A guide for current and prospective students and employees prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy & Crime Statistics Act
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Dear Davis & Elkins College Community,

Davis & Elkins College is committed to providing a safe learning, working and residential environment for students, faculty, staff and visitors. To that end and in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), we offer this report. This report also offers a good faith effort to comply with requirements of the Violence Against Women Reauthorization Act of 2013 (VAWA). VAWA has amended the Clery Act to require institutions to compile statistics, policies, procedures and programs for incidents of domestic violence, dating violence, sexual assault and stalking.

We urge members of the campus community to use this report as a guide for safe practices on and off campus. This report is sent via email to enrolled students and current employees on an annual basis to notify them that the report is available for view. The email includes a brief summary of the contents of this report and the web address where the report can be found online (www.dewv.edu/campus-life/safety-security). A copy of the report can also be obtained from:

Office of Student Life
100 Campus Drive
Liberal Arts Hall Suite 102
Elkins, WV 26241
(304) 637-1211

We encourage you to read this information and consider how it can help you and the D&E community to prevent and protect yourself against crime. Thank you for taking the time to review this information and for helping to make Davis & Elkins College a safer community.

Sincerely,

Jake Gooden

Jake Gooden,
Interim Director of Campus Safety and Security
Davis & Elkins College
goodenj@dewv.edu
(304) 704-9111
Clery Act and Violence Against Women Reauthorization Act Compliance

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC 1092(f), is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crimes on and around their campuses. The Violence Against Women Reauthorization Action, or VAWA (2013), has amended the Clery Act to require institutions compile statistics, policies, procedures and programs for incidents of domestic violence, dating violence, sexual assault and stalking.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statics Act requires colleges and universities to:

1. Publish an annual report by October 1 that contains three years of campus crime and fire statistics and certain campus security policy statements.
2. Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus security, local law enforcement, resident assistants (RA), resident directors (RD) and other Davis & Elkins faculty/staff that have “significant responsibility for student and campus activities.”
3. Provide TIMELY WARNING NOTICES of crimes that have occurred on campus or in the local community and pose an ongoing “threat to students and employees.”
4. Disclose in a public crime log “any crime that occurred on campus or within the jurisdiction of campus security department and is reported to the security department.”
5. Disclose in a fire log “that records by date reported all fires in on-campus student housing facilities.”

The Davis & Elkins Campus Safety and Security Office is responsible for the annual security and fire safety report, timely warnings, and the crime and fire logs. The Annual Campus Security and Fire Safety Report is prepared in cooperation with local law enforcement agencies in Randolph County and the Office of Student Life. Campus crime, arrest and referral statistics include those reported to the Davis & Elkins Safety and Security Office, campus officials, RAs, RDs and local law enforcement agencies. The Annual Security and Safety Report is compiled and submitted by the Director of Campus Safety and Security. For more information, contact the Office of Student Life at 304-637-1211, or Campus Safety and Security at 304-704-9111.
Davis & Elkins College Mission, Vision, Values, Identity and History

The D&E Mission Statement
To prepare and inspire students for success and for thoughtful engagement in the world.

The D&E Vision Statement:
In a nurturing environment, students are challenged to:
- Communicate effectively.
- Think critically, creatively and independently.
- Prepare to live lives of perspective and meaning.
- Act responsibly as citizens of multiple communities.

The D&E Values Statement
We value the richness of place, the beauty of the natural world, and the importance of other countries, cultures and regions. D&E challenges students to participate in a vibrant and diverse campus while cultivating the intellectual, creative, ethical, physical and leadership skills the real world requires. As an affiliate of the Presbyterian Church (U.S.A.) and covenant partner with the Presbytery of West Virginia, the College affirms as special values: human dignity, social responsibility, participatory governance, and the unity of the intellectual, social and spiritual dimension of life.

The D&E Identity Statement
A private college of liberal arts and professional students, Davis & Elkins values curiosity and thoughtfulness while fostering social, emotional, spiritual and physical well-being. Toward those ends, the College provides a friendly and supportive environment for curious, engaged and freethinking students of diverse backgrounds. We emphasize “hands-on,” experiential learning through internships, practica, services projects, field research, travel and study abroad programs, and Winter Term classes that explore experimental subjects in unexpected locales. Some of our finest students arrive without direction only to find their path at D&E, thanks to the opportunities for intellectual growth that abound on our campus. These opportunities extend beyond the classroom. As one of the East’s premier mountain colleges, D&E offers unparalleled access to winter sport centers and other forms of extracurricular recreation including camping, biking, canoeing, hiking, skiing and snowboarding. Safe and supportive, stimulating and friendly, Davis & Elkins College encourages students to approach their adventure in education as a journey of self-discovery.

D&E History:
Founded in 1904, Davis & Elkins College was established through the influence and efforts of Henry Gassaway Davis and Stephen Benton Elkins, two United States Senators who were responsible for building the first railroad into the area. In 1901, the Senators donated land and money to establish a college and academy associated with the Presbyterian Church. Their gift was matched by donations from the citizens of Randolph County and the Presbyteries of Lexington and Winchester, Va. In 1902, the College’s Board of Trustees met for the first time. The first classes were held on September 21, 1904.

The original campus was located in south Elkins on a plot donated by Senator Elkins. Later, a gift of property from Mrs. Hallie Davis Elkins, the daughter of Senator Davis and the widow of Senator Elkins,
promoted the move of the College to its present location in 1926. This property included her home, Halliehurst, and the surrounding estate. In 1941, Senator Davis’ original estate, which included Graceland and the lands adjacent to Halliehurst, were acquired for the College.

Since its move to the old “Halliehurst Farm,” the physical plant of Davis & Elkins College has expanded to include 22 major buildings on a 170-acre campus that contains six landmarks on the National Register of Historic Places. From the beginning, Davis & Elkins College has sought to be of service to its students, and through them, to the state, the nation and the world — meeting the needs of each generation to the best of its ability.
Office of Safety and Security

The mission of the Davis & Elkins Campus Safety and Security Office is to provide a safe and secure learning, working and residential environment for students, staff and faculty. The office is dedicated to enhancing the quality of life for our community through policy enforcement, education and a team approach to creative problem solving. The office is also committed to honesty, integrity and professionalism. They value and treat each and every person with respect and compassion. They work in tandem with the members of our community to make Davis & Elkins College a safe and secure place for all of us to work, learn and live.

The College’s security operation is designed to provide leadership to the community on safety issues. All Campus Safety and Security officers work closely with all members of the campus community, especially the Office of Student Life. All officers have a good working relationship with the College counselors and interact with them frequently. Furthermore, the Campus Safety and Security Office staff has a good working relationship with local law enforcement and can be helpful in many situations. The staff must be informed of emergency situations in order to assist local emergency service providers (police, fire, medical personnel) with a quick response.

Davis & Elkins College is equipped with five Blue Light Emergency phones at various locations on campus. These phones, upon activation, contact the Randolph County E-911 Center automatically. Once activated, the user can communicate with the operator and the proper authorities can be sent to that location.

An escort service is provided by Davis & Elkins Security members for the safety of anyone walking or needing a ride. By calling 304-704-9111, an escort can be summoned to the location and transportation furnished anywhere on campus. This service can also be utilized for medical reasons.

The Campus Safety and Security offices are located in Memorial Gymnasium/Martin Field House. The Director’s office is located within the Office of Student Life on the first floor of Liberal Arts Hall. Officers are available seven days a week, 24 hours a day. Please call 304-704-9111 for assistance.

Security Officer Responsibilities:

- Monitoring and securing all campus-owned buildings, parking areas and walkways
- Compiling information from daily incident logs, residence hall reports and police data for annual fall reporting of crime statistics
- Working with local police in crime prevention efforts, referral for crime investigation and general safety escort service when requested
- Education
- Campus crime deterrence through regular patrols of College property
- Enforcement of College policies
- Investigation and documentation of policy violation
- Cooperation with Residence Life staff in promoting a safe and secure environment
- Traffic regulation
Officers are required to physically and diligently patrol the campus 365 days per year. During patrols of the campus grounds, officers are required to secure all buildings, gates and other structures to prevent theft, loss and vandalism. Officers also enforce Davis & Elkins College administrative policies and rules, violations of the Student Handbook and other College policies. Although the above listed rules and administrative regulations include offenses that also violate local, state and federal laws, Davis & Elkins Campus Safety and Security officers have no authority to enforce such laws and have no powers of arrest. Members of the Campus Safety and Security team have an excellent working relationship with the local, county and state law enforcement offices. Whenever needed on campus, local law enforcement officers have been quick to respond and have handled situations in a professional and understanding manner.

Officers document all their activities and patrols in a Daily Patrol Log. Officers are also required to report any incidents on an Incident Report to be submitted to the Director of Campus Safety and Security. These incidents range from injury to vandalism, weather, traffic, lost and found items, criminal violations and other matters. Incident Reports are to be submitted before the end of the officer’s shift, unless there are extenuating circumstances.
Access to Campus and Buildings

Access to campus buildings and grounds is a privilege extended to students, faculty, staff and authorized guests. D&E encourages an open environment with limited constraints to ensure a reasonable flow with the local community. Except for residence halls, most campus facilities are open during weekday business hours during the school year. Access to some areas within the campus facilities and after-hours access to many of the academic and administrative facilities is by key and/or a fob access control system. Individuals who wish to access buildings during non-business hours or for special events should contact the appropriate department head, Office of Student Life, or Davis & Elkins Campus Safety and Security.

Davis & Elkins College residence halls are designed to promote a safe and secure living environment for all residents. Residence halls are secured on a full-time basis and all exterior doors are kept in a locked position. Resident students are issued an exterior door key and/or another access control device. These are issued individually and are all uniquely numbered. Each resident is also issued an individual door key to their specific dorm room. There are Resident Assistants on every floor of all the residence halls. Resident Assistants are a valuable and energetic part of our residence hall supervision and security. Resident Assistants patrol the halls and at least one RA is on duty every night. Cameras are also utilized as part of the overall security system. Cameras are located at every entrance and exit within the residence halls. These are monitored by members of the Davis & Elkins Campus Safety and Security team. See the College’s Security Camera Policy for additional information.

The Physical Plant office maintains the College’s academic, administrative and residential buildings and the grounds with a concern for safety and security.

Roof Access
Students and non-authorized employees are strictly prohibited from going onto the roofs of residence halls or any other College building; objects (bikes, chairs, etc.) may not be put on roofs. Students who allow others to access the roof from their room will also be held accountable. The College assumes no financial or legal responsibility for injury due to this prohibited act.

Criminal Activity Off-Campus

When a Davis & Elkins College student is involved in an off-campus offense, Campus Safety and Security officers may assist with the investigation in cooperation with local, state or federal law enforcement. Local law enforcement routinely work and communicate with Campus Safety and Security on any serious incidents occurring on campus or in the immediate neighborhood and business areas surrounding campus. While the College does not operate off-campus housing or off-campus student organization facilities, some students live in the neighborhoods surrounding the campus. While law enforcement agencies have primary jurisdiction in all areas off campus, Campus Safety and Security officers can and do respond to student-related incidents that occur in close proximity to campus. As noted earlier, Campus Safety and Security enjoy a close working relationship with local law enforcement when violations of federal, state or local laws surface. This cooperative team approach addresses criminal situations as they arise, as well as future concerns.
Emergency Response and Evacuation

Reporting Emergencies
Any individual on the Davis & Elkins College campus who feels unsafe, threatened, afraid or stalked at any time should call Campus Safety and Security at 304-704-9111. If a response is not forthcoming, Randolph County 911 should be contacted. Please note the location of the blue, free-standing tower units around campus. Pushing the emergency button on one of these towers will activate the integrated telephone, which will immediately connect the individual with the Randolph County E-911 Center.

Emergency Notifications
Davis & Elkins College has always recognized the need to be prepared for critical incidents and emergency situations. These situations can come in many forms ranging from weather emergencies to epidemics and acts of violence. The College works continuously to strengthen its capacity to prevent, prepare for, respond to and recover from emergency type situations.

Notifications are made through a variety of different means including, but not limited to, phone, email, text, word of mouth, mass notification system, the College website, social media and regional media outlets. The College’s mass notification system is through e2campus and all students and employees are encouraged to sign up for this free service.

The President (or his designee), along with members of the Senior Staff, will determine how, when and whether an emergency notification needs to be made. A determination will also be made as to whom the notification will be sent. These notifications, when deemed appropriate, will be sent without delay.

Any major evacuation plan that would involve moving large groups of the campus community around on campus (or, if necessary, off campus) would be a decision made by the President (or his designee) and members of the Senior Staff in accordance with the College’s Emergency Response Plan.

e2Campus Mass Notification System
Davis & Elkins College has a state-of-the-art notification system that is capable of sending notification instantly and simultaneously to all registered mobile devices and email addresses. These are also posted on the College’s website. Messages will be of an urgent or emergency nature only. To register for e2Campus, members of the campus community must visit the Davis & Elkins College website, click on e2Campus, and complete the registration form. Alternatively, members of the College community can visit the MyD&E website (accessible via the D&E homepage) and search for e2campus for information on setting up an account.

Emergency Response Plan

The Clery Act requires the College to have and disclose emergency response and evacuation procedures in place significant emergencies or dangerous situations involving an immediate threat to the health or safety of students, employees or visitors occurring on its campus. The College’s Emergency Response Plan provides important information in the event of an emergency or the occurrence of a natural disaster within the general area of the College’s campus that impact academic or other operations. The basic emergency procedures contained in the Emergency Response Plan are designed to protect lives and property through effective use of College and community resources.
At the beginning of each academic year, Campus Safety and Security sends students, faculty and staff an email reminding them to review the Emergency and Safety Plan and how the e2Campus mass notification system works and alerting them that the system will be tested unannounced within two weeks of their receipt of the email. In addition, the College conducts numerous emergency response exercises each year, such as tabletop exercises and field exercises. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Analysis of these drills and exercises may be used to modify the Emergency Response Policy and Procedures as needed.

Environmental Security Inspections

Davis & Elkins College strives to maintain a safe and secure working and learning environment. Ongoing checks are made by Campus Safety and Security, as well as select employees from Student Life and the Physical Plant, and other concerned areas to routinely examine select campus areas for safety and security issues.

Evacuations
Before an emergency, determine the nearest exit at your location, the safest route to follow, and alternate exits. Evacuation routes are posted in campus buildings. Leave the immediate area, but remain available to emergency or security personnel. If time permits during an evacuation, secure your workplace and take personal items such as your keys, purse, medication and glasses. In case of a fire or other dangerous conditions, evacuate immediately leaving personal items behind.

When evacuating a building, remember the following general guidelines: walk, do not run; do not use elevators; when safety allows, seek out people with special needs and provide assistance; gather outside at designated building assembly areas; and, wait for instructions from the Campus Safety and Security office, other campus officials, or emergency personnel.

In the event of an immediate, life-threatening emergency during which the campus must be evacuated, the Safety and Security office, in collaboration with local emergency personnel, will discuss information about the location and route with civil authorities. Once determined, emergency personnel will discuss information about the evacuation location and route. Campus and community communication systems will be used to provide information about this type of evacuation. Information about food, water, first-aid, shelter and other needed information will be discussed in accordance with the Emergency Response Plan and additional information will be provided at evacuation sites.

Missing Students

Any student residing in a Davis & Elkins College residence hall who is determined to be missing for more than 24 hours must be reported immediately to one of the following:

1. Residence Life staff
2. Office of Student Life (304-637-1211)
3. Davis & Elkins Campus Safety and Security (304-704-9111)
4. Any other designated Campus Security Authority
Reports made to Residence Life staff or the Office of Student Life will be forwarded to Campus Safety and Security. A determination will be made at that time by Campus Safety and Security if the student is indeed missing and, if so, an investigation will immediately begin to attempt to ascertain the whereabouts of the individual. Moreover, the appropriate law enforcement agency will be contacted and a cooperative effort will be made to find the student.

In addition to registering a general emergency contact, missing person contact information is collected by the Office of Student Life on an annual basis at the time the resident students move into the residence halls. The contact information will be kept confidential and will be disclosed only to authorized campus officials and law enforcement in furtherance of a missing person investigation or other appropriate purpose. The confidential contact person will also be notified within 24 hours if the student is determined to be missing. If a student is under the age of 18, Davis & Elkins College is required to notify a custodial parent or guardian within 24 hours of when the student is determined to be missing.

In situations in which the student has failed to designate a contact for missing student notification, Campus Safety and Security will continue to investigate utilizing established police investigative procedures, to include College resources and records. Family members, including those not formally identified by the student, may be contacted during the course of the investigation to resolve a report of a missing student.

**Issuance of Amber Alert**

Suzanne’s Law requires law enforcement to notify the National Crime Information Center (NCIC) when someone between the age of 18 and 21 is reported missing, as part of the national “Amber Alert” bill.

**Resolution of Missing Student Status**

Missing student contacts will be advised of the resolution of a student’s missing status. These contacts will further be advised of law enforcement options in cases where the student is not contacted by the College.

**Registered Sex Offenders**

The State of West Virginia requires all persons convicted of a sexual offense to register with the West Virginia State Police. This information is made available to the public through the state police website. Interested persons can access this information through the West Virginia State Police website at: [www.wvsp.gov](http://www.wvsp.gov) and click the Sex Offender tab. Several national databases can also be searched using any internet search engine.

**Reporting a Crime**

By reporting alleged crimes and other suspicious circumstances, the alleged crime or suspicious circumstances will be included in the Safety and Security Office’s daily logs, the daily report of crimes or suspicious incidents and, if appropriate, in the Annual Security and Fire Safety Report. Additionally, if necessary, the College will be able to issue timely and appropriate warnings alerting the campus community to dangerous situations.
Accurate and Timely Reporting of Criminal Offenses

All students, employees and guests should immediately report any criminal incident/activity and any other emergency to the Randolph County E-911 Center. This office will dispatch the proper authorities to the scene whether it be the police, medical personnel or fire department. After contacting 911, the Davis & Elkins Campus Safety and Security Office should also be notified, at 304-704-9111. When a potentially dangerous threat to the College community arises involving a serious crime as defined by the Clery Act, a timely warning will be issued by the College to the community.

Individuals on campus may also report crimes to a designated Campus Security Authority (CSA). At Davis & Elkins College, the following individuals are designated as Campus Security Authorities:

- Vice Presidents, Department/Division Chairs, Directors and Coaches
- Any employee in a supervisory or management role
- Any faculty member responsible for supervising activities or programs that include direct contact with students outside of the classroom (including faculty advisors to recognized student organizations)
- Campus Safety and Security personnel
- Any staff member whose primary job description includes providing academic advice to students
- Residence Hall staff
- Student Affairs Office staff

These designated individuals have significant responsibility for student and campus activities, and as such are trained by Davis & Elkins College to report crimes to the Campus Safety and Security Office.

Exceptions to reporting crimes exist for licensed psychologists, members of the clergy and attorneys. Davis & Elkins College does not have a policy that addresses these professional counselors as it is covered under the umbrella of their license.

For non-emergencies and incidents that are not criminal in nature, students, employees and guests should contact the Davis & Elkins Campus Safety and Security Office at the above listed number. These non-emergency issues may also be reported in person to the Campus Safety and Security Office located in Memorial Gymnasium/Martin Field House, and to the Office of Student Life on the first floor of Liberal Arts Hall.

Davis & Elkins College is equipped with five blue light emergency phones at various locations on campus. These phones, upon activation, contact the Randolph County E-911 automatically. Once activated, the user can communicate with the operator and the proper authorities can be sent to that location.

In cases where reports concern allegations that also constitute violation of College policy, such reports will be forwarded to the office of the Vice President for Student Affairs or the Director of Human Resources for appropriate action. Moreover, all reports involving sexual misconduct will be forwarded to the College Title IX/Section 504 Coordinator or Deputy Coordinators for investigation.

Voluntary, Anonymous Reporting

Davis & Elkins College encourages anyone who is the victim of a crime or witnesses any crime to promptly report the incident to the police, Campus Safety and Security or a Campus Security Authority (“CSA”) (see Mandatory Crime Reports Policy).
Individuals, however, may anonymously report crimes and/or violations of the College’s administrative policies, procedures or rules. Students are often encouraged to anonymously report when reporting minor violations about other students. Confidentiality will be maintained. Anonymous reports may be filed pursuant to one of the following methods:

- Leave a private anonymous voice message for the Director of Campus Safety and Security or a CSA
- Mail an anonymous letter to the Director of Campus Safety and Security or a CSA

This encouragement is done to maintain and enhance the safety and security of the entire Davis & Elkins College campus and the surrounding community. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. With the exception of reports made to College counselors and pastors, reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

**Mandatory Crime Reporters**

There are two federal laws that establish responsibilities for employees of colleges and universities to report certain types of crimes and incidents- the Clery Act and Title IX. Pursuant to these laws, certain employees at Davis & Elkins College are required to report applicable criminal incidents to the Campus Safety and Security Office and/or the College Title IX Coordinator or Deputy Coordinator. In addition, College policy mandates that all employees, College volunteers and third party vendors report incidents of child abuse and neglect to the Campus Safety and Security Office. Moreover, West Virginia law requires certain employees to report incidents of child abuse and neglect to Child Protective Services. The guidelines below identify which employees are obligated to make a mandatory report to the appropriate College authority (and law enforcement, if applicable) and what types of crimes or incidents must be reported.

**Clery Crime Reporting**

The Clery Act requires colleges and universities receiving federal funds to report statistics concerning the occurrence of certain criminal offenses reported to the Campus Safety and Security Office or any official of the institution who is defined as a Campus Security Authority (“CSA”). At Davis & Elkins College, the following individuals have been designated as CSA’s:

- Vice Presidents, Department Chairs, Directors and Coaches
- Assistant Vice Presidents
- Any employee in a supervisory or management role
- Any faculty member responsible for supervising any activities or programs that include direct contact with students outside of classroom (including faculty advisors to recognized student organizations)
- Campus Safety and Security personnel
- Any staff member whose primary job description includes providing academic advice to students
- Residence Hall staff
- Student Life staff

Each of these individuals are required to report incidents of a Clery crime occurring on campus or at a College sanctioned event to the Davis & Elkins College Campus Safety and Security Office for inclusion in the College’s Annual Security and Fire Report prepared for the U.S. Department of Education. A detailed listing of the Clery Crimes that must be reported is set forth in the College’s Crime and Fire Statistics.
Policy. Due to the law’s complex reporting requirements, all position at Davis & Elkins College determined to be a CSA are required to participate in a mandatory training session that explain their role and expectations so that the College can be in compliance with the Clery Act.

**Sexual Misconduct Reporting**
Under Title IX, a College is required to take immediate and corrective action if a responsible employee knew or, in the exercise of reasonable care, should have known about sexual or gender-based harassment that creates a hostile environment.

College employees with supervisory and leadership responsibilities on campus are considered “responsible employees.” This may include, for example, faculty advisors to student organizations, coaches, administrators, Resident Assistants and other employees with a responsibility for student welfare. The College requires that all responsible employees share a report of alleged sexual misconduct violations with the Title IX Coordinator so the College can respond appropriately to end the conduct, prevent its recurrence and remedy its affects. See the Davis & Elkins College Sexual Misconduct Policy for additional information.

**Child Abuse and Neglect**
As set forth in the College’s Child Abuse and Neglect Policy, all employees at the College, as well as key students, student employees over the age of 18, camp counselors and program leaders, and College volunteers and third party vendors who witness or suspect an incident of child abuse are obligated to make a report utilizing the following procedures:

1. Under West Virginia Law (WV Code 49-6A-2), certain persons are required to directly report incidents or suspicions of child abuse or neglect to Child Protective Services (see contact information below) immediately and not more than 48 hours after suspecting the abuse or neglect. These persons include: any medical, dental or mental health professional, religious healer, school teacher or other school personnel, social service worker, child care or foster care worker, emergency medical services personnel, peace officer or law enforcement official, youth camp administrator or counselor, employee, coach or volunteer, or commercial film or photographic print processor.

2. In any case where an employee, key students, student employees over the age of 18, camp counselors and program leaders, College volunteers or third party vendors believes that a child has suffered serious physical abuse, sexual abuse or sexual assault, the individual must also immediately report (no more than 48 hours after suspecting the abuse or neglect) the incident to the State Police and City Police (Elkins).

3. In addition to the above, individuals covered by this policy are also expected to immediately report an incident of child abuse or neglect to the Campus Safety and Security Office immediately at 304-704-9111.

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1 **Key Students**: those students who are in practicum involving protected persons or the medical field, student teachers, students working with protected persons and resident assistants.

2 **Camp Counselors and Program Leaders**: those students, faculty, staff and volunteers who in the course and scope of their employment or service to Davis & Elkins College conduct activities at or on behalf of Davis & Elkins College and come in contact with protected persons.
Timely Warnings

When Davis & Elkins College becomes aware of a phenomenon that in the judgment of the College constitutes an ongoing or possible criminal threat to the College community, a Timely Warning Notice will be issued. Depending on the particular circumstances, the warning will be disseminated by using one, or a combination of, the following: email, the Davis & Elkins College website, phone calls (phone tree), text messaging, campus bulletin boards and/or the e2campus mass notification system.

The President (or his designee), Vice President for Student Affairs and Director of Safety and Security will analyze and evaluate relevant information and make a determination as to the issuance of a Timely Warning Notice. A two-prong test will be applied to determine on a case-by-case basis if a Timely Warning will be issued: Was the incident reported to the College or local law enforcement:

1. Identified as a Clery Act crime [see Crime Definitions (Reportable Crimes) section below]
2. Does the crime pose a serious or continuing threat to students, faculty, staff or visitors?

Timely Warning Notices typically contain in the subject line the phrase “timely notification” or “crime alert” depending on the nature and severity of the threat. The body of each Timely Notice will include information regarding the Clery Act requirement; a short description of the crime or incident giving the time and date, location, reported offense, suspect description, weapon used (if any), suspect vehicle (if any) and method of operation used to facilitate the crime. The notice will also include personal safety information to aid members of the College community in protecting themselves from becoming victims of a similar crime and to promote overall safety for the College community.
Alcohol Policy

Consumption, purchasing, possession or transportation of any alcoholic beverages by people under the age of 21 on College property or at any College sponsored activity is illegal and a violation of College policy. It is also unlawful and a violation of College policy for any person to knowingly provide alcoholic beverages to anyone under the legal drinking age of 21. Students and employees are expected to obey the law and to take responsibility for their own conduct.

In addition, Davis & Elkins College maintains the following student regulations regarding alcohol on College property or at any College sponsored activity:

- The possession and/or use of hard liquor in any form is prohibited
- Students (and/or guests) of legal age (21 or over) may possess and consume alcoholic beverages (beer and wine) in the privacy of their own residence unit with the door closed, but only if they reside in a private room, or unit with roommates of legal age
- Students (and/or guests) under the legal age of drinking shall not buy, drink or possess (hold) alcoholic beverages
- Students (and/or guests) shall not act belligerently, or be visibly intoxicated
- The possession and consumption of alcohol shall not infringe upon the privacy or peace of other individuals
- Items used for the mass consumption of alcohol (beer bongs, kegs, pony kegs, punch bowls, beer balls, trash cans, or other common containers of alcoholic beverages of similar nature) are strictly prohibited
- Possession of an open container or consumption of alcoholic beverages in any area other than individual rooms is prohibited except in specified areas or at special events sponsored by, and posted accordingly, by the College
- Drinking games in any form are prohibited (beer pong, flip cup, etc.)
- Empty alcohol bottles are prohibited from being displayed in the residence halls

All activities at which alcoholic beverages will be present must be approved in advance as follows:

- Student Sponsored Events: Any student or student organization seeking to serve alcohol at an event must secure written approval from the Office of Student Life. Prior to approval, the student or student organization must designate a staff or faculty sponsor for the event. The staff or faculty sponsors will attend and assume the responsibility for adhering to College policies and state law, and ensure that appropriate behavior is maintained at all times.
- College Sponsored Events: Any non-student College organization, department or division seeking to serve alcohol at an event must secure written approval from the President’s Office.
- Third Party Events: Third party events must be coordinated via the College’s Conference and Catering Services. See the College Reservation of Facilities Policy for additional information.

With the exception of approved events, the consumption of alcoholic beverages is prohibited in all “public areas” of the College, including athletic facilities and outside grounds. Alcoholic beverages may not be included in organized membership recruitment activities. The advertising, promotion and sale of alcohol are prohibited (outside of licensed spaces or events). Individual students and student organizations are responsible for their conduct, and the conduct of their guests and for promoting
compliance with West Virginia laws and College policy. College faculty and staff are expected to promote compliance with West Virginia laws and College policies regarding alcohol.

Consequences for Alcohol Policy Violations

Student Sanctions:

<table>
<thead>
<tr>
<th>College Sanctions**</th>
<th>1st offense</th>
<th>2nd offense</th>
<th>3rd offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fine</td>
<td>$50</td>
<td>$100</td>
<td>$150</td>
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<tr>
<td>Education</td>
<td>Mandatory Alcohol Education Class</td>
<td>Refresher Course</td>
<td>Deferred</td>
</tr>
<tr>
<td>Counseling/Assessment/Treatment Plan</td>
<td>At Counselor’s recommendation</td>
<td>Mandatory</td>
<td>Mandatory</td>
</tr>
<tr>
<td>Community Service</td>
<td>15 Hours</td>
<td>30 Hours</td>
<td>60 Hours</td>
</tr>
<tr>
<td>Parent Notification of Dependent Students</td>
<td>Optional</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Probation</td>
<td></td>
<td></td>
<td>90 days</td>
</tr>
</tbody>
</table>

**Please note that these are the minimum sanctions for alcohol violations.

Third offenses are independently evaluated based on the circumstance of the incident and may include suspension from Davis & Elkins College. Community service will be completed by the end of the semester in which the offense took place unless the time remaining in the semester prohibits it. In that case, the community service will be completed by mid-term of the following semester. Students who do not participate in the mandatory alcohol education and/or recommended counseling will have a hold placed on their account and will not be permitted to register for classes until the alcohol education and counseling have been confirmed by the counselor. Students have the option to receive evaluation and services off campus at their own expense. Documentation of completed education, evaluation and treatment will be required from the community based counselor. The counselors shall be certified alcohol and drug counselors in the state of West Virginia or the equivalent if the counseling is completed out of state. Those who are found to have violations related to the manufacture, delivery, possession with intent to manufacture or deliver a controlled substance, or other violations that would be considered a felony offense will receive a minimum of parental notification and immediate suspension and/or dismissal.

Legal Sanctions:

Students and employees found responsible for violating the Davis & Elkins College Alcohol Policy are subject to the jurisdiction of the City of Elkins, Randolph County and state of West Virginia.

Possible penalties:

Underage purchase of alcohol or misrepresentation of age is subject to a fine of up to $500 and three days in jail or probation. Purchase of alcohol for those underage is subject to a fine of up to $500 and up to 10 days in jail. Public intoxication is subject to a fine of up to $100 and up to 60 days in jail or completion of an alcohol education program or counseling. Driving under the influence of alcohol, or other drugs (includes DUI), depending on circumstances, is subject to incarceration of 24 hours to 10 years, a fine of $100 to $5,000, and suspension of license from six months to life.
**Alcohol: Health Risks**

As students make choices concerning the use of alcohol, it is important to consider the health risks associated with consumption. Alcohol is a depressant, although it may initially stimulate emotions. It slows heart rate and respiration and may cause intoxication, sedation, unconsciousness and death. Alcohol is generally metabolized at the rate of one drink per hour. Mixing alcohol with other drugs can be lethal. Food slows down the absorption of alcohol. Long term alcohol misuse can lead to liver disorders, heart disease, brain damage, sterility and dependency.

Approximately 1 in 10 drinkers becomes an alcoholic; children of alcoholics are 3-4 times more likely to become alcoholics themselves. BAC (Blood Alcohol Concentration) is affected by the amount consumed, rate of drinking, size and gender of drinker, and tolerance. Alcohol impairs judgment, performance, memory and motor skills. An impaired person is usually unable to recognize his/her own impairment. Tolerance, the need to use more of a substance to maintain the effectiveness of that substance, occurs with use over an extended period of time. Tolerance increases the risk of alcohol-related problems, including alcoholism and social problems.

**Educational Resources and Treatment Options**

It is recommended that any organization planning an event at which alcohol will be available to those of legal age formulate and implement a program to increase alcohol awareness and prevent alcohol misuse for those who will attend. There are a number of resources available on and off campus to provide alcohol education or assistance with alcohol concerns:

- The Office of Student Life, the campus nurse, and counselors are valuable resources and provide much of the alcohol education programming on campus.
- Counseling services are available to address individual concerns, provide assessments and referrals for treatment on and off campus, and provide information and education about alcohol use.
- Student Health Services is available to assist individuals with situations involving alcohol that affect their physical well-being.

**Serving Alcohol on Campus**

All activities at which alcoholic beverages will be present must be approved in advance as follows:

- **Student Sponsored Events:** Any student or student organization seeking to serve alcohol at an event must secure written approval from the Student Life Office. Prior to approval, the student or student organization must designate a staff or faculty sponsor for the event. The staff or faculty sponsors will attend and assume the responsibility for adhering to College policies and state law, and ensure that appropriate behavior is maintained at all times.
- **College Sponsored Events:** Any non-student College organization, department or division seeking to serve alcohol at an event must secure written approval from the President’s Office.
- **Third Party Events:** Third party events must be coordinated with and approved by Conference and Catering Services.

Prior to the event, the sponsoring individual or entity must secure and present any necessary permits and/or insurance to the approving authority listed above. The College will cancel the event if such licensure and/or insurance are not obtained. Any third party events in which alcohol will be served must be approved via the College’s Reservation of Facilities Policy.
At any approved event on campus where alcohol will be served, all policies and procedures set forth in the College’s Alcohol Policy must be strictly observed, including the following:

- No College event can charge for alcohol without proper licensing, whether or not the event is held at the College.
- All events must terminate by 12:00 a.m. Sunday through Thursday and by 2:00 a.m. on Friday and Saturday.
- Alcoholic beverages are to be consumed only in the designated room(s) or areas approved for the event.
- Proof of legal drinking age will be required prior to service.
- Only those beverages provided by the sponsoring organization of an event are to be consumed. Individuals are not permitted to bring their own beverages to an event.
- The College encourages low risk use of alcohol. No person will be served alcohol if they are already visibly intoxicated. No alcohol will be given away as a prize.
- Drinking games will not be allowed.
- No person may obtain alcohol for another person unless the person is present at the time of service, regardless of whether they are of legal drinking age.
- Soft drinks and food must be made available for the duration of any activity where alcoholic beverages are served.
- The sponsoring organization is responsible for establishing procedures to provide impaired guests or participants a ride home. Such procedures can include assigning one or more members of each group of guests or participants the responsibility of being a designated driver who will refrain from drinking. Another alternative is to provide a shuttle service.
- Davis & Elkins College will discourage the inappropriate use of alcohol by any member of its community.
Drug Policy

Drug-Free Schools and Community Act Compliance
In accordance with state and federal laws, it is illegal for students to possess, use or sell illegal drugs, as well as abuse or distribute prescription drugs. Prescription drugs are only legal if the individual possessing them is the patient to whom the medication is prescribed. Included in these categories are: opiates, barbiturates, amphetamines, marijuana, hallucinogens, illegal steroids, date-rape drugs, and other illegal or prescription drugs. Not only is it unlawful, but the presence, use and abuse of these drugs within the College is contrary to the intellectual and educational purposes of the College. Possession of these substances may well be an indication that the student is not constructively engaged in academic or work-related endeavors, respectively.

Students: Students arrested for selling drugs or who are found to be in possession of significant quantities shall be subject to immediate suspension pending final disposition of the case in the College judicial process. If the student is subsequently found responsible by the College, she or he will be expelled from Davis & Elkins College.

Use or abuse of illegal and controlled substances is a violation of College regulations. Students violating this policy should expect disciplinary action, which may include suspension from the College. Subsequent violations may result in suspension or expulsion.

The possession of paraphernalia, making no distinction between whether it has or has not been used for its intended purpose, is prohibited. Therefore, students should not possess hookahs, water pipes or bongs, pipes designed to smoke tobacco alternatives, or any other paraphernalia suspected or associated with drug use. Any items found will be confiscated and destroyed by the Office of Campus Safety and Security.

Student Life staff members are available to provide referrals to students with concerns about alcohol or drug use. Referrals to free on campus counseling services are available and a list of off-campus providers is also available. Students assume full financial responsibility for any off-campus services.

Drug Use Consequences
Student Consequences:

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<thead>
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<td>Probation</td>
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</table>

** Please note that these are the minimum sanctions for drug violations
Third offenses are independently evaluated based on the circumstance of the incident and may include suspension from Davis & Elkins College. Community service will be completed by the end of the semester in which the offense took place unless the time remaining in the semester prohibits it. In that case the community service will be completed by mid-term of the following semester. Students who do not participate in the mandatory drug education and/or recommended counseling will have a hold placed on their account and will not be permitted to register for classes until the drug education and counseling have been confirmed by the counselor. Students have the option to receive evaluation and services off campus at their own expense. Documentation of completed evaluation and treatment will be required from the community-based counselor. The counselors shall be certified alcohol and drug counselors in the state of West Virginia or the equivalent if the counseling is completed out of state. Those who are found to have violations related to the manufacture, delivery, possession with intent to manufacture or deliver a controlled substance, or other violations that would be considered a felony offense will receive a minimum of parental notification and immediate suspension and/or dismissal.

**Criminal Penalties for Psychoactive Drug Possession**

Students found responsible for violating the Davis & Elkins College Drug Use and Abuse Policy are also subject to the jurisdiction of the state of West Virginia and U.S. federal law enforcement. See below for possible penalties.

Penalties for the use and possession of illicit drugs, along with illegal use of prescription drugs, vary greatly. Possession of a larger amount of a drug will typically result in charges of distribution, leading to much stiffer penalties.

Some examples of penalties:

- A federal or state drug conviction can disqualify a student for federal student aid.
- A criminal record for drug possession may prevent professional licensing and/or certification.
- Possession of up to 30 grams of marijuana: up to 30 days in prison, $500 in fines.
- Possession of any controlled substance, such as heroin: up to 1 year in prison, $5,000 in fines.
- Possession of 5+ grams of cocaine: 5-20 years in prison, $1,000 in fines.
- Manufacture, distribution, importation of any designer drug, such as ecstasy: up to 20 years in prison and $250,000 in fines.
- Those convicted of illegal possession of a controlled substance are also subject to disqualification for a commercial driver's license for up to one year for the first offense and for life for the second offense.

Under West Virginia state law, conviction for possession of a controlled substance is subject to incarceration of up to six months and a fine of up to $1,000. Sentences can be doubled for second or subsequent offenses. Manufacturing, possession or delivery with the intent to manufacture or delivery of a controlled substance is subject to, depending on the substance classification, up to 15 years imprisonment and/or a $25,000 fine upon conviction. Sentences can be doubled for subsequent offenses and mandatory prison terms result for convictions involving distribution of controlled substances to minors or within 1,000 feet of the College or other school.

Federal sanctions for illegal possession of a controlled substance vary with the conviction, substance possessed, and the quantity of the substance.
In situations where drugs and/or drug paraphernalia, weapons or other dangerous or potentially dangerous items are found in plain view, Campus Safety and Security Officers may perform a room or workplace search within legal limits.

If the College receives a report of a potential policy violation, particularly a violation of the College’s drug, health and safety, and/or weapons and explosive materials policies, the Vice President for Student Affairs, Director of Human Resources or Vice President for Academic Affairs or his/her designee may authorize a search in writing. The Vice President for Student Affairs and/or Student Life staff must be present at any such residence life room search. Only Campus Safety and Security Officers can perform residence life room searches.

**Drug Use and Abuse: Health Risks**
As students make choices concerning the use and misuse of drugs and controlled substances, it is important to consider the health risks associated with consumption.

**Cocaine and Crack**
Powerful central nervous system stimulants that constrict blood vessels, dilate pupils, increase blood pressure and elevate heart rate. Cocaine use may induce restlessness, irritability, anxiety, paranoia, seizures, cardiac arrest, respiratory failure and death. Cocaine is extremely addictive, both psychologically and physically. Great risks exist whether cocaine is ingested through inhalation (snorting), injection or smoking. Compulsive cocaine use may develop even more rapidly if the substance is smoked, and smoking crack cocaine can produce particularly aggressive paranoid behavior in users.

**Date Rape Drugs**
Rohypnol, rophies, roofies, GHB, Ketamine, etc. may incapacitate a person, particularly when used with alcohol. Rohypnol and GHB (gamma-hydroxybutyrate) are characterized as “date rape” drugs because they incapacitate users, thereby increasing vulnerability to sexual assault and other crime. Sedation, relaxation and amnesia are associated with Rohypnol use. Rohypnol may be psychologically and physically addictive and can cause death if mixed with alcohol or other depressants. GHB usage may result in coma and seizures and, when combined with methamphetamine, appears to cause an increased risk of seizure. Combining use with other drugs such as alcohol can result in nausea and difficulty in breathing. GHB may also produce withdrawal effects, including insomnia, anxiety, tremors and sweating. Ketamine may induce feelings of near-death experiences.

**Ecstasy**
AKA X, Adam, MDMA, XTC, etc. Ecstasy has amphetamine-like and hallucinogenic properties. Its chemical structure is similar to other synthetic drugs known to cause brain damage. Ecstasy use may cause psychological difficulties including confusion, depression, sleep problems, drug craving, severe anxiety, paranoia and even psychotic episodes. Similar difficulties may occur weeks after taking MDMA. Physical symptoms such as increases in heart rate and blood pressure may result from use of such substances. Other physical symptoms include muscle tension, blurred vision, nausea, rapid eye movement and involuntary teeth clenching.

**Hallucinogens**
Acid, PCP, LSD, psilocybin (mushrooms), dextromethorphan (dxin) are among the most potent mood-changing chemicals and may produce unpredictable effects that may impair coordination, perception and cognition. Some LSD users experience flashbacks, often without warning, without the user having taken the drug again. Violence, paranoia, delusions, hallucinations, convulsions, coma, cardiac arrest and respiratory failure may result from hallucinogen use.
Marijuana
AKA pot, grass, hash, cannabis sativa, etc. Marijuana may impair memory, attention, coordination and learning. Short-term effects of smoking marijuana may include problems with memory, learning, distorted perception, difficulty in thinking and problem solving, loss of coordination, increased heart rate, anxiety and panic attacks. Persons who smoke marijuana regularly may have many of the same respiratory problems as tobacco smokers, including daily cough and phlegm, chronic bronchitis and more frequent chest colds. Because users of marijuana deeply inhale and hold marijuana smoke in their lungs, they incur a higher risk of getting lung cancer.

Narcotics
Heroin, opium, morphine, codeine, pain medication (Demerol, Percodan, Lortab, etc.) may produce temporary euphoria followed by depression, drowsiness, cognitive impairment, and vomiting. Narcotic use may cause convulsions, coma and death. Tolerance and dependence tend to develop rapidly. Using contaminated syringes to inject drugs may result in contracting HIV and other infectious diseases such as hepatitis.

Nicotine
Tobacco, cigarettes, cigars, chewing tobacco, nicotine chewing gum and patches are highly addictive and according to the Surgeon General are a major cause of stroke and is the third leading cause of death in the United States. Over time, higher levels of nicotine must be consumed to achieve the same effect. Nicotine consumption results in central nervous system sedation and after initial activation may cause drowsiness and depression. If women smoke cigarettes and also take oral contraceptives, they are more prone to cardiovascular and cerebrovascular diseases than are other smokers. Pregnant women who smoke cigarettes run an increased risk of having stillborn or premature infants or infants with low birth weight.

Sedative-hypnotics
Depressants, Quaaludes, Valium, Xanax, etc. depress central nervous, cardiovascular and respiratory functions. Sedative-hypnotic use may lower blood pressure, slow reactions and distort reality. Convulsions, coma and death are outcomes associated with sedative-hypnotic use. Consuming sedative-hypnotics with alcohol is especially dangerous.

Steroids
Anabolic-androgenic steroids may permanently damage liver, cardiovascular and reproductive systems. Possible side effects include liver tumors, cancer, jaundice, fluid retention and hypertension. In men, steroids may cause shrinking of testicles, reduced sperm count, infertility, baldness, breast development and increased risk for prostate cancer. In women, steroid use may cause growth of facial hair, male-pattern baldness, menstrual changes, enlarged clitoris and deepened voice.

Stimulants
Amphetamine, methamphetamine, speed, crystal, crank, Ritalin, ephedra, caffeine, various over-the-counter stimulants and diet aids are powerful central nervous system stimulants that may increase agitation, physical activity and anxiety. Stimulants may decrease appetite, dilate pupils and cause sleeplessness. Dizziness, higher blood pressure, paranoia, mood disturbance, hallucination, dependence, convulsions and death due to stroke or heart failure may also result from use.

Synthetic Drugs
Spice, K2, bath salts, etc. are synthetic substances produced in a laboratory. They are chemical cousins of other drugs. They are often found in retail stores and are marketed as “herbal incense,” “plant food” or “bath salts.” They generally come in small tea bag size packets and are labeled “not for human consumption.” They are marketed as a “legal high.” These substances
have been outlawed in West Virginia. These may cause agitation, extreme nervousness, hallucinations, seizures, paranoia and violent behaviors which can be extremely dangerous to the person consuming them and to those around them. Suicide attempts are very common among people who consume these substances. Emergency treatment is critical if you suspect that someone has ingested them. The packaging should be taken to the emergency department if available.


**Amnesty Policy**

As partners with the College in promoting health and safety, all students have a responsibility and obligation to seek immediate assistance for any student known to be experiencing a serious health crisis, including one resulting from high risk drinking or the abuse of other drugs.

As such, students who seek assistance on behalf of a peer and are themselves under the influence of alcohol or drugs in violation of this Policy will not receive a Code of Conduct sanction for this action. Additionally, the student who is the subject of the report will not receive a Code of Conduct sanction for this action.

It is the College’s intention to partner with students in promoting health and safety. The College will provide students with the assistance needed to respond to high-risk drinking and other drug abuse. Students may seek such assistance by contacting Student Life or the Campus Safety and Security Office.

After the crisis is resolved, the student who experienced the health crisis, as a result of alcohol intoxication or other drug consumption, will be referred to the substance abuse prevention and treatment specialist. The substance abuse prevention and treatment specialist will provide further assessment, substance abuse education, counseling, recommendations and/or referral as applicable to the individual student’s need.

**Educational Resources and Treatment Options**

There are a number of resources available on and off campus to provide drug education or assistance with drug use concerns:

1. The Office of Student Life, the campus nurse and counselors, are valuable resources and provide much of the drug education programming on campus.
2. Counseling services are available to address individual concerns, provide assessments and referrals for treatment on and off campus, and to provide information and education about drug use.
3. Student Health Services is available to assist individuals with situations involving drugs.
Reporting of Crime Statistics

Each year the Davis & Elkins College Campus Safety and Security Office collects crime reports for the crimes listed below from campus security authorities within the institution, as well as from local law enforcement. The College then discloses these crime statistics annually to the United States Department of Education. In addition, the College publishes an annual security report containing campus security policy disclosures and crime statistics for the previous three years. It is important to note that all crimes reported and documented include crimes that occur on campus including crimes that occur in residence halls.

Crimes Reported

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

Criminal Homicide-Manslaughter by Negligence
The killing of another person through gross negligence.

Criminal Homicide-Murder and Non-negligent Manslaughter
The willful (non-negligent) killing of one human being by another.

Robbery
The taking or attempt to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault
An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary
The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Dating Violence
Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type and frequency of interaction.

Domestic Violence
Asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Stalking
A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others’ safety, or to suffer substantial emotional distress.

Motor Vehicle Theft
The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as all cases where automobiles are taken by persons not having lawful access including joyriding even though the vehicles are later abandoned including.)
Weapon Law Violations
The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Abuse Violations
Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations
The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Hate Crimes
Hate crimes include offenses and crimes involving bodily injury reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias or because the perpetrator perceived the person to be in one of the protected group categories. The protected group categories include race, gender, religion, sexual orientation, ethnicity, disability, national origin and gender identity. For Clery purposes, hate crime offenses and crimes also include any of the following offenses that are motivated by bias: murder and non-negligent manslaughter; forcible sex offenses; nonforcible sex offenses; robbery; aggravated assault; burglary; motor vehicle theft; arson; larceny-theft; simple assault; intimidation; destruction/damage/vandalism of property; domestic violence, dating violence and stalking.

Sex Offenses-Forcible
Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

1. Forcible Rape - The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.

2. Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

3. Sexual Assault With An Object - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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3 Sex Offenses Definitions From the National Incident Based Reporting System Edition of the Uniform Crime Reporting Program.
4. Forcible Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex Offenses-Non-forcible**

Unlawful, non-forcible sexual intercourse.

1. Incest - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

2. Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses**

Davis & Elkins College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the results of any due process hearing conducted by the College against a student or employee who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the a crime of violence or non-forcible sex offense, Davis & Elkins College will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

**Crime Statistics**

The statistics in this report are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law. Davis & Elkins College submits the annual crime statistics published in this report to the Department of Education. The statistical information gathered by the Department of Education is available to the public though the Department of Education website.

In reading the crime statistics table, it is important to note the following:

- Crimes occurring on campus include crimes occurring in the residence halls.
- The College reports the number of persons who are charged with a violation of policy or law, not the number of persons who are found responsible for a violation of policy or law.
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<th>ON-CAMPUS PROPERTY</th>
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### Hate Crimes

There were no reported hate crimes for the years 2011, 2012, and 2013.
Crime Prevention

Crime Prevention Programs
Davis & Elkins College is dedicated to eliminating and/or minimizing criminal activities through the eyes and ears of the faculty, staff, students, friends and neighbors of the campus community. Crime Prevention brochures and other printed materials are available at the Campus Safety and Security Office, various locations on campus, and in every residence hall. Crime Prevention items are discussed with parents and students during orientation sessions. Resident Assistants and Resident Directors are given training by the Student Life Office and Campus Safety and Security Office on numerous security and crime prevention topics. These topics include, but are not limited to, sexual assault, date rape, drugs, alcohol, personal protection, fire safety and theft. In addition, all employees receive annual training on issues pertaining to sexual misconduct, including sexual criminal assaults.

The Davis & Elkins College Campus Safety and Security Office assigns one of its officers to be in charge of its Crime Prevention program. This officer stays in tune with growing trends on college campuses nationwide and criminal trends in the community. Updates are passed onto students, faculty and staff via email, text, the student newspaper and other means in the Office’s continual effort to help keep the College community safe.

Safety Tips
- Report all suspicious information to the Safety and Security Office immediately.
- Program the Safety and Security Office’s number into your cell phone: 304-704-9111.
- Sign up for e2campus alerts.
- Try to avoid walking alone at night, travel with friends, or use the escort services provided by Safety and Security Office.
- Be aware of your surroundings. Watch the cars and people around you.
- Carry your keys and ID card on you at all times. Do not lend them to anyone.
- Keep your residence hall room door closed and locked when you are not there.
- Do not prop doors open to residence halls or other protected locations.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Never leave valuables unattended or in your car.

Sexual Misconduct Policy for Reporting and Grievances
Davis & Elkins College prohibits all forms of sexual discrimination, including sexual misconduct. D&E is committed to addressing sexual misconduct in a manner consistent with applicable law. A notice of D&E’s policy of non-discrimination shall be widely disseminated on D&E’s campus to students, employees, applicants for admission and applicants for employment. The notice shall specifically state that (a) D&E does not discriminate on the basis of sex in its education programs and activities, (b) D&E is required by Title IX not to discriminate in such a manner, and (c) questions concerning Title IX may be referred to D&E’s Title IX Coordinator and Deputy Title IX Coordinators, or to the Office of Civil Rights at the United States Department of Education. The notice of non-discrimination shall state the name or title, office address, telephone number and email address of D&E’s Title IX Coordinator.
Specifically, it is the policy of Davis & Elkins College that designated staff members take immediate and appropriate steps to investigate or otherwise determine what happened when D&E knows or reasonably should know of possible sexual misconduct. When sexual misconduct is determined to have occurred, D&E shall take prompt and effective steps reasonably calculated to end the sexual misconduct, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects. All complaints shall be processed in accordance with the procedures established in this policy.

It is also the policy of D&E to protect any student filing a complaint alleging sexual misconduct and to ensure the student’s safety as necessary, including taking interim steps to protect the student prior to the final outcome of any investigation. It is D&E’s duty under Title IX to resolve complaints promptly and equitably and to provide a safe and non-discriminatory environment for all students, free from sexual harassment and sexual violence. This duty also applies to complaints involving parties of the same sex, and it requires D&E to use the same procedures and standards used in all complaints involving sexual misconduct. Inappropriate conduct by Davis & Elkins College personnel toward students is prohibited, and D&E policies shall identify procedures for identifying, and responding to, inappropriate conduct by D&E personnel.

**Scope of Policy**

Persons, Conduct, Locations, Programs, Activities and Relationships Covered - All of D&E’s students, employees and campus visitors are covered by this policy, regardless of sexual orientation or gender identity. This policy applies on all property owned by D&E, on all property at which D&E holds educational programs or activities, and on all airplanes, buses or other vehicles used to transport D&E’s students, and this policy applies to all of D&E’s educational programs and other activities. The relationships covered by this policy include student-student, student-employee and student-visitor relationships. Employee-employee relationships are governed by laws other than Title IX.

Davis & Elkins College shall take prompt steps to protect the complainant once D&E has notice of alleged sexual misconduct. D&E shall take interim measures, including academic accommodations, to protect the complainant and witnesses as necessary while any criminal or campus investigation is underway and before the final outcome of any investigation. D&E officials should be mindful that students who have been the victim of sexual violence might not report the incident in a timely fashion. In anticipation of the need for support services from other agencies in the community, D&E shall enter into memoranda of understanding with other agencies as may be necessary to meet D&E’s obligation under Title IX. D&E shall enter a memorandum of understanding with local victim services providers if D&E does not offer services required by Title IX. All such memoranda shall comply with all FERPA requirements. In the event of an alleged off-campus sexual misconduct incident, D&E shall protect the student and D&E community in the same manner it would had the sexual misconduct occurred on campus. Furthermore, D&E shall address alleged incidents of off-campus sexual misconduct as it would address other off-campus incidents of misconduct or violence and in keeping with any applicable law.
Immediate Assistance
In the event of a sexual assault, various resources are available to students:

Diana Burke-Ross
Campus Nurse
Student Health Services, Gribble Hall
304-637-1234

Women’s Aid in Crisis
Elkins, WV
304-636-8433

Emergency phone numbers for on- and off-campus safety, law enforcement and other first responders, including the Title IX Coordinator:
Campus Safety and Security: 304-704-9111
Local Police and Ambulance: 911
Title IX Coordinator: 304-637-1344

Advocates who can accompany a victim to the hospital or other health care provider:

Women’s Aid in Crisis: 304-636-8433

Any victim of sexual violence should be aware of the options available to him or her (e.g. to seek treatment for injuries, receive preventative treatment for sexually transmitted diseases, and/or receive other services). A Sexual Assault Nurse Examiner (SANE) can be contacted at Davis Medical Center (304-636-3300). Victims are encouraged to discuss the possibility of seeking medical treatment in order to preserve evidence with health care providers, campus officials and/or first responders.

Confidential counseling, advocacy, health, mental health or sexual misconduct-related sources, can be found both on and off campus as follows:

On-Campus: Diana Burke-Ross
(counseling appointments can be made with licensed counselors/therapists)
Campus Nurse
Student Health Services, Gribble Hall
304-637-1234

Off-Campus: Women’s Aid in Crisis
304-636-8433

Ongoing support during D&E’s disciplinary process or the criminal process can be found as follows:

Scott Goddard
Vice President for Student Affairs
Student Life Office, Liberal Arts Hall
304-637-1352
Definitions

As used in this policy, the phrases and words listed shall have the meanings set forth below:

Consent
Verbal statements or non-verbal actions which a reasonable person would understand to mean a voluntary agreement to engage in sexual activity. Someone who is incapacitated cannot consent. Past consent does not imply future consent. Silence, or an absence of resistance, does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force or threat of either invalidates consent.

Counseling employees
Pastoral and professional counselors who are licensed by the state in which they practice and employed by D&E, as well as other non-licensed employees working under the direct supervision and control of the licensed employees such that non-licensed employees are covered by the licensed employees’ statutory privilege.

Dating violence
Violence committed by a person who is, or has been, in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but it does not include acts covered under the definition of domestic violence.

Domestic violence
A felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the victim, (b) a person with whom the victim shares a child in common, (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, (d) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (e) any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Educational setting
All of D&E’s academic programs and other activities of whatever nature on campus and at every other location where D&E conducts authorized programs or activities.

Incapacitation
Any situation in which a person is incapable of giving consent due to the person’s age, state of consciousness, use of drugs or alcohol, or disability.

Intimidation
The intentional act of coercing or frightening someone to engage or not engage in conduct of a sexual nature against that person’s will.

Hostile environment
Hostile environment means activity or conduct involving sexual harassment that is so sufficiently serious that it interferes with, or limits, a student’s ability to participate in, or benefit, from D&E’s programs.
**Non-consensual sexual contact**
Any physical touching of a sexual nature which is not preceded by consent or which continues after a previous consent is withdrawn.

**Non-consensual sexual intercourse**
Any sexual intercourse which is not preceded by consent or which continues after a previous consent is withdrawn. Sexual intercourse includes vaginal or anal penetration by a penis, object, tongue or finger and oral copulation.

**RLS**
Residence Life staff, including area coordinators, resident directors, and resident assistants.

**Responsible employees**
The President; Vice Presidents of D&E; the Title IX Coordinator and Deputy Title IX Coordinators; faculty members; all Athletic Department Staff, other than athletic trainers; all employees of the Registrar’s Office, the Business Office, and the Financial Planning Office; RLS; the Director of Business Enterprises; the Director of the Physical Plant; the Housekeeping Supervisor; and all Campus Safety & Security Officers.

**Retaliation**
The act of seeking revenge upon another person.

**Sexual assault**
An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting program.

**Sexual exploitation**
The abuse of a position of superiority, differential power or trust for sexual purposes.

**Sexual harassment**
Unwelcome conduct of a sexual nature.

**Sexual misconduct**
Any act of sexual harassment, sexual violence, sexual assault, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, stalking, intimidation, dating violence, or domestic violence, or any act that creates a hostile environment or any act of retaliation against a complainant or anyone involved in a grievance procedure under this policy.

**Sexual violence**
Physical sexual acts perpetrated against a person’s will or with a person who suffers from incapacitation. Sexual violence also means same-sex conduct that violates D&E’s prohibition on sexual violence.

**Stalking**
Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for the person’s safety or the safety of others, or (b) suffer substantial emotional distress. As used in this definition, “course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person’s property; “substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling; and “reasonable person” means a person under similar circumstances and with similar identities to the victim.

**Title IX Coordinator**
The person designated as such by D&E’s president or the person temporarily designated by the Title IX Coordinator to serve in that capacity during the Title IX Coordinator’s incapacity or absence from D&E’s campus.
Reporting Policies and Protocols

Davis & Elkins College encourages victims of sexual misconduct to talk to somebody about what happened so victims can get the support they need and so that D&E can respond appropriately. This policy is intended to make students and their parents (if appropriate) aware of the various reporting and confidentiality policies so they can make informed choices about how to proceed should they become a victim of sexual misconduct. Different employees on campus have different abilities to maintain a victim’s confidentiality:

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.”
- Other employees may talk to a victim in confidence, and generally only report to D&E that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a D&E investigation into an incident against the victim’s wishes.
- Some employees are required to report all of the details of an incident (including the identities of both the victim and the alleged perpetrator) to the Title IX Coordinator. A report to these employees (called “responsible employees”) constitutes a report to D&E - and generally obligates D&E to investigate the incident and take appropriate steps to address the situation.

Required Reporting
All employees must be aware of their own reporting responsibilities and the importance of informing complainants of (a) the reporting requirements of responsible employees, (b) complainants’ option to request confidentiality and available confidential advocacy, counseling or other support service, and (c) complainants’ right to file a Title IX complaint with D&E and to report a crime to campus or local law enforcement. All responsible employees shall report incidents of sexual violence to the Title IX Coordinator, subject to the exemption for D&E’s counseling and clerical employees. All other employees shall respond to reports of sexual misconduct by notifying a responsible employee of the information pertaining to the incident of sexual misconduct. D&E shall take the following steps to ensure that a student understands an employee’s reporting obligation before the student reveals any information to that employee:

1. Conduct an annual student awareness campaign.
2. Provide responsible employees with information sheets describing their disclosure obligations so that the information sheets can be shared with students prior to the time at which a student discloses any information to the responsible employee.

Responsible Employees
Responsible employees shall report to the Title IX Coordinator all relevant details about the alleged sexual misconduct that the student or other person has shared and that D&E will need to determine what occurred and to resolve the situation. Before a student reveals information that the student wishes to keep confidential, a responsible employee, including RLS, should make effort to ensure that the student understands: (a) the responsible employee's obligation to report the name(s) of the alleged perpetrator(s) and student(s) involved in the alleged sexual misconduct, as well as relevant facts regarding the alleged incident to the Title IX Coordinator or other appropriate D&E officials, (b) the student’s option to request that D&E maintain the student’s confidentiality (a request which D&E will consider), and (c) the student's ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual assault-related services. RLS and all responsible employees shall report the names of alleged perpetrator (if known), the student who experienced the alleged sexual
misconduct, other students involved in the alleged sexual misconduct, as well as relevant facts, including the date, time and location to the Title IX Coordinator.

A responsible employee, including RLS, prior to providing information about the incident to the Title IX Coordinator, shall consult with the student about how to protect his or her safety and the details of what will be shared with the Title IX Coordinator. Responsible employees do not need to determine whether the alleged sexual harassment or sexual violence actually occurred or that a hostile environment has been created before reporting an incident to the Title IX Coordinator.

**Requests for Confidentiality**

Upon receipt of a complaint of sexual misconduct, D&E must act immediately to protect the complainant while keeping the identity of the complainant confidential. The Title IX Coordinator and other appropriate D&E personnel shall determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified. The Title IX Coordinator shall evaluate student requests for confidentiality and shall determine when such requests shall be honored. The Title IX Coordinator shall make every effort to respect requests for confidentiality. In considering a student’s request for confidentiality that would preclude a meaningful investigation or potential discipline of the alleged perpetrator, the Title IX Coordinator shall consider an evaluation of circumstances that suggest there is an increased risk of the alleged perpetrator committing additional acts of sexual misconduct or other violence, such as: (a) whether there have been other sexual misconduct complaints about the same alleged perpetrator, (b) whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, (c) whether the alleged perpetrator threatened further sexual misconduct or other violence against the student or others, (d) whether the sexual misconduct was committed by multiple perpetrators, (e) whether the student's report reveals a pattern of perpetration at a given location or by a particular group, (f) whether the violence was perpetrated with a weapon, (g) the age of the student subjected to sexual misconduct, and (h) whether D&E possesses other means to obtain relevant evidence. The Title IX Coordinator shall evaluate confidentiality requests in the context of D&E’s responsibility to provide a safe and non-discriminatory environment for all students. D&E shall inform the student of the student’s request that the student's name not be released to the alleged perpetrator or asks that D&E not investigate or seek action against the alleged perpetrator may limit D&E’s ability to fully respond to the incident, including pursuing disciplinary action against the alleged perpetrator. A responsible employee, including a resident advisor, shall explain to the student that reporting the student's information to the Title IX Coordinator does not necessarily mean that a formal complaint or investigation under D&E’s Title IX grievance procedure must be initiated if the student requests confidentiality. All information reported in connection with an alleged sexual misconduct incident shall be maintained in a secure manner. All D&E employees shall only disclose information regarding alleged incidents of sexual misconduct to individuals who are responsible for handling D&E’s response. All D&E employees shall notify students of the information that will be disclosed, to whom it will be disclosed and why the disclosure is being made. In the event the complainant requests that D&E inform the perpetrator that the student asked D&E not to investigate or seek discipline, D&E shall honor this request and inform the alleged perpetrator that D&E made the decision to go forward. In the event D&E determines that it can respect the student’s request for confidentiality, D&E shall take all reasonable steps to respond to the complaint consistent with the request and to determine what interim measures are appropriate or necessary. In the event D&E determines it must disclose the complainant’s identity to an alleged perpetrator, D&E shall inform the complainant prior to making the disclosure.
Reporting Options

Students may use any combination of the following options to report sexual misconduct:

1. **Criminal Complaint** - Criminal complaints are filed with local law enforcement officials and D&E is not involved in that process. Criminal complaints can be filed with the following agencies:
   
   **Randolph County Sheriff’s Office**
   4 Randolph Avenue
   Elkins, WV 26241
   304-636-2100

   **Elkins Police Department**
   401 Davis Avenue
   Elkins, WV 26241
   304-636-0678

   **West Virginia State Police**
   1300 Harrison Avenue
   Elkins, WV 26241
   304-637-0200

2. **Institutional Complaint** - Institutional complaints are filed with D&E, and upon receipt of the complaint, D&E will initiate an investigation by D&E in accordance with this policy. Institutional complaints may be filed with the Title IX Coordinator. The Title IX Coordinator’s name and contact information are: **Amy Kittle**, 304-614-9203.
   Institutional complaints can also be filed with the following people:
   
   **Scott Goddard, Student Life Office**: 304-642-1352
   **Joe Roidt, Academic Affairs Office**: 304-704-6027
   **Amanda Larkin, Athletic Department**: 304-704-1635

3. **Report to Responsible Employee** - Reports made to responsible employees, including RLS are required by federal law to be relayed to D&E’s Title IX Coordinator and will initiate an investigation by D&E in accordance with this policy. Responsible employees are identified in Section 5. Responsible employees can be found around campus. The Title IX Coordinator is a responsible employee. Sexual misconduct can be reported to any responsible employee.

4. **Privileged and Confidential Reporting** - Either as an alternative to the reporting options listed above or in lieu of reporting sexual misconduct to the individuals or offices listed above, students may make privileged and confidential reports of sexual misconduct to certain health or mental health providers or to certain pastoral counselors. While criminal complaints, institutional complaints and reports to responsible employees will result in the initiation of an investigation, reports to health or mental health providers or to certain pastoral counselors are privileged and will remain confidential so long as the student filing the report does not represent a threat to his or her self or to others. As a matter of policy, health or mental health providers, as well as pastoral counselors, are encouraged if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis.
Privileged and confidential reports may be made to:

**Student Health Services**  
Gribble Hall  
304-637-1234

**Davis Medical Center**  
812 Gorman Avenue  
Elkins, WV 26241  
304-636-3300

**Appalachian Community Health Center**  
725 Yokum Street  
Elkins, WV 26241  
304-636-3232

**Rev. Kevin M. Starcher, Benfield-Vick Chaplain**  
Liberal Arts Hall  
304-704-7406

Reports of sexual misconduct may be made by third-parties (individuals who were not the victim or perpetrator) or anonymously to the Title IX Coordinator, the Deputy Title IX Coordinators or to local law enforcement agencies identified above. Requests for amnesty from drug, alcohol and other student conduct policies should be directed to the Title IX Coordinator who shall consider the request and make a recommendation to the President if the Title IX Coordinator believes the request should be approved in order to further the objectives of Title IX. The President may approve or disapprove the request after considering all of D&E’s interests.

**Investigation Procedures and Protocols**

Davis & Elkins College shall process all complaints of sexual misconduct, regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity. D&E shall determine whether any alleged off-campus sexual misconduct occurred in the context of an education program or activity of D&E. If the off-campus violence occurred in the context of an education program or activity of D&E, D&E shall treat the complaint in the same manner it treats complaints regarding on-campus conduct. Once D&E is on notice of an allegation of off-campus sexual violence against a student, D&E shall assess whether there are any continuing effects on campus or in an off-campus education program or activity that are creating, or contributing to, a hostile environment and, if so, the school shall address the hostile environment in the same manner in which it would address a hostile environment created by on-campus misconduct. Since there may be continuing effects of off-campus sexual misconduct while at D&E or in an off-campus education program or activity, if the off-campus sexual misconduct did not occur in the context of an education program or activity of D&E, D&E shall consider the effects of the off-campus misconduct when evaluating whether there is a hostile environment on campus or in an off-campus education program or activity. The Title IX Coordinator or an individual designated by the Title IX Coordinator shall conduct the investigation of any complaint of sexual misconduct under this policy. An investigation may entail interviews with witnesses, a review of
any documentary or electronic evidence, a review of medical evidence, a review of campus security data, or a review of any other material which the investigator deems relevant to an assessment of the facts surrounding the complaint. As soon after the initiation of the investigation as possible, the Title IX Coordinator or the designated investigator shall notify all D&E employees or students who are believed to have documentary, electronic or tangible evidence to preserve such evidence for the investigation. The investigation shall provide the respondent and the complainant with equitable rights during the investigation. D&E will endeavor to complete investigations and resolve complaints within sixty (60) days of the date on which the complaint was received, but D&E’s primary objective is a thorough investigation. Thus, if the Title IX Coordinator believes additional time beyond 60 days is necessary to complete a thorough investigation, the Title IX Coordinator shall advise the President of such information in writing and request an extension of time for the investigation, and such extensions shall be approved whenever the President believes an extension is warranted.

Davis & Elkins College shall coordinate its Title IX investigation with any other ongoing D&E or criminal investigation of the incident and establish appropriate fact-finding roles for each investigator. D&E shall consider whether information can be shared among the investigators so that complainants are not unnecessarily required to give multiple statements about a traumatic event. D&E should not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own Title IX investigation. If the fact-finding portion of D&E’s Title IX investigation is suspended due to the existence of a criminal investigation, D&E’s fact-finding portion of the Title IX investigation shall resume promptly once law enforcement officials have completed their evidence-gathering state of the criminal investigation. D&E shall periodically update the parties on the status of the investigation and inform the parties when D&E resumes its Title IX investigation following any delay associated with a criminal investigation. D&E shall immediately investigate any possible retaliation against the complainant, including threats, intimidation, coercion or discrimination.

Grievance/Adjudication Procedures
Davis & Elkins College has jurisdiction over Title IX complaints. D&E shall adopt and publish grievance procedures for the prompt and equitable resolution of discrimination complaints, including harassment complaints, filed by students against D&E employees, other students and third parties, which shall:

- Provide notice to students and employees of the grievance procedures, including where complaints may be filed.
- Explain generally the grievance/adjudication process.
- Ensure that hearings are conducted in a manner that does not inflict additional emotional trauma on the complainant.
- Explain the possible results of the adjudication process, including sanctions, remedies/accommodations for the victim, and additional remedies for the D&E community.
- Explain that mediation is never appropriate in sexual misconduct cases.
- Notify the complainant of the right to end the informal process at any time and to begin the formal stage of the complaint process, if voluntary informal mechanisms for resolving some types of sexual harassment complaints are provided.
- Provide for the application of the procedure to complaints filed by students or on their behalf alleging sexual misconduct carried out by employees, other students, or third parties.
- Provide for adequate, reliable and impartial investigation of complaints, including the opportunity for both the complainant and the alleged perpetrator to present witnesses and evidence.
- Designate reasonably prompt time frames for the major stages of the complaint process.
• Provide for simultaneous written notice to the complainant and the alleged perpetrator of the outcome of the complaint and any appeal.
• Provide assurance that D&E will take steps to prevent the recurrence of any sexual misconduct and remedy discriminatory effects on the complainant and others, if appropriate.
• Provide adequate definitions of “sexual harassment” and an explanation as to when such conduct creates a hostile environment.
• Include reporting policies and protocols, including provisions for confidential reporting.
• Identify the employee or employees responsible for evaluating requests for confidentiality.
• Provide notice that Title IX prohibits retaliation.
• Provide notice of a student’s right to file a criminal complaint and a Title IX complaint simultaneously.
• Provide notice of available interim measures that may be taken to protect the student in the educational setting.
• State the evidentiary standard that must be used (preponderance of the evidence) in resolving a complaint.
• Provide notice of the potential remedies for students.
• Provide notice of the potential sanctions or protective measures which may be imposed against the perpetrators, including, specifically, the sanctions regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking.
• Provide sources of counseling, advocacy and support.
• Provide for the extension of all rights given to the alleged perpetrator to the complainant.
• Provide notice of hearing(s) to both parties.
• Identify a process by which either party may raise issues related to potential conflicts of interest of the adjudicators.
• Identify the trained individuals who will determine whether the alleged sexual misconduct occurred and the individuals who will determine the sanction.
• Provide for all proceedings to provide a prompt, fair, and impartial investigation and resolution.
• Provide for all proceedings to be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
• Provide an equal opportunity for the parties to present relevant witnesses and other evidence.
• Provide the parties with similar and timely access to any information that will be used at the hearing.
• Provide a description of the types of evidence that may or may not be presented.
• Provide an equal opportunity for the parties to be represented by counsel.
• Impose equal restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings.
• Identify the persons who may attend and/or participate in the adjudication process and the extent of their participation.
• Provide an equal opportunity for the parties to present expert testimony.
• Provide an equal opportunity for the parties to appeal.
• Require the same type of review be applied on appeal, regardless of which party files the appeal.
• Describe the appellate procedures, grounds for appeal, the person/entity that will decide appeals, and the applicable reasonably prompt time frames for appeal.
• Include a statement that D&E will not require a party to abide by a nondisclosure agreement, in writing or otherwise that would prevent the re-disclosure of information relating to the outcome of the proceeding.
• Provide an equal opportunity for the parties to be present at the hearing.
• Permit the hearing to proceed if the complainant is not present.
• Provide the parties with an equal opportunity to cross-examine witnesses.
• Provide a description of alternative methods that preclude the respondent from personally cross-examining the complainant.
• Require D&E to notify both parties in writing about the outcome of the complaint.
• Require D&E to notify both parties in writing if there is any change to the results of the hearing that occurs prior to the time that such results become final.
• Require D&E to notify both parties in writing when such results become final.
• Require D&E to notify the complainant as to whether or not it found that the alleged conduct occurred, any individual remedies offered or provided to the complainant or any sanctions imposed on the perpetrator that directly relate to the complainant, and other steps D&E has taken to eliminate the hostile environment, if D&E finds one to exist, and prevent recurrence.
• Prohibit questioning about the complainant’s sexual history with anyone other than the alleged perpetrator.
• Acknowledge that the mere fact of a current or previous consensual dating or sexual relationship between the two parties does not itself imply consent or preclude a finding of sexual misconduct.
• Prohibit D&E officials from notifying the perpetrator of the individual remedies offered or provided to the complainant.
• Require D&E to offer the complainant all services needed to remedy the hostile environment on an interim basis.
• Require D&E to offer the complainant all services needed as a final remedy to the hostile environment, even if the complainant declined the service as part of an interim measure.
• Require D&E to consider remedies for the broad student population whenever D&E is unable to conduct a full investigation.
• Require D&E to take steps to provide appropriate remedies for the complainant and the broader student population when the perpetrator is not affiliated with D&E.
• If D&E uses its student disciplinary procedures to meet its Title IX obligations to resolve complaints of sexual misconduct promptly and equitably, require D&E to assess whether imposing sanctions against the perpetrator, without additional remedies, will be sufficient to eliminate the hostile environment, prevent recurrence, and remedy effects as required by Title IX.

Davis & Elkins College shall continue to protect the complainant after a determination that sexual misconduct has occurred.
Prevention and Education

Sexual Misconduct and Prevention Program
Davis & Elkins College’s sexual misconduct and prevention program shall clearly identify the offices or individuals with whom students can speak confidentially and provide resources such as victim advocacy, housing assistance, academic support, counseling disability services, health and mental health services and legal assistance. Davis & Elkins College’s approach to prevention, including the type and frequency of prevention programming and education/outreach activities, shall consist of working with outside organizations, such as Women’s Aid in Crisis and the West Virginia Foundation for Rape Information and Services, to provide annual programs, such as “Take Back the Night,” “Strike Out Violence,” and Sexual Assault Awareness Month, which includes five events each April.

Bystander Intervention
D&E shall utilize bystander intervention as a tool to prevent sexual misconduct. In implementing the bystander-focused prevention methods, D&E shall implement the common components of bystander intervention and delivery methods found at: https://www.notalone.gov/assets/bystander-summary.pdf.

Campus Assessments
Beginning in the spring of 2015, D&E shall conduct an annual climate survey in accordance with the guidelines found at: https://www.notalone.gov/assets/ovw-climate-survey.pdf. In addition, D&E shall aggregate data about sexual misconduct incidents from non-professional counselors or advocates in D&E’s on-campus sexual assault centers, women’s centers or health centers in order to identify patterns or systemic problems related to sexual misconduct.

Educating Students
Davis & Elkins College shall conduct mandatory programs to educate students about D&E’s sexual misconduct policy utilizing CampusClarity’s online platform. In addition, each year RLS receive special training on bystander intervention. First-year students receive six to eight training sessions in the residence halls each academic year in addition to CampusClarity training. At sexual misconduct awareness events, D&E shall provide information on (a) Title IX, (b) how to file a Title IX complaint with D&E, (c) resources available to sexual misconduct victims such as counseling and mental health and health services, and (d) options for reporting an incident of sexual misconduct to campus or local law enforcement. D&E shall provide education programs to promote the awareness of rape, acquaintance rape, domestic violence, sexual assault and stalking.

Training
In all forms of training, D&E shall establish methods for verifying that the training was effective.

Resident Advisers Training
Davis & Elkins College shall provide the following training for Resident Advisers:

- Places where students can seek confidential support services.
- Information about local rape crisis centers or other off-campus resources so that RLS can provide this information to students.
Faculty and Staff Training
D&E shall provide training on a regular basis, even if employees have prior relevant experience in sexual misconduct, to all employees likely to witness or receive reports of sexual harassment and violence, including faculty, D&E law enforcement unit employees, D&E administrators, D&E counselors, general counsels, athletic coaches, health personnel and RLS. D&E shall determine how training should be conducted, who has the relevant expertise to conduct the training, and who should receive the training to ensure that the training adequately prepares employees, particularly responsible employees, to fulfill their duties under Title IX. Employees who work with international students shall be trained on D&E’s sexual misconduct policies. D&E requires (a) training or experience in handling sexual misconduct complaints and (b) training in the operation of D&E’s grievance procedures for the Title IX Coordinator, others who receive complaints, investigators and adjudicators. D&E shall provide the following training for faculty and staff:

- Practical information about (a) how to prevent and identify sexual misconduct, including same-sex sexual misconduct; (b) the behaviors that may lead to and result in sexual misconduct; (c) the attitudes of bystanders that may allow conduct to continue; (d) the potential for revictimization by responders and its effect on students; (e) appropriate methods for responding to a student who may have experienced sexual misconduct, including the use of nonjudgmental language; (f) the impact of trauma on victims; and (g) the person(s) to whom such misconduct must be reported.
- Training to explain responsible employees’ reporting obligation, including what should be included in a report and any consequences for the failure to report and the procedure for responding to students’ requests for confidentiality, as well as provide the contact information for D&E’s Title IX Coordinator.
- Practical information on how and when to identify and report harassment and/or to appropriate D&E officials.

Special Training for Responsible Employees
Responsible employees, counselors, chaplains and Title IX Coordinators will receive additional specialized training to support them in their roles in the instances of sexual misconduct.

Sexual Misconduct Grievance Procedure

Davis & Elkins College adopts and publishes the following grievance procedures for the prompt, fair, impartial and equitable investigation and resolution of sexual misconduct complaints, including discrimination and sexual harassment complaints, filed by students against D&E employees, other students and third parties.

Pursuant to Title IX and the requirements established by the United States Department of Education, please be aware that:

- Students who file complaints (“complainants”) have the right to end the informal process at any time and to begin the formal stage of the complaint process.
- D&E will take steps to prevent the recurrence of any sexual misconduct and remedy discriminatory effects on the Complainant and others, if appropriate.
- The employee responsible for evaluating requests for confidentiality is the Title IX Coordinator as identified in the Policy.
- Students are encouraged to review those policies and protocols, including the provisions for confidential reporting.
• Title IX prohibits retaliation against the complainant or any witness involved in the investigation or hearing.
• Students have the right to file, simultaneously, a criminal complaint with appropriate law enforcement agencies and a Title IX complaint.
• Various interim measures may be taken to protect complainants in the educational setting.
• The potential sanctions or protective measures which may be imposed against the perpetrators include the possible reprimand, suspension or expulsion of a student perpetrator, the possible reprimand, suspension or termination of an employee perpetrator, and complainant’s options to avoid contact with the alleged perpetrator and allow the complainant to change academic and extracurricular activities or complainant’s living, transportation, dining and working situation as appropriate.
• The process may result in additional remedies for the D&E community, including greater emphasis on student awareness, educational and professional development courses for students, faculty and staff, and other steps designed to address the specific issues raised by the complaint.
• D&E will not require a party to abide by a non-disclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information relating to the outcome of the proceeding.
• The mere fact of a current or previous consensual dating or sexual relationship between the two parties does not itself imply consent or preclude a finding of sexual violence.
• In the event D&E is unable to conduct a full investigation, such as when the perpetrator is a visitor to D&E’s campus, D&E shall still consider remedies for both the complainant and the broader student population.

Initiation of Complaint
Any student who believes that he or she has been the victim of sexual misconduct as defined in D&E’s Policy shall file a written complaint with D&E’s Title IX Coordinator as identified in the Policy. The complaint shall specify the alleged sexual misconduct, the name of the individual who engaged in the alleged misconduct and such other information as may assist D&E in promptly investigating the alleged sexual misconduct.

Investigation
The Title IX Coordinator or the Coordinator’s designee shall promptly investigate the alleged sexual misconduct. Any designee shall have received training in conducting investigations of Title IX complaints. It is the goal of D&E to provide for an adequate, reliable and impartial investigation of each complaint, including the opportunity for both the complainant and the alleged perpetrator to present witnesses and evidence. Upon the conclusion of the investigation, D&E shall determine whether probable cause exists to believe that the alleged sexual misconduct occurred. If D&E determines that there is no probable cause to believe the alleged sexual misconduct occurred, the complaint shall be dismissed, and both the complainant and the alleged perpetrator shall be notified in writing of such determination by D&E. If D&E determines that there is probable cause to believe that the alleged sexual misconduct occurred, both the complainant and the alleged perpetrator shall be notified in writing of such determination by D&E, and an adjudicative hearing shall be scheduled within fourteen (14) days to resolve all disputed facts, if any. D&E shall provide both the complainant and the alleged perpetrator of the time and place of the hearing and the name of the hearing officer. In the event that there are no disputed facts, no hearing will be held, and D&E shall proceed to implement remedies and sanctions.
Informal Resolution Process
Mediation is never appropriate in sexual misconduct cases and shall not be utilized by D&E. However, after a finding of probable cause and prior to the hearing to resolve factual disputes, D&E shall informally discuss possible remedies and sanctions with the complainant and the alleged perpetrator to ascertain if a satisfactory resolution of the matter can be reached without the necessity of an adjudicative hearing. If so, the remedies and sanctions to which the parties agree shall be imposed. If not, the hearing pursuant to Section 4 will proceed as scheduled.

Adjudicative Hearing
The purpose of the adjudicative hearing is to resolve any facts disputed by the parties.

The Hearing Officer
The hearing shall be conducted by a hearing officer designated by D&E who has received annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct a hearing that protects the safety of victims and promotes accountability. If either party wishes to object to the hearing officer on the basis of a potential conflict of interest by the hearing officer, the party must notify the Title IX Coordinator of the objection within seven (7) days after receipt of the notice specifying the name of the hearing officer. The Title IX Coordinator shall evaluate the objection and determine if a different hearing officer should conduct the hearing.

The Hearing Process
The hearing officer shall endeavor to conduct the hearing in a manner that does not inflict additional emotional trauma on the complainant. The hearing shall permit both the complainant and the alleged perpetrator an equal opportunity to present relevant witnesses and evidence, including expert testimony. The hearing officer shall determine the probative value of the evidence presented and the rules of evidence which apply in judicial proceedings shall not be strictly enforced. Seven (7) days prior to the hearing, both the complainant and the alleged perpetrator shall notify the hearing officer of the witnesses and documentary evidence that the party intends to present. Both the Complainant and the alleged perpetrator may be represented by legal counsel, even if one of the parties chooses not to be represented by counsel, the other party may still be represented by counsel. The hearing officer shall impose equal restrictions on the ability of legal counsel, if any, to speak or otherwise participate in the hearing. Only the Title IX Coordinator, the complainant and the alleged perpetrator, the parties’ legal counsel, if any, and the parties’ parents (if invited by the parties) may attend the hearing, but parents may not participate in the hearing unless they are called as witnesses to address factual disputes. The hearing may proceed if either of the parties fails to attend. The Title IX Coordinator shall present the results of the investigation. The complainant may then present evidence, and the alleged perpetrator may present evidence following the complainant. Each witness may be cross-examined by opposing counsel or the parties if they are not represented by counsel, but the parties may not cross-examine each other. In the event that a party is not represented by counsel and wishes to question the opposing party, the party may submit written questions for the opposing party to the hearing officer who may ask the questions to the opposing party, if the hearing officer deems such questions relevant to the issue being adjudicated. Questions pertaining to the complainant’s sexual history with anyone other than the alleged perpetrator shall be prohibited. An audio recording of the hearing shall be made and retained by D&E.
The Proposed Findings of Fact, Determination of Violation, and Recommended Remedies and Sanctions

Within five (5) days following the completion of the hearing, the hearing officer shall prepare proposed findings of fact, a determination of violation, and recommended remedies and sanctions ("findings"). The hearing officer shall make a finding of fact as to whether a hostile environment exists at D&E in light of the findings, and if so, the hearing officer shall make recommendations as to how the hostile environment can be eliminated. The findings shall be submitted in writing to the Vice President for Student Affairs (VPSA) for consideration and a determination on behalf of D&E ("Ruling"). The VPSA may adopt the findings in whole or in part and shall make a determination as to what, if any, remedies and sanctions should be imposed. The VPSA may also remand the matter to the hearing officer for further findings and determination, if necessary. The VPSA shall make the ruling within five (5) days following the receipt of the findings. The VPSA shall receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct a hearing that protects the safety of victims and promotes accountability. In determining sanctions against the perpetrator, both the hearing officer and the VPSA shall assess whether imposing sanctions against the perpetrator, without additional remedies, will be sufficient to eliminate the hostile environment, prevent recurrence and remedy effects as required by Title IX.

Notice to the Parties

Within five (5) days following the receipt of the findings, the VPSA shall simultaneously send written notice via regular mail and email to the parties of D&E’s ruling and of their right to appeal see paragraph below. Specifically, the VPSA shall notify both parties as to whether or not D&E found that the alleged conduct occurred, any sanctions imposed on the perpetrator that directly relate to the complainant, and other steps D&E has taken to eliminate the hostile environment, (should D&E find one to exist), and prevent recurrence of the misconduct. The VPSA shall also notify the complainant of any individual remedies offered or provided to the complainant, but, the VPSA shall not notify the perpetrator of the individual remedies offered or provided to the complainant.

Appeals

Either party may appeal the ruling by the VPSA by submitting a written statement of appeal to D&E’s President. The appeal must be received by the President within seven (7) days following the date on which the parties received notice of the ruling from the VPSA. The President shall have seven (7) days to grant or deny the appeal. Regardless of which party files the appeal, the President may reverse the ruling by the VPSA only if the President finds that the ruling was arbitrary or capricious or if the ruling was not supported by substantial evidence. If the appeal is granted, the President shall make such instructions to the VPSA as may be appropriate to modify the ruling. The President’s decision on the appeal shall constitute the final action by D&E, and D&E shall simultaneously send written notice of the President’s decision via email to the parties. If neither party appeals, D&E shall simultaneously send written notice of the expiration of the time for an appeal via email to the parties. Upon the expiration of the time for an appeal or upon the President’s decision on a timely appeal, D&E’s decision shall be deemed final.

Imposition of Remedies and Sanctions

After the time for an appeal has expired or after the President’s decision on the appeal is made, the VPSA shall take the steps necessary to implement the remedies and sanctions. In the event interim measures should be taken to protect the complainant at any point prior to D&E’s final determination, the VPSA and the Title IX Coordinator may implement such measures in accordance with Section 3 of the Policy.
Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment: (Found on www.rainn.org)

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels uncomfortable, it probably isn’t the best place to be. If you see something suspicious, contact law enforcement immediately. If you feel unsafe in any situation, go with your gut.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
- Don’t leave your drink unattended while talking, dancing, using the restroom or making a phone call. If you’ve left your drink alone, get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can administer the correct test.

Bystander Tips

Bystander intervention promotes the idea of bystanders (observers, onlookers) intervening safely and effectively to stop a perilous situation, such as a potential sexual assault. An active bystander is an individual who stands up against offensive language and behaviors that may perpetuate sexual assault, and intervene on the behalf of the victim to eliminate the danger and/or provide needed support. Davis & Elkins College encourages students to become active and empowered bystanders who can safely intervene if they witness a situation, or potential situation, in which a friend or stranger may experience inappropriate, harmful and hurtful acts.
Fire Safety Report

Fire Safety Policies, Fire Statistics and Fire Log
The College annually provides a report to each student and current employee that discloses campus fire safety policies, fire prevention activity data, and any fire-related incident that occurs within on-campus housing. Additional information is available from the Campus Safety and Security Office. Prospective students and prospective employees receive a notice of the report’s availability. In addition to the above, the College fire safety policies are published in the Davis & Elkins College Policy Manual.

The Davis & Elkins Campus Safety and Security Office is responsible for the Annual Security and Fire Safety Report, Timely Warnings and the Crime and Fire Logs. The Annual Security and Fire Safety Report is prepared in cooperation with local law enforcement agencies in Randolph County and the Office of Student Life. Campus crime, arrest and referral statistics include those reported to the Davis & Elkins Safety and Security Office, campus officials, RAs, RDs, and local law enforcement agencies. The Annual Security Report is compiled and submitted by the Director of Campus Safety and Security. For more information, contact the Office of Student Life at 304-637-1211, Director of Campus Safety and Security, or Davis & Elkins Campus Safety and Security at 304-704-9111.

Crime and Fire Log
The Campus Safety and Security Office maintains a combined Crime and Fire Log of all incidents reported to the office, which is available for inspection during normal business hours. This includes all crimes reported to the office, as well as all fires in on-campus student housing facilities.

The Crime and Fire Log includes the incident type, date incident is reported, date and time of occurrence, and general location of each reported incident type, as well as the disposition of the incident, if this information is known. The Campus Safety and Security Office posts specific incidents in the Crime and Fire Log within two business days of receiving the report.

Campus-Wide Fire Safety Practices
Fires result in serious injuries, deaths and property loss; all members of the College community must take precautions at all times to prevent a tragedy due to fire and smoke.

In the event of smoke or fire, calmly exit the building using the nearest exit. If the building’s alarm system is not sounding, pull the fire alarm when exiting the building. All College buildings have posted exit diagrams and all building occupants should know the exit routes and be familiar with College fire evacuation procedures set forth in the Emergency Manual. Failure to exit the building at the sound of a fire alarm or warning is a violation of College policy, as well as a violation of state law. Also, tampering with or falsely activating a fire alarm is a violation of College policy and state law.

Campus Fire Safety Policies
All residence halls are equipped with fire extinguishers, smoke detectors, alarms and pull stations. Smoking is not permitted in any form in the residence halls or College buildings. This includes the use of electronic cigarettes. Also not allowed is anything with an open flame, such as candles, incense, candle warmers, hot plates, space heaters, toaster, toaster ovens, Crock-Pots, electric skillets, rice steamers, woks, deep fryers, grills, flammable liquids (e.g. bottles of propane gas, lighter fluid and dangerous chemicals), and explosives (including fireworks) and/or any other such item that can produce heat. To meet all fire safety codes, students and employees are required to use only electrical cords that are surge protector types and approved power strips instead of conventional extension cords or grounded
in-wall adapters. Flammables, combustibles and/or any toxic materials are not permitted in or around any College building. The College is subject to scheduled and regular inspections by the WV State Fire Marshal’s Office. The State Fire Marshal’s Office, as well as the local fire department, also performs unannounced spot checks on campus as part of their job duties. Violations discovered will be subject to fines, the cost of which will be passed onto the individual student or employee.

**Fire Safety Instruction**

In the event of smoke or fire, calmly exit the building using the nearest exit. If the building’s alarm system is not sounding, pull the fire alarm when exiting the building. All resident hall rooms have an exit diagram posted on the inside of the door. In addition, each College building has a posted exit diagram. Failure to exit the building at the sound of a fire alarm or warning is a violation of the College’s administrative rules, as well as a violation of state law. Also, tampering with or falsely activating a fire alarm is a violation of College rules and state law.

Fire safety training is given each year to the Resident Assistants, Resident Directors, Security Officers and other members of the Office of Student Life and/or College community. From this training, the RAs and RDs educate all the resident students on the proper fire evacuation procedures. All fire and smoke alarms along with emergency lighting is checked on a monthly basis. Fire extinguishers are also checked on a regular basis and areas in the kitchen are checked in accordance with National Fire Prevention Association guidelines. Fire drills, both announced and unannounced, are performed during each semester.

In case of an actual fire, individuals should call 911. For any type of alarm, or smoke, please contact Davis & Elkins Campus Safety and Security at 304-704-9111. It is absolutely essential for the corridor separations and stairwell doors to be closed at all times. Fire doors retard the travel of smoke, heat, toxic gases and fire. All stairwell doors must be closed at all times. Do not place any combustible material on these doors, absolutely no paneling, burlap, draperies, parachute netting, Styrofoam, nor any type of wood can be installed in the exit corridors or stairwells. Building fire equipment such as sprinkler heads, smoke detectors, fire hoses, extinguishers, stand pipes, and alarm boxes must remain in good working condition and must not be obstructed. Unauthorized use or tampering with this equipment will result in disciplinary and/or legal action.

**Fire Safety Training**

Resident Directors and Resident Assistants, along with Campus Safety and Security Officers, receive fire safety training from the Elkins Fire Department on an annual basis. In addition, procedures that should be followed in the case of a fire are set forth in the College’s Emergency Response Plan, which is available to all students, faculty and staff on the intranet homepage. At the beginning of each academic year, Campus Safety and Security sends students, faculty and staff an email reminding them to review the Emergency Response Plan.
Campus Fire Statistics
The following are fire statistics for each on-campus student housing facility at Davis & Elkins College:
1. The number of fires and the cause of each fire in a Davis & Elkins College student housing facility
2. The number of deaths related to the fire in a Davis & Elkins College student housing facility
3. The number of injuries related to the fire in a Davis & Elkins College student housing facility that resulted in treatment at a medical facility
4. The value of property damage related to the fire at a Davis & Elkins College student housing facility

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<th>Evacuation Plans/Placards</th>
<th>Evacuation (Fire) Drills Each Calendar Year</th>
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</thead>
<tbody>
<tr>
<td>Darby</td>
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<td>√</td>
<td>√</td>
<td>√</td>
<td>4+</td>
</tr>
<tr>
<td>Booth</td>
<td>None</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>4+</td>
</tr>
<tr>
<td>Gribble</td>
<td>None</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>4+</td>
</tr>
<tr>
<td>Moyer</td>
<td>None</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>4+</td>
</tr>
<tr>
<td>Presidential</td>
<td>None</td>
<td>√</td>
<td>√</td>
<td>√</td>
<td>4+</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Total Fires</th>
<th>Date</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries</th>
<th>Number of Deaths</th>
<th>Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darby</td>
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<td>N/A</td>
<td>N/A</td>
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<tr>
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<td>N/A</td>
<td>N/A</td>
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<tr>
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<td>0</td>
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<tr>
<td>Moyer</td>
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<td>0</td>
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<tr>
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