student shall fail to comply with a request or order from a College official. Violations of this policy include failure to properly follow through with any disciplinary measure imposed upon a student.

### ***Falsification of Official Information***

No student shall misrepresent him/herself in any way while interacting with a College official, including holding him/herself out as a College official.

### ***Fire Safety***

All students are expected to maintain appropriate fire safety measures. Examples of non-compliance would include: failure to evacuate during a fire alarm, falsely pulling a fire alarm, and/or misusing fire safety equipment. Violations of these prohibitions may also be punished by relevant law enforcement authorities.

### ***Gambling***

In Virginia, gambling events and activities are unauthorized by law, except with special permit. LFCC cannot authorize gambling without proper state waiver.

### ***Hazing***

Hazing, defined as any action which leads to physical or mental discomfort for any member of the shared community, is prohibited on campus. Violations of this prohibition may also be punished by relevant law enforcement authorities.

### ***Obscene Conduct***

Students are expected not to engage in any type of lewd or obscene conduct while in a College building, on campus (or at a center), or at a College-sponsored off-site activity. This violation extends to include possessing, producing, or distributing illegal or inappropriate sexual materials as well as any and all forms of inappropriate touching. Note: Certain types of information may be distributed due to the learning nature of our collegiate environment; perceived obscenities based on expected academic goals may be exempt from this policy.

### ***Projectiles***

No student shall cause any object to be projected (via throwing or any other method) through the air in any indoor campus environment. Projectiles are permitted in outdoor areas, as long as no formal College event is being conducted in that space. Violations of this prohibition may also be punishable by relevant law enforcement authorities.

### ***Unauthorized Use of College Property or Documents***

No official LFCC documentation or property should be used for any purpose by a student not authorized to do so.

- Examples of property include: College buildings, parking lots and vehicles, in addition to College computers, lab equipment and furniture.
- Examples of documents include: Logos, letterhead, forms and websites.
- This prohibition may also be enforced by relevant legal action pursuant to state and federal law.

### ***Digital Copyright and File Sharing***

Downloading or distributing copyright materials such as documents, movies, music, etc., without the permission of the rightful owner is considered copyright infringement and is illegal under federal copyright law. Under no circumstances should the College's network connections be used to violate copyright laws. Use of the College's network resources to commit acts of copyright infringement may be subject to prosecution and potential disciplinary actions. The College has implemented technology that can detect P2P software running on the campus network. For additional information go to <http://system.vccs.edu/its/InformationSecurityProgram/docs/P2P>.

### ***Violence to Persons***

No students shall engage or attempt to engage in any form of violence directed towards another person, group or self. No student shall threaten anyone else with physical harm, direct obscenities towards them, or engage in any activity that could be reasonably anticipated to provoke a violent reaction from that individual. Behaviors that present a threat or a potential danger to the College community are defined as, but not limited to:

**Threatening Behavior (including but not limited to):**

- a) Physical actions short of actual contact/injury (i.e., moving closer aggressively, waving arms or fists, raising tone of voice or yelling in an aggressive or threatening manner);
- b) Oral or written threats to harm people or their property (i.e., “you better watch your back” or “I’ll get you”), including the use of any electronic means of communication;
- c) Implicit threats (i.e. “you’ll be sorry” or “this isn’t over yet”).

**Violent Behavior (including but not limited to):**

- a) Intentionally acting in a manner that in any way endangers the safety of others;
- b) Any physical assault, with or without weapons;
- c) Behavior that a reasonable person would interpret as being physically aggressive (i.e. destruction of property, pounding on a desk or door or throwing objects in a threatening manner);
- d) Specific threats to inflict harm (e.g. a threat to shoot a named individual);
- e) Use of any object to attack or intimidate another person;
- f) Interfering with an individual’s legal rights of movement or expression.

**Intimidating Behavior (including but not limited to):**

- a) Intimidation of any kind that results in an individual’s fear for his/her personal safety;
- b) Engaging in stalking behavior;
- c) Behavior that is reasonably perceived to be frightening, coercing, or inducing distress to any member of the College community.

**Disruptive Behavior (including but not limited to):**

- a) Verbally intimidating, threatening, or abusing any person or persons in the College environment;
- b) Physically intimidating, threatening, abusing or assaulting others;
- c) Disorderly or abusive behavior that interferes with the rights of others or obstructs the teaching or learning environment or business of the College;
- d) Making inappropriate and incessant demands for time and attention from College employees or students;
- e) Inappropriate use of College facilities or resources;
- f) Theft or damage to College property;

Violations of these prohibitions may also be punishable by relevant law enforcement authorities.

***Weapons***

State Board for Community Colleges, Weapons Regulations, Chapter 10, **8VAC95-10-10**.

**Definitions:**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

“Police Officer” means law-enforcement officials appointed pursuant to Article Three (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1 or Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia or sworn Federal Law-enforcement officers.

“College Property” means any property owned, leased, or controlled by a member college of the Virginia Community College System and the administrative office of the Virginia Community College System.

“Weapon” means (i) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material; (ii) any dirk, bowie knife, switchblade knife, ballistic knife, machete, razor, slingshot, spring stick, metal knucks, or blackjack; (iii) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; (iv) any disc, of whatever configuration having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; or (v) any weapon of like kind, to include but not limited to, tasers.

“Weapon” does not mean knives or razors used for domestic purposes, pen or folding knives with blades less than three inches in length, or knives of like kind carried for use in accordance with the purpose intended by the original seller.

#### **8VAC95-10-20. Possession of weapons prohibited**

Possession or carrying of any weapon by an person, except a police officer, is prohibited on College property in academic buildings, administrative office buildings, student centers, child care centers, dining facilities and places of like kind where people congregate, or while attending any sporting, entertainment, or educational events. Entry upon the aforementioned college property in violation of this prohibition is expressly forbidden.

**Visitors and Third Parties:** Individuals who are not College employees or College students, such as relatives, acquaintances, strangers, contractors, visitors, or other third parties are prohibited from brandishing, using, or possessing a weapon (except those with a permit to carry a concealed weapon, who retain the right to possess a weapon) while on campus in academic or administrative buildings; or, any individual, while attending a sporting, entertainment or educational event, when specifically asked by the College to agree not to possess a weapon as a condition of attendance. This provision does not apply to law enforcement personnel. Visitors and third parties violating this policy will be subject to applicable state, and federal laws, and associated regulation, and may be barred from the College at the College’s discretion for violating this policy.

Any individual in violation of this prohibition will be asked to remove the weapon immediately. Failure to comply may result in a student conduct referral, an employee disciplinary action, or arrest.

#### **8VAC95-10-30. Exceptions to prohibition**

- A. The prohibition in 8VAC95-10-20 shall not apply to current sworn and certified local, state, and federal law enforcement officers with proper identification, nor shall it apply to possession of a weapon when stored securely inside the vehicles of properly permitted students and employees.
- B. The Chief of the College Police Department or Head of Security Department, or his designee, may authorize, in writing, a person to possess, store or use a weapon: (i) when used for educational or artistic instruction, display, parade, or ceremony sponsored or approved by the College (unloaded or disabled only and with other specified safeguards, if appropriate); or (ii) for any college-approved training course or class.

#### **8VAC95-10-40. Person lawfully in charge**

Campus police officers or security officers, and other police officers acting pursuant to a mutual aid agreement or by concurrent jurisdiction, are lawfully in charge for the purposes of forbidding entry upon or remaining upon College property while possessing or carrying weapons in violation of this chapter.

## Off Campus Student Code of Conduct

Students are accountable for their conduct regardless of where it takes place, on or off the College property. This includes any behavior which reflects badly on the College or its mission including, but not limited to, high-risk use of alcohol, drug use, violent actions, and any behavior which compromises health, safety, and academic success.

### Disciplinary Procedures

All students are afforded the right to due process for any violation. This process is defined below:

- A. Any academic or administrative official, faculty member, or student may file a complaint against any student\* for misconduct. In extraordinary circumstances, the respondent student may be indefinitely suspended pending consideration of the case. Such suspension shall not exceed a reasonable time.

\*Any administrator, College official, faculty member, or student wishing to file complaints against a College employee must follow a separate protocol as outlined in the human resource policy manual.

- B. When the vice president (or designee) receives information that a student has allegedly violated a rule, regulation, policy, or procedure, the vice president (or designee) shall investigate the alleged violation. After completing the preliminary investigation, the vice president (or designee) may:
  1. Dismiss the allegation as unfounded or
  2. Determine if the severity and nature of the problem necessitates a student conference. If a conference is deemed necessary, a request will be issued to the student via certified letter to the address contained in the College record. The notification will also be sent to the student's College email address. The notification will inform the student of the alleged violation of the student code of conduct. The notification will instruct the student to respond within ten (10) calendar days of the date of the correspondence. A conference time will be set after consultation with all involved parties; the vice-president (or designee) will have discretion to alter the arrangements of the conference for good cause.
- C. The president of the College, vice president (or designee), may take immediate interim disciplinary actions, suspend the right of the student to be present on the campus and to attend classes, or otherwise alter the status of a student for violation of rules, regulations, policies, or procedures when the student is a clear or present danger to himself/herself or others, or if such action is in the best interest of the College. The College reserves the right at all times to take such prompt action as may be needed to preserve the peace, integrity, and safety of the educational process and the College environment.

### Disposition of a Violation

As a result of the student conference, the vice president (or designee) may select one of the following as a course of action:

- A. Proceed administratively if it is determined that facts of the alleged violation are not in dispute.
- B. Proceed administratively if it is determined that the facts of the alleged violation are in dispute and must be further probed by the vice president (or designee); or

- C. Refer the case to a disciplinary hearing by preparing a formal complaint based on the allegation along with a list of witnesses and documentary evidence supporting the allegations (see “Hearing” section).
- D. When the facts are not in dispute, the vice president (or designee) may administratively dispose of any violation.
  - 1. In administratively disposing of a violation, the vice president (or designee) may impose any disciplinary action authorized under the section entitled “Sanctions.”
  - 2. If a student accepts administrative disposition, he/she will sign a statement that he/she understands the nature of the charges and the penalty imposed. The statement also includes the student’s acknowledgement that he/she waives the right to a hearing and the right to appeal.
  - 3. The vice president (or designee) will prepare a written summary of each administrative disposition of a violation and forward a copy to the student and to other appropriate administrative personnel.
- E. If the facts of the alleged violation are in dispute and require additional probing, the vice president (or designee) may elect to gather additional information concerning the allegation or to administratively dispose of the violation.
  - 1. If the vice president (or designee) elects to gather more information, follow-up with the respondent student must occur within ten (10) calendar days of the student conference.
  - 2. If a student disputes the facts of the charges, but accepts administrative disposition, he/she will sign a statement that he/she understands the nature of the charges and the penalty imposed. The statement also includes the student’s acknowledgement that he/she waives the right to a hearing and the right to appeal.
  - 3. The vice president (or designee) will prepare a written summary of each administrative disposition of a violation and forward a copy to the student and to other appropriate administrative personnel.
  - 4. A student may refuse administrative disposition of the alleged violation and on refusal is entitled to a hearing. If this is the case, the steps outlined in the following section, titled “Hearing,” will be followed.
- F. The vice president (or designee) may refer the case directly to a disciplinary hearing. If this is the case, the steps outlined in the following section, titled “Hearing,” will be followed.

### **Hearing**

- A. A written request for a hearing must be made to the vice president (or designee) within five (5) calendar days following the administrative disposition.
- B. A standing student discipline ad hoc committee exists at the college. The ad hoc committee for a particular hearing will be randomly selected by the vice president (or designee) from a list of faculty, staff, administrators and students who have volunteered to serve on the committee.
  - 1. The committee will consist of five (5) members (one full-time faculty member, one classified staff representative, one administrator, one student success representative and one student).
  - 2. The list of names of the eligible persons will be developed at the beginning of each academic year and will be in effect for the duration of that year.
  - 3. The student requesting the hearing may, if he/she believes one of the selectees will not fairly judge the merits of the alleged violation, request that another person be chosen from the list in that same category. One requested substitution, with written justification, is permitted.
  - 4. The committee member who is selected for the hearing may request that another person be chosen from the same category of the list if he/she believes they cannot provide a fair judgment based on the merits of the alleged violation.

- C. The student discipline ad hoc committee will elect a chairperson. The chairperson will set the date, time and place for the hearing.
  - 1. The vice president (or designee) will notify the student by certified letter or by hand delivery of information pertaining to the date, time and place of the hearing. The notice of the hearing will be sent within five (5) calendar days following confirmation of the hearing committee membership.
  - 2. The hearing will take place within ten (10) calendar days of the establishment of the student discipline committee.
  - 3. The vice-president (or designee) will have discretion to alter the arrangements of the hearing for good cause.
- D. The student discipline ad hoc committee will hold the hearing as scheduled and determine a ruling whether or not the student is present, provided the committee has confirmation that the student received actual notice of the date, time, and place of the hearing.
- E. An respondent student has the right to be accompanied by counsel, advisor, or attorney who may come from within or outside the College. Such counselor, advisor, or attorney must restrict his/her participation to advising the respondent, and he/she may not participate in the actual proceedings of the hearing such as discussion or cross-examination of the witnesses.
- F. The committee will presume a student innocent of the alleged violation until the facts and information presented support a decision to the contrary. A student will be found in violation when the weight of the evidence indicates that the student has violated this Code of Conduct. Committee members may freely question witnesses at any time. The committee will proceed as follows during the hearing:
  - 1. The vice president (or designee) reads the complaint.
  - 2. The vice president (or designee) presents the College's case. Any person giving testimony may be questioned, at the completion of the witness's testimony, by the student. The vice president (or designee) has the right to follow up and/or recall witnesses as necessary.
  - 3. The student presents his/her defense. The committee may not require the student to testify. Any person giving testimony on behalf of the student may also be questioned by the vice president (or designee).
  - 4. The vice president (or designee) and the student may present rebuttal evidence and argument. In closed session, the committee will discuss the issue and vote whether or not there has been a violation of this Code of Conduct. If the majority of the committee (at least 3 out of 5 voting members) finds the student violated the Code of Conduct, the committee will select and impose an appropriate sanction from the list detailed below. Determination of the sanction will be met by approval of a simple majority.

The committee chairperson will complete and submit the Committee Findings Form to the vice president (or designee) the same day as the conclusion of the hearing. The vice president (or designee) will inform the student of the committee's findings and sanctions, as noted on the Committee Findings Form. This notification will be sent via certified letter to the student and will be postmarked within five (5) calendar days of the conclusion of the hearing.

### **Hearing Records**

- A. All evidence will be offered to the committee during the hearing and made part of the hearing record. The hearing record will include:
  - 1. A copy of the notice provided to the student;
  - 2. All documentary and other evidence offered or admitted in evidence;
  - 3. Written motions, pleas, and any other materials considered by the committee; and
  - 4. The Committee Findings Form.

B. The hearing record will be forwarded to the vice president (or designee) where it will be securely maintained.

### **Appeal**

- A. The president of the College will automatically review every penalty of expulsion.
- B. A student is entitled to an appeal to the president of the College. To do so, a student must file a written request (via post marked certified letter) for appeal to the president within ten (10) calendar days from the date of the certified letter containing the Committee Findings Form. The written request for appeal must detail what specific issues are being appealed. The president maintains the right to refuse any request for appeal for insufficient cause.
- C. If a notice of appeal is given, the vice president (or designee) will send the hearing record to the president, within five (5) calendar days after the notice is given. The president will review the record and determine whether an in-person meeting is necessary to resolve the appeal.
  - 1. If an in-person meeting is deemed necessary, the president will set the date, time and place for the appeal and the vice president (or designee) will notify the student by certified letter or by hand delivery of information pertaining to the date, time, and place of the appeal. This notice will be sent as soon as possible and no later than ten (10) calendar days after the appeal request is received. The president will have the discretion to alter the arrangements of the hearing for good cause.
  - 2. If an in-person meeting is not deemed necessary, the president will move forward with resolution of the appeal as detailed below.
- D. After consideration of the appeal, the president will complete the appeal section on the Committee Findings Form. The president reserves the right to endorse, increase or lower the sanction that was assigned during the hearing.
- E. The vice president (or designee) will notify the student the result of the appeal via certified letter.
- F. The president will take such action as determined to be appropriate at any time during the process, and all decisions made by the president are final.

### **Sanctions**

Violations of the Code of Conduct can result in one or more of the following sanctions as deemed appropriate. The list of sanctions is not a progression.

- 1. Disciplinary Reprimand - a written reprimand from the vice president (or designee) to the student on whom it is imposed. A disciplinary reprimand is recorded in the student's conduct file.
- 2. Disciplinary Probation - probation may be imposed for any length of time up to one calendar year and the student will automatically be removed from probation when the imposed period expires. Probation indicates that further violations may result in suspension.
- 3. Community Service – service-learning hours with an office or department on campus.
- 4. Character Development – required attendance at an educational workshop, research and writing assignments or participation in a mentorship program.
- 5. Restitution - reimbursement for damage to or misappropriation of funds or property. This may take the form of appropriate service or other compensation.
- 6. Fines – fines shall be no less than \$15 and no greater than \$250, depending on the severity of the infraction.
- 7. Social Restriction – restriction from attending recognized campus social events and being on campus for any purpose other than those directly related to class. Social restriction may require the student to check in and out with security upon arrival and departure from campus.
- 8. Suspension - exclusion from classes and other privileges or activities as set forth in the notice for a defined period of time.

9. Expulsion - permanent severance from the College. The conditions of readmission, if any, shall be stated in the order of expulsion.
10. Referral to relevant law enforcement authorities.
11. Other appropriate consequences as determined by the disciplinary authority.

Failure to complete sanctions by the designated completion date represents a violation of the Code of Conduct (Failure to comply with a College Official). Those who do not meet the criteria of their sanctions will begin the judicial process again with a second charge.

*All information within the Student Code of Conduct is updated as needed. The most current information pertaining to the Student Code of Conduct can be found on the LFCC Web site at <http://www.lfcc.edu/student-handbook>.*

## **Tobacco and Related Products Policy**

(Updated 2014)

### **1.0 Purpose**

To regulate and control tobacco and related products at all facilities and within all vehicles operated by the College.

### **2.0 Revision History**

Policy's original effective date was August 1, 2004. Policy was revised in November 2008, and again in March 2014.

### **3.0 Applicability**

This policy applies to all Lord Fairfax Community College (LFCC) faculty, staff, administration, students, guests and visitors.

### **4.0 Policy**

Smoking shall be in compliance with the Virginia Clean Indoor Air Act and Guidance for Executive Order 41.

### **5.0 Definitions**

The College: Lord Fairfax Community College

Members of the College Community: faculty, staff, and administration

College Employees: faculty, staff, and administration

DGS: Department of General Services

Smoking means any product or apparatus that emits smoke or is designed to simulate smoking cigarettes or any other tobacco product.

Nicotine Vapor Products means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit or other electronic chemical or mechanical means, regardless of shape or size, which can be used to produce vapor from nicotine in solution or other form. "Nicotine Vapor Product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Vapor Product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Tobacco Product means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco Product" does not include any nicotine vapor product, alternative nicotine product or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

### **6.0 Responsibilities**

All persons are responsible for knowing and adhering to this policy and its procedures.

### **7.0 Procedures**

- A. The use of tobacco products or related materials is prohibited in all facilities occupied or operated by the College and is banned in all state-owned vehicles including rental vehicles provided under the DGS rental contract.
- B. Smoking is permitted outdoors on College property, provided that smokers are 25 feet or more away from any College entrance or exit. The College will post no smoking signs at entry ways where individuals enter and exit the facility.
- C. The College has provided smoking gazebos around the exterior facilities at the Middletown and Fauquier campuses equipped with cigarette and trash receptacles. The College will provide additional urns in high traffic areas to aid smokers in the proper disposal of cigarettes.
- D. It is expected that all members of the College community and visitors to the College's facilities will comply with the tobacco- and related products-free environment.

### **8.0 Sanctions**

Failure to comply with the terms of this policy will result in disciplinary action by the appropriate College Official.

## **9.0 Interpretation**

Authority for interpretation of this policy rests with the Vice President of Financial and Administrative Services.

## **10.0 Authority/Reference**

The Code of Virginia, Title 15.2, Chapter 28.2, "Virginia Clean Indoor Air Act".  
<http://leg1.state.va.us/cgi-bin/legp504.exe?091+ful+CHAP0153+pdf>

Guidance for Executive Order 41, DGS  
<http://lis.virginia.gov/cgi-bin/legp604.exe?141+ful+HB218H1>

## **Expressive Activities Policy**

### **6.5.1: Policy on Expressive Activity**

This policy applies to all buildings, grounds, and other spaces owned or controlled by the College. The term "expressive activity" includes:

- Meetings and other group activities of students and student organizations;
- Speeches, performances, demonstrations, rallies, vigils, and other events by students, student organizations, and outside groups invited by student organizations;
- Distribution of literature, such as leaflets and pamphlets; and
- Any other expression protected by the First Amendment to the U.S. Constitution.

### **6.5.2: Policy Statement**

College property is primarily dedicated to academic, student life and administrative functions. However, it also represents the "marketplace of ideas", and especially for students, many areas of campus represent a public forum for speech and other expressive activities. Colleges may place restrictions on expressive activities occurring indoors, but especially for students and student organizations, the outdoor areas of campus remain venues for free expression, including speeches, demonstrations, and the distribution of literature.

Indoors or outdoors, the Colleges shall not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on its content or viewpoint. Nevertheless, the College may establish reasonable time, place, and manner restrictions on expressive activity. Such restrictions must be content-neutral, narrowly tailored to serve a significant government interest, and allow ample alternative channels for communication of the information.

No event or expressive activity shall be permitted to violate or hinder the rights of others within the campus community or substantially disrupt normal College operations.

### **6.5.5.0: Procedures**

a. Reserving Campus Facilities:

1. If students, student organizations, or College employees desire to reserve campus facilities, they shall submit their requests to the appropriate College administrator. Colleges normally may not require more than twenty-four hours advance notice for reservation requests. More notice may be required to allow for sufficient logistical support and to ensure the safety and security of the campus.
2. If individuals or organizations who are not members of the College community (i.e., not students, student organizations, or College employees) desire to reserve campus facilities, they must be sponsored by a recognized student organization or the College to conduct expressive activities or events on campus.
3. Colleges may designate certain indoor facilities as not available for expressive activity, such as administration offices, libraries, and (during instructional hours) classrooms. Colleges shall make the campus community aware of such areas. Any other restrictions on expressive activities occurring in indoor facilities must (a) apply equally to all individuals and organizations and, (b) not depend upon the content or viewpoint of the expression or the possible reaction to that expression.
4. Students, student organizations, and College employees may request to reserve campus facilities on a first-come, first-served basis. These requests may be denied for the following reasons only:
  - a. The requested venue is an indoor facility that the College has designated as not available for expressive activity under Section 6.5.2.0(a)(3) of this policy;
  - b. The requested venue is an indoor facility and the request conflicts with restrictions enacted pursuant to Section 6.5.2.0(a)(3) of this policy;
  - c. The venue is already reserved for another event<sup>1</sup>;
  - d. The activity will attract a crowd larger than the venue can safely contain;
  - e. The activity will substantially disrupt another event being held at a neighboring venue<sup>2</sup>;
  - f. The activity will substantially disrupt College operations (including classes);
  - g. The activity is a clear and present threat to public safety, according to the College's police and security department;
  - h. The activity will occur during College examination periods; or
  - i. The activity is unlawful.
5. During an event, the student, student organization, or College employee requesting the reservation is responsible for preserving and maintaining the facility it reserved. If it causes any damage to those facilities, the person(s) or organization (and its officers, if applicable) shall assume responsibility.
6. When assessing a request to reserve campus facilities, the Colleges and its administrators must not consider the content or viewpoint of the expression or the possible reaction to that expression. The College and its administrators may not impose restrictions on students, student organizations, or College employees due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons

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<sup>1</sup> In the event that multiple individuals or organizations submit conflicting reservation requests, the following order of precedence shall govern: (1) official College-sponsored activities and events; (2) recognized student organization activities and events; (3) student activities and events; and (4) all other activities and events.

<sup>2</sup> The expression of competing viewpoints or multiple speakers in proximity to each other does not, without more, constitute a substantial disruption.

react negatively to a student's, student organizations, or College employee's expression, College officials (including College police and security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

b. Spontaneous Expressive Activity:

1. The College is not required to designate any indoor area as available for spontaneous expressive activities. In the event that the College elects to do so, College officials shall prominently post the areas in which students, student organizations, and their sponsored guests may engage in spontaneous expressive activities. Any areas so designated must (a) apply equally to all students and student organizations and (b) not depend upon the content or viewpoint of the expression or the possible reaction to that expression.
2. For outdoor campus facilities and areas, students, student organizations, and their sponsored guests may freely engage in spontaneous expressive activities as long as they do not (a) block access to campus buildings, (b) obstruct vehicular or pedestrian traffic, (c) substantially disrupt previously scheduled campus events<sup>3</sup>, (d) substantially disrupt College operations, (e) constitute unlawful activity; or (f) create a clear and present threat to public safety, according to the College's Police and Security Department.
3. No College personnel may impose restrictions on students, student organizations, or their sponsored guests who are engaging in spontaneous expressive activities due to the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to these activities, College officials (including College police and security) shall take all necessary steps to ensure public safety while allowing the expressive activity to continue.

c. All College policies on expressive activities must have prior approval from the Office of Legal Services.

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<sup>3</sup> The expression of competing viewpoints or multiple speakers in proximity to each other does not, without more, constitute a substantial disruption.

<b>Middletown Campus</b>	<b>2015</b>		<b>2016</b>		<b>2017</b>	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
<b>Criminal Offenses</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible:	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Hate Offenses</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny/Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Property Destruction, Damage, Vandalism	0	0	0	0	0	0
Any other crime involving bodily injury	0	0	0	0	0	0
<b>Arrests</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

<b>Middletown Campus (Cont.)</b>	2015		2016		2017	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
<b>Disciplinary Actions</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>VAWA Offenses</b>						
<i>Domestic Violence</i>	0	0	0	0	0	0
<i>Dating Violence</i>	1	0	0	0	0	0
<i>Stalking</i>	0	0	1	0	0	0
<b>Unfounded Crimes</b>						

<b>Fauquier Campus</b>	2015		2016		2017	
<b>Criminal Offenses</b>	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Hate Offenses</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny/Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Property Destruction, Damage, Vandalism	0	0	0	0	0	0
Any other crime involving bodily injury	0	0	0	0	0	0

<b>Fauquier Campus (Cont.)</b>	2015		2016		2017	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
<b>Arrests</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>Disciplinary Actions</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>VAWA Offenses</b>						
<i>Domestic Violence</i>	0	0	0	0	0	0
<i>Dating Violence</i>	0	0	0	0	0	0
<i>Stalking</i>	0	0	0	0	0	0
<b>Unfounded Crimes</b>						

<b>Luray Campus</b>	2015		2016		2017	
<b>Criminal Offenses</b>	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Hate Offenses</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny/Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Property Destruction, Damage, Vandalism	0	0	0	0	0	0
Any other crime involving bodily injury	0	0	0	0	0	0
<b>Arrests</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

<b>Luray Campus (Cont.)</b>	2015		2016		2017	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
<b>Disciplinary Actions</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>VAWA Offenses</b>						
<i>Domestic Violence</i>	0	0	0	0	0	0
<i>Dating Violence</i>	0	0	0	0	0	0
<i>Stalking</i>	0	0	0	0	0	0
<b>Unfounded Crimes</b>						

<b>Non-Campus (All Locations)</b>	2015		2016		2017	
	Non Campus	Public Property	Non Campus	Public Property	Non Campus	Public Property
<b>Criminal Offenses</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Hate Offenses</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses/ Forcible	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny/Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Property Destruction, Damage, Vandalism	0	0	0	0	0	0
Any other crime involving bodily injury	0	0	0	0	0	0
<b>Arrests</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	1	0	0	0	0	0
Liquor Law Violations	0	0	1	0	0	0

<b>Non-Campus (Cont.)</b>	2015		2016		2017	
	Non Campus	Public Property	Non Campus	Public Property	Non Campus	Public Property
<b>Disciplinary Actions</b>						
Illegal Weapons Possession	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>VAWA Offenses</b>						
<i>Domestic Violence</i>	0	0	0	0	0	0
<i>Dating Violence</i>	0	0	0	0	0	0
<i>Stalking</i>	0	0	0	0	0	0
<b>Unfounded Crimes</b>						