

**2018 ANNUAL SECURITY REPORT  
FOR**

**JOHN TYLER COMMUNITY COLLEGE**



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September 23, 2019



Office of the President

Dear members of our College community:

At John Tyler Community College, we want every student to be successful and to achieve all of their goals. To do that, we offer high-quality educational opportunities and a variety of support services designed to help students get on the road to a baccalaureate degree, prepare for entry into the workforce, gain new career skills, or explore their interests.

In addition to fostering a creative and thriving academic community, we work hard to provide a safe environment in which to learn and work. The security and safety of our students, faculty and staff are always top priorities at John Tyler. Our dedicated employees continually review security procedures, safety plans and policies, and they routinely undergo training. But, they are not the only ones involved in making John Tyler Community College a safe place. Our students also share in that responsibility, and it is vital that we continue working together in this endeavor.

I ask that you take a few minutes to read our *Annual Security Report*. In it, you will find helpful information, guidance and resources.

Thank you,

A handwritten signature in black ink, appearing to read "Edward E. Raspiller", with a long, sweeping underline.

Edward E. Raspiller, Ed.D.  
President

[www.jtcc.edu](http://www.jtcc.edu)

804-594-1578

800-552-3490

TDD: 804-796-4197

**Midlothian Campus**

800 Charter Colony Parkway

Midlothian, VA 23114-4383

**Chester Campus**

13101 Jefferson Davis Highway

Chester, VA 23831-5316

An equal opportunity  
and affirmative action  
educational institution



September 15, 2019

Dear John Tyler Community College students, faculty and staff,

The mission of John Tyler Community College Security Services is to afford our students, staff, and faculty an opportunity to learn, teach and succeed in a safe and secure environment.

Our institution has an excellent record of safety and security. However, crime can occur anywhere at any time, so it is important that all members of our campus community stay informed, understand the resources available to them at John Tyler, and be proactive.

With this in mind, we have put together the following *Annual Security Report*, which provides valuable information about safety and security at John Tyler. Please take a few minutes to read through it, and familiarize yourself with the College's resources and procedures. Campus safety is a shared responsibility. Together, we can continue to make John Tyler a safe and vibrant learning community.

Sincerely,

A handwritten signature in black ink, appearing to read "Tanya Brown", written in a cursive style.

Tanya Brown  
Assistant Director of College Safety & Security  
John Tyler Community College

## **About JTCC**

John Tyler Community College is a two-year, public institution of higher education and is the fifth largest of the 23 community colleges in the Virginia Community College System. With campuses in Chester and Midlothian and off-campus classrooms throughout the area, John Tyler offers quality and economic opportunities for students who want to earn a degree or certificate, transfer to a four-year college or university, train for the workforce, or switch careers.

Since 1967, John Tyler Community College has been serving the community as a public two-year institution of higher education. The College offers a variety of programs and services, with a focus on primarily serving the residents of the cities of Colonial Heights, Hopewell and Petersburg, as well as the counties of Amelia, Charles City, Chesterfield, Dinwiddie, Prince George, Surry and Sussex.

## **Mission and Vision**

The people of John Tyler Community College are driven daily to serve the needs of our students and our community. We have a clear mission and vision for ourselves, and together, we accomplish great things.

## **Mission Statement**

John Tyler Community College provides quality educational opportunities that inspire student success and community vitality.

## **Vision Statement**

A success story for every student.

## **College Goals**

1. To enhance and promote excellence in teaching and learning.
2. To provide access to educational opportunities for persons from all segments of society.
3. To provide a comprehensive program of student development services.
4. To develop and foster mutually beneficial relationships with external constituencies to meet the educational and economic needs of the region.
5. To provide excellent administrative services, fostering accountability and efficiency.
6. To administer integrated and transformative institutional assessment and planning processes.
7. To maximize external funding to support the mission of the College.
8. To strengthen a positive image of the College and effectively promote services and programs to the community.
9. To encourage a positive organization; which attracts and retains a diverse and highly competent workforce.

## **College Governance**

*Virginia Community College System (VCCS)*

The Virginia Community College System is the agency responsible for the administration and supervision of the system of community colleges in the Commonwealth of Virginia under the authority of the State Board for Community Colleges.

The Chancellor is the chief executive officer of the Virginia Community College System and serves as the secretary of the State Board for Community Colleges. The chancellor is appointed by the State Board for Community Colleges.

The Chancellor is responsible for formulating such rules and regulations and providing such assistance in the office of the chancellor as necessary to support the performance of the chancellor's duties. The state board prescribes these duties, in addition to those duties otherwise prescribed by law. At its discretion, the State Board also approves the appointment by the chancellor of such agents and employees as may be needed by the chancellor and the VCCS to implement all assigned functions, duties, and powers.

*JTCC Organizational Chart* (<http://www.jtcc.edu/downloads/about/JTCCOrgChart-v2.pdf> )

*VCCS Web Site* ([www.vccs.edu](http://www.vccs.edu))

### **John Tyler Community College Board**

The College Board serves as an advisory group to the College's administration. The Board is made up individuals representing the College's service area, which includes the cities of Colonial Heights, Hopewell and Petersburg, as well as the counties of Amelia, Charles City, Chesterfield, Dinwiddie, Prince George, Surry and Sussex. Each jurisdiction has one member, with the exception of Petersburg, which has two members; Hopewell, which has three representatives; and Chesterfield, which also has three members. Board members are appointed by boards of supervisors and city councils from the College's service area.

Board members serve as advocates for the College in their individual jurisdictions and facilitate communication between the College and its constituencies in those jurisdictions. Board members also advocate for the College during the General Assembly of Virginia legislative session. Board members may serve two consecutive four-year terms. The chair and vice-chair of the Board are elected for two-year terms of office. The Board meets six times annually and rotates meeting locations between the College's two campuses.

### **Administrative Council**

Administrative Council meets monthly to discuss issues of broad concern to the College's administration. Administrative Council is comprised of:

- President
- Vice President of Learning and Student Success
- Vice President of Community College Workforce Alliance (CCWA)
- Vice President of Administration
- Associate Vice President of Financial Services
- Associate Vice President of Student Success
- Classified Staff Representative
- Public Relations Manager
- Director of Institutional Effectiveness
- Assistant to President
- Faculty Association President
- Director of Facilities & Safety

### **Foundation**

The John Tyler Community College Foundation relies on the generosity of the community to continue its work in securing the future of the College and contributing to the success of its students, its faculty and its staff. Since most of the College's graduates live and work in the area, gifts made to the Foundation are an investment in the future of the community. Through these gifts, the Foundation is able to provide scholarships for students; fund academic programs and capital projects; renovate and modernize classrooms and labs; and encourage the professional

development of John Tyler Community College's faculty and staff. This work ensures that the College continues its pledge of providing academic excellence while expanding the services it offers to fulfill escalating workforce requirements. The Foundation Board is comprised of leaders from a variety of businesses and organizations in the greater Richmond area.

### **College Committees**

The standing committees of John Tyler Community College meet over the course of each academic year (at least once each semester) to discuss matters falling under the specific charge of each committee and to prepare recommendations to the College's Administrative Council for actions regarding those matters.

#### **Standing Committee Membership and Charges**

<https://intranet.jtcc.edu/resources/meeting-minutes/ad-hoc-and-standing-committees>)

### **Safety and Security Committee**

The Committee is charged with reviewing safety policies and procedures at the College, both academic and non-academic, and making recommendations for modifications and improvements. Such policies are to include general campus safety and security, laboratory safety, and any other specialized activity where the safety of participants may become an issue. The Committee may be asked to offer opinions regarding the safety and security of on-campus individuals in life-threatening or injury-causing situations not directly related to the academic process. Additional assignments may be developed as a result of directives from the executive branch of state government and from agencies of the federal government. The Committee may utilize a sub-committee structure, if desired, in the accomplishment of its tasks. Safety and Security Committee members include:

Vice President of Administration

Director of Facilities & Safety

Chester Campus Facilities Manager

Midlothian Campus Facilities Manager

Campus Resource Officers (Midlothian & Chester)

JTCC First Year Retention Coordinator

Public Relations Manager

Shared Services -College Technology Officer

Telecommunications Coordinator

Information Security Officer

Dean of Business, Engineering and Technology

Dean of Science, Health and Human Services

Dean of Students

Associate Dean of Students

EMS Instructor

Nursing Instructor

Arts Instructor

Natural Sciences Lab Technician

Business, Engineering and Technology Instructor

Arts Assistant

CCWA Contract Administrative Specialist

Security Manager, *ex officio*

Convener and Chair: Assistant Director of College Safety & Security

## **Workplace Violence and Threat Assessment Team**

John Tyler is concerned about the safety, health and well-being of all of its students, faculty and staff. In adherence to Virginia Code 23-9.2:10, JTCC has established a Threat Assessment Team (TAT) comprised of representatives of student services, law enforcement, security services, human resources, and faculty. The team meets on a regular basis under the leadership of the Dean of Students and the Security Manager.

The TAT is charged with addressing all reported behavioral issues which occur on a John Tyler campus, at an off-site location, online or on an electronic site, including e-mail, blogs, social media, and Blackboard postings. Off-campus and electronic, social media or online behavior of students, staff, faculty, individuals or third parties may be considered and investigated by the TAT in instances where a threat is thought to exist to the college community.

The mission of the JTCC TAT is to facilitate a safe college community through a coordinated, systemic, collaborative, objective, unbiased, thoughtful, and proactive approach, with strong emphasis on prevention through identification of the potential threats, assessments of said threats, interventions, management and follow up of any and all situations that pose or are thought to pose potential threats to the safety and well-being of individuals on campus as well as to the college community.

### **Coverage**

These policy guidelines will apply to all faculty, staff, students, visitors, contractors, individuals and other third parties. Students are covered under additional provisions in the JTCC Student Handbook to include:

19.19.10 Student Rights and Responsibilities

19.19.11 Student Code of Conduct

19.19.12 Student Disciplinary Policies and Procedures

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

6.6.21 Admissions of Individuals on the Sex Offender and Crimes Against Minors Registry

### **Policy Components**

#### **A. Definitions:**

Direct Threat: A situation where there is a high probability of substantial harm to an individual or individuals.

TAT: Threat Assessment Team

Respondent: A person whose behavior warrants an investigation by the College pursuant to this policy.

Workplace: Any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations (other than an individual's home when telecommuting), and travel to and from work assignments.

Workplace Violence: Any physical assault or threatening behavior occurring in the workplace by employees, students, or third parties. It includes, but is not limited to, beating, stabbing, suicide, shooting, rape, attempted suicide, psychological trauma such as threats, obscene phone calls, intentionally damaging property, an intimidating presence which makes a reasonable person apprehensive of imminent harm, and harassment of any nature such as stalking, shouting so as to cause a disruption, swearing or committing injurious acts motivated by, or related to, domestic violence or sexual harassment.

Third Parties: Individuals who are not state employees, such as relatives, acquaintances, strangers, contractors, or visitors.

Individual(s): Anyone who comes to the attention of the TAT.

Student: A person who has applied to, been accepted, and registered/enrolled at the College.

- B. JTCC prohibits threats and acts of violence on college property, JTCC facilities, and at any JTCC sponsored event; while engaged in business, educational, or athletic activities; and while traveling in state vehicles. Prohibited conduct includes but is not limited to:
1. injuring another person physically;
  2. engaging in behavior that creates a reasonable fear of injury to self or another person;
  3. engaging in behavior that would subject a reasonable person to, and does subject another individual to, extreme emotional distress;
  4. possessing, brandishing, or using a weapon while on state premises by students, except where possession is a result of participation in an organized and scheduled instructional exercise for a course, or where the student is a law enforcement professional;
  5. possessing, brandishing, or using a firearm, weapon, or other device by faculty or staff that is not required by the individual's position while on college/system office property or engaged in college/system office business; or in violation of law or other college/system office policy, except where the employee is a law enforcement professional;
  6. brandishing or using a weapon by third parties with a permit to carry a concealed weapon while on campus in academic or administrative buildings, or while attending a sporting, entertainment or educational event, when specifically asked by the college to agree not to possess a weapon as a condition of attendance. This provision does not apply to law enforcement personnel;
  7. intentionally damaging property;
  8. threatening to injure an individual (including oneself) or to damage property;

9. committing injurious acts motivated by, or related to, domestic violence or sexual harassment; and
10. retaliating against any employee or student who, in good faith, reports a violation of this policy.
11. See Student Conduct in the JTCC College Catalog/Student Handbook for additional information specific to student conduct

C. Consequences of Policy Violations:

1. Employees violating this policy will be subject to disciplinary action up to and including termination and criminal prosecution using existing policies and procedures including Section 3 of the VCCS Policy Manual or DHRM Policy 1.60 Standards of Conduct. Additionally, employees who are identified as engaging in the use of threatening language or behavior may be required, as a condition of continued employment, to participate in a mental health evaluation as part of a threat assessment process, and receive approval from the mental health evaluator that they are not a risk to themselves or others.
2. Students violating this policy will be subject to disciplinary action as outlined in the JTCC Student Handbook, and other college policies as appropriate. Additionally, students who are identified as engaging in the use of threatening language or behavior may be required, as a condition of continued enrollment, to participate in a mental health evaluation or assessment of dangerousness as part of a threat assessment process, and receive approval from the mental health evaluator that they are not a risk to themselves or others.
3. In order to mitigate risk, students may be suspended on an interim basis if it is believed that a direct threat to other students, faculty, staff or to the public exists, or if the student's behavior creates a serious disruption to normal College operations. Before a student may be suspended he or she will be informed of the reasons for the interim suspension and will be provided an opportunity to respond within five (5) business days, except in exigent circumstances, in which case the student will be given said opportunity as soon as possible as determined by the Dean of Students, designee or vice president. The student may respond to the interim suspension in writing to the Dean of Students; however the burden is on the student to prove that his/her presence on campus is not a threat to the college community. The TAT will review the information related to the response and will make a recommendation to the Dean of Students regarding the response. If the student is enrolled in classes at the time of the interim suspension and it is deemed through the TAT process that the student shall be allowed to return to campus, the TAT shall assist the student in gaining access to the college and the student's faculty shall forgive the absences that occurred during the interim suspension and assist the student in making up any missed work. Academic and/or financial decisions as a result of the interim suspension are the responsibility of the student.
4. In the event that a student fails to comply with the recommendation of the TAT, the student may be referred to the Judicial Affairs process.

5. Visitors and third parties violating this policy will be subject to applicable, state, and federal laws, and associated regulations, and may be barred from John Tyler Community College at JTCC's discretion for violating this policy.

#### D. Threat Assessment Team

1. The membership of the committee must comply with the requirements of Virginia Code § 23-9.2:10. The committee should consult VCCS legal counsel when necessary, through established protocols. At least six (6) members of the TAT shall be present during the team meetings in which decisions are being made regarding recommendations on cases.
2. The TAT has published for the JTCC college community, a clear statement of its mission and membership, as well as the committee's leadership role in the area of violence prevention.
3. The TAT has published periodic guidance to faculty, staff and students regarding the following:
  - a. how to recognize and report aberrant or potentially harmful behavior that may represent a threat to the community;
  - b. policies and procedures for the assessment of individuals whose behavior may present a threat;
  - c. appropriate means of intervention with such individuals;
  - d. college/system action to resolve potential threats; and
  - e. to whom on the college's threat assessment team, or through what method, potentially threatening behavior should be reported.

#### E. Reporting or responding to threats or incidents of workplace violence:

1. Employee and student responsibilities should include:
  - a. Reporting incidents or threats of violence to their immediate supervisor, Human Resource Office, Campus Community Resource Officers/Security, Threat Assessment Team members, or Dean of Students office staff.
  - b. Providing Threat Assessment Team members, Community Resource Officers, Security or Dean of Students with a copy of any Protective Orders from a court so that appropriate enforcement activities occur.
  - c. No person who, in good faith, reports threatening or otherwise troubling behavior in accordance with this policy will be subject to retaliation.
2. Management Responsibilities include:
  - a. Members of the Threat Assessment Team coordinate Workforce Violence Prevention.
  - b. The TAT serves as the Violence Prevention Committee (VPC) and complies with § 23-9.2:10 of the Code of Virginia. The Threat Assessment Team remains able to quickly receive information about, assess, and respond to potential threats that are reported in accordance with its policies, and to determine corrective actions and prepare necessary reports on given

situations. TAT/VPC publishes education and prevention information and recommend ways to, (1) respond to incidents, (2) investigate all reported incidents of workplace violence, and (3) determine the appropriate response and the actions necessary to address a particular situation.

3. Threat Assessment Team Responsibilities include:
  - a. Establishing or utilizing existing relationships with local and state law-enforcement agencies as well as mental health agencies to ensure compliance with § 23-9.2:10 of the Code of Virginia, and expedite assessment and intervention with individuals whose behavior may present a threat to campus safety.
  - b. Upon a preliminary determination that an individual poses a threat of violence to self or others, or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in Virginia Code §§ 19.2-389 and 19.2-389.1, and health records, as provided in § 32.1-127.1:03. In these cases the student, staff member, faculty member, individual or respondent may be asked to participate in a mental health evaluation or assessment of dangerousness as part of a threat assessment process, and receive approval from the mental health evaluator that they are not a risk to themselves or others. The mental health evaluator may be responsible for obtaining and reviewing any mental health records.
  - c. No member of a threat assessment team shall disclose any criminal history record information or health information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team. Va. Code § 23-9.2:10(E).

#### **F. Procedures**

1. Any faculty, staff, or student who believes a student, staff member, faculty member or individual's behavior on campus is of concern or threatening or who learns information regarding a student, staff, faculty member or individual that may present a threat to the community should contact the Dean of Student's office, Security, Community Resource Officers or Human Resources and/or complete the JTCC threat assessment referral form located at [https://cm.maxient.com/reportingform.php?JohnTylerCC&layout\\_id=2](https://cm.maxient.com/reportingform.php?JohnTylerCC&layout_id=2) .

In the event that the behavior is an immediate threat to the safety of the college community, security should be notified immediately. 911 may be called in addition to notifying security.

2. The Dean of Students or designee or in cases involving staff or faculty, the Vice President of Administration or designee and other needed members of the TAT will review the complaints/concerns/issues and determine the appropriate process to be initiated.

- a. If the behavior is a violation of the student code of conduct the student disciplinary policies and procedures will be initiated.
  - b. If the behavior is gender based to include sexual violence, dating violence, domestic violence and stalking the JTCC Title IX policy will be initiated. Violations regarding this policy may be reviewed by both the Title IX Review Team and the TAT
  - c. If the student or individual desiring admission to JTCC is on the sex offender and crimes against minors registry the policy on the admissions of individuals on the sex offender and crimes against minors registry will be initiated.
3. The Dean of Students or designee will lead the team discussion. At least six (6) members of the TAT shall be present during the team meetings in which decisions are being made regarding recommendations on cases.
  4. The team members may determine that, owing to the alleged behavior, a meeting may be scheduled for the student, staff, faculty, respondent or individual to meet with a team member or other individual as determined by the team. During this meeting a signature on a release of information may be requested in order for the TAT to gather additional information from sources outside of the college community.
  5. Team members will interview, if needed to gather additional information for team consideration, the individual(s) who reported the behavior and others who may have information or input regarding the behavior.
  6. In some cases, the student, staff member, faculty member, individual or respondent may be required to participate in a mental health evaluation or assessment of dangerousness as part of a threat assessment process, and receive approval from the mental health evaluator that they are not a risk to themselves or others. The mental health evaluator may be responsible for obtaining and reviewing any mental health records.

After gathering all requested/needed information the team will review the information and make a recommendation regarding the status of the student, staff member, faculty member, respondent or individual with the college. The nature, severity and frequency of the behavior and the risk level associated with the behavior will be considered as well as options available to assist the student, staff member, faculty member, respondent or individual with the behavior.

Any recommendations regarding dismissal from the college and a ban from the college of a student, respondent or individual will be forwarded to the Vice President of Learning and Student Success or designee for a final decision. After obtaining the decision, the TAT will notify the student, respondent or individual in writing of the decision, of the transcript notation (see student permanent records section of this policy) and will offer the opportunity to appeal as outlined in this policy.

Any recommendation regarding the status of a staff member or faculty member will be forwarded to the Vice President of Administration or designee for further action.

## G. Communication and Training

1. The Workplace Violence Prevention Policy will be posted on the college/ web site.
2. Information on the Workforce Violence Prevention Policy, will be included as part of the employee orientation.
3. Training on recognizing and responding to potentially violent or violent situations in the workplace will be provided to employees periodically by the Violence Prevention Committee (same as Threat Assessment Team).
4. A reference to this policy will be shared at student orientation and/or communicated to students via College e-mail and published on the college's web site.

## H. Appeals

The student, respondent or individual may appeal the decision of the Vice President of Learning and Student Success or, in cases of employee dismissals, may appeal the decision of the Vice President of Administration in writing to the Dean of Students within ten (10) business days of the notification of the dismissal. An appeal may be filed based on one (1) or more of the following:

1. New information is available that might affect the outcome of the decision
2. Excessive recommendations by the TAT
3. Violation of due process or procedures outlined in this policy

All appeals should include documentation to support the claim made by the student, respondent, individual, staff member or faculty member.

The Dean of Students will present the appeal in addition to all information gathered by the TAT to the appropriate Vice President. The appropriate Vice President will review the information and communicate the decision in writing within ten (10) business days of the date the appeal was submitted by the student/respondent/individual/staff member/faculty member. This decision is final and cannot be appealed.

### **Student Permanent Records**

#### **Disciplinary Transcript Notations:**

In order to alert other institutions of higher education of a student who was dismissed for exhibiting threatening or dangerous behavior, or otherwise has committed an act of misconduct, JTCC may place a statement on the transcript, which shall state "Misconduct Dismissal."

Prior to making any disciplinary notation on a transcript, the college shall notify the student in writing of such action and give the student the right to appeal as outlined in this policy.

#### **Student Information System (SIS) Records Indicators:**

In addition to the above, the college may place on a student's SIS record an XTA service indicator when a student is dismissed for misconduct, exhibits threatening behavior, or is determined to be a potential threat. Colleges shall use the XTA indicator only after a threat

assessment team has made a determination that the student poses a threat to the campus community as outlined in this policy.

**Amending Student Records:**

Under the provisions of the Family Educational Rights and Privacy Act (FERPA), students must have an opportunity to challenge the accuracy of the information that led to the application of the indicator to their record at the college placing the indicator. The challenge may only address the accuracy of the information, any misleading information, or a violation of the student’s privacy rights. The college shall decide whether to amend the record as requested within a reasonable time after the college receives the request. If the college decides not to amend the record as requested, it shall inform the student of its decision and of his or her right to a hearing. If the student prevails at the hearing, the record shall be corrected and the indicator should be removed, unless other facts support the continued use of the indicator. If the college prevails, the student has the right to place a statement in his or her record challenging the college’s actions. The college must maintain the statement with the contested part of the record for as long as the record is maintained and disclose the statement whenever it discloses the portion of the record to which the statement relates. Students wishing to challenge the accuracy of information may do so by contacting the dean of students.

**Use of Service Indicators in Admission Decisions:**

If a student with an XTA on his or her student record at one Virginia community college applies to another community college (“the new college”) within the VCCS, the new college shall conduct an independent threat assessment to determine whether the applicant continues to pose a threat to the campus community.

Members of John Tyler’s Threat Assessment Team include:

- Sandra Kirkland
- Michelle Spencer
- Tanya Brown
- Tom Kearns
- Altrice Smith
- Susan Grinnan
- Amanda Carpenter-Horning
- John Rocklein
- Dave Kendall
- Michael Rutz
- Greg Dunaway

The alternates are: Christine Diggs, Michelle Tindall.

**Title IX Review Committee**

Each public institution of higher education or private nonprofit institution of higher education shall establish a review committee for the purposes of reviewing information related to acts of sexual violence. Such review committee shall consist of three or more persons and shall include the Title IX coordinator or his/her designee, a representative of law enforcement, and a student affairs representative.

Members of the Title IX Review Committee include:

Sandra Kirkland  
Michelle Spencer  
Susan Grinnan  
Altrice Smith  
John Rocklein  
Dave Kendall  
Michael Rutz  
Tom Kearns

### **Clery Act Information**

JTCC is committed to providing the campus community and visitors with the safest and most secure environment possible. JTCC encourages campus community members to remain aware of personal safety and work cooperatively with the campus to ensure the security of all.

The JTCC Security Services Department follows all applicable state and federal reporting laws to ensure a safe campus required by the Crime Awareness and Campus Act better known as the “Clery Act” which is contained in section 485 of the higher education act, codified at 20 U.S.C. § 1092. The department collects selected crime statistics, prepares an annual safety report, and makes this report available prominently on the JTCC website no later than October 1 annually. Data are collected from daily College crime logs, Chesterfield County Police Department, and Incident Reports/Threat Assessment Team information as applicable.

Reportable offenses for Clery Act purposes are:

- Criminal homicide, including murder and both negligent and non-negligent manslaughter
- Sexual offenses, including both forcible (rape, fondling) and non-forcible (incest, statutory rape) sexual assault
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- VAWA Offenses (domestic violence, dating violence and stalking)
- Hate crimes and any associated larceny, simple assault, intimidation, or vandalism/destruction of property
- Arrests and/or disciplinary referrals for liquor law violations, drug law violations, or illegal weapons possession
- Unfounded crimes

As required by law, this report, which is available in printed or electronic format, provides information about security on campus including: campus community crime statistics, institutional policies on campus security, alcohol and drug use policies, the reporting of crimes, sexual assault, sexual harassment, and crime prevention. This report also provides phone numbers of helpful community resources. A map or directions of each JTCC campus or center can be found at <http://www.jtcc.edu/locations>.

All current students and employees are notified of the report’s availability through the all-student e-mail distribution list, all-user faculty and staff e-mail distribution list, and the electronic bulletin

boards. In, addition, with the Annual Security Report being made available on-line, prospective students and College employees can review it at any time.

### **JTCC Clery Crime Statistics**

This report's statistics were reported from January 1, 2014 until December 31, 2014. These statistics were collected from College crime logs, Chesterfield County Police Department, and Incident Reports/Threat Assessment Team information as applicable. They represent occurrences/incidents which occurred on campus and college grounds, public sidewalks and roadways adjacent to the campus property, and non-campus locations under JTCC's control during 2014.

- The Department of Education requires that JTCC publish an Annual Security Report. In the ASR the Department of Education requires that the following be used to classify and record Clery reportable crimes.
- The Federal Bureau of Investigation (FBI), Uniform Crime Reporting (UCR) Handbook is used for all definitions of offenses except for sex offenses.
- For sex offenses only, the National Incident-Based Reporting System (NIBRS) Edition of the UCR Handbook is used for classification.
- Clery Act reporting DOES NOT require disclosure of all other sexual related offenses. ex. sexual harassment, voyeurism and incident exposure
- Offenses are counted on the basis of calls for service, complaints and investigations.
- Findings of courts, coroners, jury, prosecutorial decisions and student judicial boards are NOT a basis for counting Clery Act crimes.

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

More information and specific definitions can be found at <http://www.jtcc.edu/about/safety-security/>

### **Crime Prevention**

#### **Freedom and Responsibility**

John Tyler Community College affords you considerable freedom to develop or redefine your lifestyle. You are encouraged to get your own schedule, develop new friendships, and manage the complexities of home, classroom, and work. Faculty, staff and other students provide a support network, but ultimately you must make your own decisions. With this freedom comes increased responsibility for your coursework, your co-curricular involvements, and the security of you and your fellow students.

Security at John Tyler Community College is the shared responsibility of students, faculty, and staff. Our institution has an excellent record of safety and security, but the campus will remain safe only if we take our responsibilities to ourselves and others seriously.

## **Being Safe around Campus**

You can help maintain safety for everyone at JTCC by following some simple common sense tips:

1. Walk with a friend when you leave evening classes. If a companion is unavailable, stay in lighted areas and be aware of who is in your general vicinity and what is going on around you. If you feel uncomfortable or notice something that is unusual, ask one of the security officers to escort you to your car.
2. Know the people who offer you rides or invite you to visit them off campus.
3. Be aware and concerned about the use and abuse of alcohol or other drugs. Violent acts occur more often when people are under the influence of alcohol or other drugs. The College complies with the Drug-Free Schools and Communities Act in specifically discouraging violations of alcohol and drug laws. Please refer to the College policies on Substance Abuse, Sexual Assault, and Sexual Harassment defined in the Catalog and Student Handbook (<http://www.jtcc.edu/downloads/academics/AcademicCatalog1516.pdf>) for additional information on these matters.
4. Do not let yourself be a threat to safety. Remember that violence is an unacceptable means to conflict resolution. Student Affairs personnel are always ready to help you and other students find effective, non-violent ways to resolve disagreements.
5. Take advantage of information programs offered by Campus Security and the Division of Student Affairs. Discussions on security awareness and crime prevention, substance abuse, sexual harassment, and victims' rights are addressed in special programs and in student orientation classes. This type of information could make a difference for you or a friend in a crisis.
6. Pay attention to campus-wide memos and classroom announcements that concern a potential threat to your security. Such proclamations fortunately are rare, but they may contain information crucial to your safety.
7. Remember that the campus is accessible by foot from any direction at any time. While the nearby off-campus areas may appear relatively secure and safe, threats can arise from people and circumstances at any time and any place.

## **Staying Informed About Safety**

Campus crime statistics are reported on-line and available to the public at <http://www.jtcc.edu/about/safety-security>

John Tyler Community College offers various safety and security training and information offered through various media and in-person by the Security Services Office and the Division of Learning and Student Success including:

- New Student Orientation
- Surviving an Active Shooter Event video
- Title IX and Sexual Assault web site (<http://www.jtcc.edu/about/title-ix-and-sexual-misconduct/>) for students, faculty, and staff to include sexual violence, domestic violence, and dating violence prevention and educational materials.
- Title IX faculty and staff Responsible Reporting Party training provided via the College's security awareness and training system (MOAT) for all employees. In-person trainings for faculty, staff, students employees, Security Services, and to all College supervisors.
- Title IX training for students through Not Anymore prevention module and online Student Health 101 wellness magazine.

- Not Anymore on-line module for community college student education in sexual assault prevention, dating and domestic violence prevention and bystander training as part of SDV100. Also, the Not Anymore prevention module is provided to all students via email.
- Substance abuse prevention information dissemination through Student Health 101 and the Not Anymore prevention module and brochures.
- Title IX Employee Education Video Presentation sent to all employees.

### **In Case of Emergency Quick Reference Sheet**

The College has created a quick reference guide that you may download and print. The In Case of [Emergency Quick Reference Sheet](http://www.jtcc.edu/downloads/current/EmergencyQuickReferenceSheet.pdf) (<http://www.jtcc.edu/downloads/current/EmergencyQuickReferenceSheet.pdf>) includes important phone numbers and basic emergency information.

Additional On-line Information may be found on line at <http://www.jtcc.edu/about/safety-security/> including the following topics:

Tyler Alert  
 Inclement Weather/Closing Policy  
 College Security Services  
 Reporting an Emergency  
 Weapons Policy  
 Threat Assessment Team  
 Active Shooter/Gunman on Campus  
 Evacuations  
 Lockdown  
 Fire  
 Bomb Threat/Suspicious Device Found  
 Hazardous Spill  
 First Aid  
 Campus Crime Statistics  
 Severe Weather/Tornado Warnings  
 Earthquakes  
 Identity Theft  
 Additional Resources  
 Campus Sex Crime Prevention Act  
 Student Sexual Misconduct Policy  
 Student Substance Abuse Policy

### **Reporting a Crime**

During an emergency, call 911, or call the appropriate security number below.

804-796-4025 (Chester)  
 804-897-6678 (Midlothian)

To report a crime on campus, call Security Services. If you are off campus, please call 911 for assistance.

### **Security Call Boxes (Yellow Call Boxes and Code Blue Units)**

You may also contact Security Services by using one of the indoor security call boxes located in each building on the Chester and Midlothian campuses or by using one of the outdoor security call boxes in the parking lots at both campuses. Press the button to connect directly to Security Services. These are for emergency purposes only and should not be used to request door openings or other non-emergency purposes.

### **Panic Buttons**

IP Telephones in selected offices are equipped with panic buttons that connect directly to Security Services to notify them that immediate assistance is needed.

### **College Security**

John Tyler Community College has security on campus 24 hours a day. In addition to periodically staffing the security stations, security officers monitor activity on campus by making routine rounds by foot and vehicle, helping to ensure a safe and secure environment at the College.

Security Officers can help with general information about the campus, basic first aid, parking questions, lost and found items, locked vehicles, dead car batteries, and escort assistance, as well as general security issues.

College Security Services officers receive training and are certified by the Department of Criminal Justice Services. College Resource Officers (one each at the Chester and Midlothian campuses) are members of the Chesterfield County Police Department.

College Security Services and Resource Officers participate in the annual testing of the College Emergency Operations Plan and fire drills. The Assistant Director of Safety & Security, Security Manager and Resource Officers are members of the College Threat Assessment Team.

### **JTCC Clery Geography**

The Department of Education requires statistical data to be included within the Annual Security report from three distinct Clery geographical locations. JTCC has to comply with three reportable statistical locations since the institution does not currently have on-campus dorms or on-campus student housing. JTCC's specific Clery geography can be found at the following link:

An interactive map of all John Tyler locations may be found at

<https://maps.google.com/maps/ms?ie=UTF8&hl=en&om=1&msa=0&msid=108371438534100203636.0000011377967e29af330&t=h&ll=37.383798,-77.498932&spn=0.373734,0.411301&z=11&dg=feature>.

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

Locations are considered to be on-campus if:

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

Locations are also considered to be on-campus if:

- the institution owns, but does not control them

- they are frequently used by students
- they are used to support the institution’s educational purposes

Examples of on-campus property include JTCC’s campuses like the Chester and Midlothian.

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

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

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

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

Non-Campus Property:

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

### Chester Campus Crime Statistics

Incident Reported	2018	2018	2018	2018
	On-Campus	Public Property	Hate Crimes – On Campus	Hate Crimes – Public Property
Murder/Non-negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sex Offenses – Forcible	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses – Non-forcible	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Incident Reported	2018	2018		
	VAWA Offenses – Campus	VAWA Offenses Public Property		
Domestic Violence	0	0		
Dating Violence	0	0		
Stalking	0	0		
Incident Reported	2018	2018	2018	2018

	Arrests – On Campus	Arrests – Public Property	Disciplinary Actions – On Campus	Disciplinary Actions – Public Property
Weapons, Carrying, Possessing, Etc	0	0	0	0
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	1	0	0	0
<b>Incident Reported</b>	<b>2018</b>			
<b>Unfounded Crimes</b>	<b>0</b>			

Incident Reported	2017	2017	2017	2016	2016	2016	2015	2015	2015
	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property
Murder	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offense	0	0	0	1	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents	0	0	0	0	0	0	0	0	0
Totals	0	0	0	1	0	0	0	0	0
<b>Incident Reported</b>	<b>2017</b>	<b>2017</b>	<b>2017</b>	<b>2016</b>	<b>2016</b>	<b>2016</b>	<b>2015</b>	<b>2015</b>	<b>2015</b>
	Liquor	Drugs	Weapon	Liquor	Drugs	Weapon	Liquor	Drugs	Weapon
<b>Arrest</b>									
On-Campus	0	0	0	0	0	0	0	0	0
Non-Campus	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0
<b>Referrals</b>									
On-Campus	0	0	0	0	0	0	0	0	0
Non-Campus	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0	0

### Midlothian Campus Crime Statistics

Incident Reported	2018	2018	2018	2018
	On-Campus	Public Property	Hate Crimes – On Campus	Hate Crimes – Public Property
Murder/Non-negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sex Offenses – Forcible	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses – Non-forcible	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0

<b>Burglary</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Motor Vehicle Theft</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Arson</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Incident Reported</b>	<b>2018</b>	<b>2018</b>		
	VAWA Offenses – Campus	VAWA Offenses Public Property		
<b>Domestic Violence</b>	<b>0</b>	<b>0</b>		
<b>Dating Violence</b>	<b>0</b>	<b>0</b>		
<b>Stalking</b>	<b>0</b>	<b>0</b>		
<b>Incident Reported</b>	<b>2018</b>	<b>2018</b>	<b>2018</b>	<b>2018</b>
	Arrests – On Campus	Arrests – Public Property	Disciplinary Actions – On Campus	Disciplinary Actions – Public Property
<b>Weapons, Carrying, Possessing, Etc.</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Drug Abuse Violations</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Liquor Law Violations</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Incident Reported</b>	<b>2018</b>			
<b>Unfounded Crimes</b>	<b>0</b>			

Incident Reported	2017	2017	2017	2016	2016	2016	2015	2015	2015
	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property
Murder	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offense	2	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents	0	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Incident Reported	2017	2017	2017	2016	2016	2016	2015	2015	2015
	Liquor	Drugs	Weapon	Liquor	Drugs	Weapon	Liquor	Drugs	Weapon
<b>Arrest</b>									
On-Campus	0	0	0	0	0	0	0	0	0
Non-Campus	0	0	0	0	0	0	0	0	0
Public Property	0	0	2	0	0	0	0	0	0
<b>Referrals</b>									
On-Campus	0	0	0	1	0	0	0	0	0
Non-Campus	0	0	0	0	0	0	0	0	0
Public Property	0	0	1	0	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Nursing Center Crime Statistics

Incident Reported	2018	2018	2018	2018
	On-Campus	Public Property	Hate Crimes – Campus	Hate Crimes – Public Property
<b>Murder/Non-negligent Manslaughter</b>	0	0	0	0
<b>Negligent Manslaughter</b>	0	0	0	0
<b>Sex Offenses – Forcible</b>	0	0	0	0
<b>Rape</b>	0	0	0	0
<b>Fondling</b>	0	0	0	0
<b>Sex Offenses – Non-forcible</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0
<b> </b>				
Incident Reported	2018	2018		
	VAWA Offenses – Campus	VAWA Offenses – Public Property		
<b>Domestic Violence</b>	0	0		
<b>Dating Violence</b>	0	0		
<b>Stalking</b>	0	0		
<b> </b>				
Incident Reported	2018	2018	2018	2018
	Arrests – On Campus	Arrests – Public Property	Disciplinary Act – On Campus	Disciplinary Actions – Public Property
<b>Weapons, Carrying, Possessing, Etc</b>	0	0	0	0
<b>Drug Abuse Violations</b>	0	0	0	0
<b>Liquor Law Violations</b>	0	0	0	0
<b> </b>				
Incident Reported	2018			
<b>Unfounded Crimes</b>	0			

Incident Report	2017	2017	2017	2016	2016	2016	2015	2015	2015
	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property
Murder	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offense	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Hate Crimes or Incidents	0	0	0	0	0	0	0	0	0
<b>Totals</b>	0	0	0	0	0	0	0	0	0
<b> </b>									
Incident Reported	2017	2017	2017	2016	2016	2016	2015	2015	2015
	Liquor	Drugs	Weapon	Liquor	Drugs	Weapon	Liquor	Drugs	Weapon
<b>Arrest</b>									
On-Campus	0	0	0	0	0	0	0	0	0
Non-Campus	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0

Referrals									
On-Campus	0	0	0	0	0	0	0	0	0
Non-Campus	0	0	0	0	0	0	0	0	0
Public Property	0	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0	0

## Policies and Regulations

### Emergency Notifications

JTCC is committed to the safety and well-being of its faculty, staff, students, and guests. In compliance with the Higher Education Act of 1965 (<http://www2.ed.gov/policy/highered/leg/hea98/index.html>) as amended, and Section 23-9.2:11 of the Code of Virginia (<https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+23-9.2C11>) the College has implemented a comprehensive, prompt and reliable warning notification and emergency communications system for students, faculty, and staff both on and off-campus. This system employs various methods to communicate with the College community. Appropriate individuals have been designated, authorized, and trained in the use of each system.

### Tyler Alert

Tyler Alert is one of the many notification tools that the College will use to alert students, faculty and staff of an emergency situation and of closings and delays due to inclement weather. Tyler Alert allows the College to send urgent text messages and e-mails to those who are registered in the system.

### Indoor Bulletin Boards

Emergency messages can be displayed on the indoor bulletin boards located in various areas of the College.

### Public Address (PA) System

Emergency notifications can be broadcast to any IP telephone and emergency calls may be made from any phones that have been installed college-wide.

### JTCC Web Site

Emergency messages can be placed on the JTCC web site from any location. An alert will appear at the top of the web page. When monitoring the web site during an on-going emergency it is recommended that users periodically refresh the web page for the most current information.

### Social Media

Emergency messages can be sent via Twitter and Facebook.

### College E-Mail

The 290\_dlist\_all\_users e-mail list can be used to send emergency alerts to all faculty and staff. Campus-specific e-mail lists may also be used as applicable. The all-student distribution e-mail list can be used to send emergency alerts to current JTCC students.

### Local News and Radio Media

The Public Relations department will contact the local news and radio media during an emergency event.

### **Timely Warning Notices**

Timely warnings are provided in the event of a reported crime, either on campus or off, that in the judgment of the JTCC Security Services or administration constitutes an ongoing or continuing serious threat to the College community. Tyler Alert may be used depending on the nature of the incident. Tyler Alert or other media is utilized dependent on the nature of the threat.

Timely warnings are usually distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications: arson, criminal homicide, and robbery. Cases of aggravated assault and sex crimes are normally considered on a case by case basis, depending on the facts of the case, the information known by JTCC Security Services, and whether, in the opinion of appropriate personnel (Security Services, the TAT or administration); the crime constitutes an on-going threat. If, for instance, a reportable crime occurs but the suspect is arrested, there may no longer be an ongoing threat to the College community and a warning may not be disseminated. Timely warnings may also be posted for other crime classifications, as deemed necessary.

### **Periodic Testing of Emergency Devices**

Prudence dictates that periodic testing of emergency devices is conducted to maintain proper working order and facilitate repairs as needed. The following emergency devices or systems will be checked periodically:

- Security Services personnel will test the indoor security call boxes (yellow call boxes) in each building periodically to ensure that they are operational.
- Security Services personnel will test the parking lot security call boxes (code blue units) periodically to ensure they are operational.
- Facilities Department inspects all campus fire extinguishers monthly and replaces those requiring service. Fire extinguishers are inspected annually by an outside vendor. Security Services shall assist in the selection and placement of new extinguishers.
- Facilities Department will test safety showers at least every six months.
- Each science lab is responsible for inspecting and testing their emergency eye wash equipment on a regular basis (at least once every three months). The testing must be documented on the tag provided by Facilities Department. The Facilities Department must be notified immediately of equipment that requires service.
- The Facilities Department in conjunction with Security Services should test at least annually the emergency lighting and emergency power system(s) in each of the JTCC buildings to ensure that they are operational.
- A member of the Safety and Security Committee will test Tyler Alert monthly.

### **Evacuation and Severe Weather Shelter Drills**

A pre-announced evacuation drill and a pre-announced protective shelter drill for each JTCC building must be held at least once each year. Evacuations and drills will be coordinated by Security Services. It is suggested that the evacuation drill be conducted during the month of October and the protective shelter drills conducted during March or April.

Each department is required to participate in the drill. Security Services personnel will monitor and assist in the coordination of the drill activities. An emphasis shall be placed on evacuating individuals with disabilities. Following the drill, departments are encouraged to perform a self-assessment of their ability to quickly evacuate. Security Services will be available upon request to assist in departments' self-assessments.

## **Exercises and Training**

§ 23-9.2:9 (<https://law.justia.com/codes/virginia/2010/title-23/chapter-1/23-9-2-9/>) of the Code of Virginia, requires each public institution of higher education to annually conduct a functional exercise in accordance with the protocols established by the institution's crisis and emergency management plan. The College conducts annual functional, tabletop and discussion based exercises and will continue planning on an annual basis.

## **NIMS Training**

The College will follow the U.S. Department of Education's (ED) Office of Safe and Healthy Students (OSHS) NIMS training guide for all institutions of higher education. This document includes information regarding training for Executive Leaders, General Personnel, Command Staff, and Incident Managers.

## **Security Services Training**

Security Services personnel will be trained in how to recognize a hazardous material spill and emergency containment techniques. They will also be trained every two years in CPR and how to properly use fire extinguishers. Designated persons will be trained in evacuation roles and responsibilities. Written guidelines and assignments will be given to them at that time.

## **Facilities Department Training**

The Facilities Department Manager will be trained in hazardous materials spills and clean up to a level that they can train Security Services and Facilities Department personnel in recognizing a hazardous material spill, distinguishing between an "incidental spill" and an "emergency release" and containing the spill/spill area until off-site hazardous material first responders arrive and take charge of the spill incident.

## **New Employee Orientation/Training**

All JTCC employees will be familiar with the Emergency Operations Plan. Supervisors are responsible for ensuring that their employees understand what to do in the event of an emergency. Supervisors are responsible for reviewing the following items with each of their employees:

- The contents of the plan
- Primary and secondary evacuation routes
- Location of assembly areas and shelter areas
- Location of fire alarms, extinguishers, safety showers and eye wash units and any other safety equipment
- Procedures for reporting and responding to emergencies
- Familiarizing the employees with the hazards likely to be associated with the work area and protective measures that must be followed
- Registering to receive Tyler Alerts

In order to ensure the success of the Emergency Operations Plan, supervisors should provide training to their employees at the following times:

- New employee orientation
- Annual plan review
- As the plan or operations change

## **Contractors**

Contractors must become familiar with the Emergency Response Plan to the extent that they may be affected. Specifically, contractors are required to familiarize their employees and sub-

contractors with the evacuation routes and shelter areas prior to working in a particular area. Departments hiring the contractors and the project managers overseeing the project are responsible for communicating to contractors these expectations, as well as others. A copy of this manual will be available in Facilities with the contractor sign in log.

**Crisis Communication Plan**

The Crisis Communication Plan identifies the strategies (authority, roles and responsibilities, and physical aspects for example) to ensure that timely, useful and accurate communication is provided to faculty, staff, students, the media and the general public during a crisis or other event. The Crisis Communication Plan works in conjunction with the Emergency Response Plan if the Emergency Response Plan is implemented or in any situation where there is a need for centralized communications.

**Communication Methods**

The Joint Information Center (JIC) staff and other college personnel will use various forms of communication to reach faculty, staff, students, the media, general public and other JIC staff. This may include:

The College Web Site
The College’s Social Media Sites (Facebook and Twitter)
E-mail – Faculty and Staff
The College Intranet
E-mail – External Users
E-mail – Students
IP Telephones
Analog Telephones
Fax Machine
Main Menu Recording
Information Center Recording
Voice Mail – Faculty and Staff
Voice Mail – Incoming
Voice Mail – JIC
Text Messaging & E-mail – Tyler Alert Groups
Two-Way Radios
Cellular
Smart Phone (iPhone )
iPads
Written Statements and Releases
Written letters
Phone Calls
Electronic Bulletin Board

– Outdoors
Electronic Bulletin Board
– Indoors
myTyler Portal
Blackboard

### **Access to Campus Buildings**

JTCC's main campuses are open Monday-Friday from 7:00 a.m. until 11:00 p.m and reduced hours on Saturday and Sunday. All campus buildings are locked at times when the College is closed for official business (campus holidays, inclement weather or other situations). At all other times, employees must sign in at the Security Services desks (upon arrival and departure). If events are scheduled outside of normal hours, Security Services must be notified so that the appropriate doors may be opened for the event. Restricted areas such as labs, testing sites and faculty offices are secured and monitored by college police and security personnel. Information on scheduled hours for these areas is available through the various academic divisions.

### **Locks on Classroom Doors**

JTCC has installed locks that allow all classrooms to be locked from the inside to prevent unwanted intrusion while still allowing doors to be quickly opened from the inside to permit easy exit.

### **Security Swipe Cards and Door Keys**

All Information Technology Services Center (ITSC) offices, work areas, and communication equipment closets are to remain locked at all times in accordance with State audit regulations. Other doors, labs for example, may also have a security swipe card. Employees must log into EAMS and request access to all security swipe doors. Security Services manages all non-ITSC doors and ITSC manages all ITSC doors.

The Facilities Department manages all doors that open with regular key locks (Reference Policy 10.12 Issuance of Keys).

### **Employee Identification Badges**

All employees must wear the employee identification badges visibly. While difficult in a college environment, employees are encouraged to report suspicious unescorted strangers or anyone without a visible identification. All visitors with a requirement for access to college offices must show proper identification prior to gaining physical access to secure areas where sensitive data is housed.

### **Alcohol and Other Drugs**

John Tyler Community College (JTCC) is dedicated to providing a safe, healthy environment for students, employees and visitors. This includes ensuring the college is a drug-and-alcohol-free zone.

JTCC supports the Federal Drug-Free Workplace Act of 1988 (Public Law 100-690, Sec. 5151 et. seq.) and the Drug-Free Schools and Communities Act amendments of 1989 (Public Law 101-226).

The College believes that it has a responsibility to create, enforce, and constantly monitor an institutional policy on substance abuse prevention and that all students, faculty, and staff are expected to know and adhere to this policy.

## **Definitions**

**Alcohol:** any product as defined in the Code of Virginia, Title 4.1, Chapter 1-100, The Alcohol Control Act, as amended.

**Controlled drug:** any substance defined as such in the Code of Virginia, Title 54.1, Chapter 34, The Drug Control Act, as amended, and whose manufacture, distribution, dispensation, use, or possession is controlled by law.

**Conviction:** a finding of guilt (including a plea of guilty or nolo contendere) or imposition of sentence or both, by any judicial body charged with the responsibility of determining violations of the federal or state criminal drug laws, alcohol beverage control laws, or laws that govern driving while intoxicated.

**Criminal drug law:** any criminal law governing the manufacture, distribution, dispensation, use or possession of any controlled drug.

**Student:** A person who has applied to, been accepted, and registered/enrolled at the College

**Employee:** administrative faculty, professional faculty, teaching faculty, classified and non-classified, full-time and part-time, salaried and hourly persons, and any and all other individuals, except independent contractors, employed by the college.

**Third Parties:** Individuals who are not state employees, such as relatives, acquaintances, strangers, contractors, or visitors.

**Employee Assistance Program (EAP):** a confidential assessment, referral, and short-term problem-solving service available to eligible employees and family members. Enrollment in the EAP is automatic as part of the Commonwealth's health care coverage. The EAP helps participants deal with problems affecting personnel and work life, such as conflicts within the family and workplace; personal and emotional concerns; alcohol and substance abuse, financial and legal problems, elder and childcare; and career concerns and other challenges.

**Other Drug:** any substance other than alcohol that may be taken into the body and may impair mental faculties and/or physical performance.

**Workplace/Campus:** Any location, on or off campus, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, alternate work locations (other than an individual's home when telecommuting), and travel to and from work assignments. On or off campus includes, but is not limited to attending a college-sponsored off-campus event, or while serving as a representative of the college at off-campus meetings, events, field placements, internships or clinical placements

## **Policy**

The unlawful and unauthorized use of alcohol or other drugs on college property is prohibited. Any student or employee of JTCC shall not unlawfully possess, sell, use, manufacture, give away, or otherwise distribute controlled substances, or other drugs, or where prohibited, alcohol while on campus, attending a college-sponsored off-campus event, or while serving as a representative of the college at off-campus meetings, events, field placements, internships or clinical placements. Students or employees who violate this policy shall have committed a criminal offense, and the college shall notify the appropriate agency of the Commonwealth of Virginia or city or county government for investigation and, if warranted, prosecution.

It is the responsibility of every member of the JTCC community to know the risks associated with substance use or abuse. This responsibility requires students and employees to be aware of the relevant college policies and federal, state and local laws and to conduct themselves in accordance with these laws and policies. In support of this requirement JTCC publishes information regarding college policies and sanctions, laws and penalties concerning substance use and abuse, health and behavioral risks of drug abuse and resources for substance issues.

This policy applies to all campuses, all college-owned or leased facilities, all college-sponsored off-campus events, meetings, field placements, internships or clinical placements.

## **Violations**

Each of the following constitutes a violation of this policy:

### **For employees;**

- A. The unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol or other drugs in the workplace;
- B. Impairment in the workplace from the use of alcohol or other drugs, except from the use of drugs for legitimate medical purposes;
- C. A criminal conviction for a:
  1. Violation of a criminal drug law, based upon conduct occurring either on or off the workplace; or
  2. Violation of any alcohol beverage control law or law that governs driving while intoxicated, based upon conduct occurring in the workplace.
- D. An employee's failure to report to his or her supervisor the employee's conviction of any offense, as required in this policy under employee responsibilities.

### **For students;**

- A. The unlawful or unauthorized manufacture, distribution, selling, giving away, purchase, possession, or consumption or use of alcohol or other drugs while on campus, attending a college-sponsored off campus event or while serving as a representative of the college at off campus meetings, events, field placements, internships or clinical placements.

- B. Impairment from the use of alcohol or other drugs, except from the use of drugs for legitimate medical purposes while on campus, attending a college-sponsored off campus event or while serving as a representative of the college at off campus
- C. meetings, events, field placements, internships or clinical placements.

### **Disciplinary Action**

Students who violate the Alcohol and Drug Policy will be subject to disciplinary action as outlined in the 19 19.11 Student Conduct Code Policy, 19 19.12 Student Disciplinary Policies and Procedures Policy and 3 3.19 Workplace Violence and Threat Assessment Team Policy. Students found responsible for violations shall have committed a criminal offense, and the college shall notify the appropriate agency of the Commonwealth of Virginia or city or county government for investigation and, if warranted, prosecution. Students found responsible may also be suspended or dismissed from the College.

College Employees who violate the Alcohol and Drug Policy are subject to disciplinary action as outlined in the DHRM Policy and Procedures Manual, Policy 1.05 and 3 3.19 Workplace Violence and Threat Assessment Team Policy. Employees found responsible for violations shall have committed a criminal offense, and the college shall notify the appropriate agency of the Commonwealth of Virginia or city or county government for investigation and, if warranted, prosecution. Employees may also face suspension without pay or termination of employment. Employees may be subject to a referral to the Employee Assistance Program or treatment program at the discretion of management and Human Resources. See DHRM Policy 1.05 for additional requirements.

### **College Responsibilities**

- The college shall provide annual notification to students and employees of this policy, in addition to information on the health risks associated with alcohol and other drug use and a description of available treatment programs. Full-time employees shall also be made aware of the Employee Assistance Program (EAP).
- The college shall conduct a biennial review of the effectiveness of its alcohol and other drugs programs and the consistency of sanction enforcement.
- The college shall ensure that disciplinary action taken as a result of a violation of this policy are consistent, fairly applied and not unduly harsh or punitive based on the severity and nature of the violation.
- The college shall inform the federal contracting or granting agency within ten (10) days after receiving notice from an employee of any criminal drug statute conviction for a violation occurring at the workplace or otherwise receiving actual notice of such conviction, as required by the Drug-Free Workplace Act of 1988.
- The college shall, within thirty (30) days of receiving notice of an employee's conviction for a criminal drug statute offense occurring in the workplace (see workplace definition),

take appropriate disciplinary action against such employee and/or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program as required by the Drug-Free Workplace Act of 1988.

### **Student Responsibilities**

- Complete online annual alcohol and drug abuse prevention training provided by the College.
- Abide by the College policies outlined in the JTCC College Catalog and Student Handbook.

### **Employee Responsibilities**

- Abide by the [Department of Human Resource Management \(DHRM\) policy 1.05](#), Alcohol and other Drugs.
- Abide by the terms of college policy.
- Notify the immediate supervisor of any conviction of criminal drug law outside or inside the workplace or conviction of alcohol beverage control law or law that governs driving while intoxicated, based on conduct occurring in the workplace no later than five (5) days after such conviction is entered as required by federal law. An employee's appeal of a conviction does not affect the employee's obligation to report the conviction.
- Complete online annual alcohol and drug abuse prevention training provided by the College.

### **Treatment/Rehabilitation Programs**

- **For employees:**

Employees experiencing a problem with drug or alcohol abuse or dependency are encouraged to seek counseling assistance. Supervisors are encouraged to assist employees seeking such assistance. Notwithstanding an employee's voluntary participation in a drug or alcohol treatment program, the employee is expected to perform his/her duties according to developed job standards and expectations.

The Commonwealth's Employee Assistance Program (EAP) is available to full-time state employees (who participate in the Commonwealth's healthcare program) for counseling and referral for drug and alcohol-related problems as well as other personal problems. Part-time college employees shall be referred to community resource programs.

With respect to any violation of this policy, the following provisions regarding treatment apply:

- Supervisors should consult with the Vice President of Administration prior to referring a college employee to the Employee Assistance Program
  - Management is encouraged to consult with the Vice President of Administration in determining whether a college employee referred to the Employee Assistance or other Program has satisfactorily participated in the program.
  - Other agencies such as the Virginia Department of Behavioral Health and Developmental Services and the Virginia Department of Health, may be contacted to provide assistance and referral information.
- **For students:**

Students experiencing a problem with drug or alcohol abuse or dependency are encouraged to seek counseling and may contact the Dean of Students Office for a referral to community resources.

### **Legal Penalties**

Use of illicit drugs is illegal under both [state](#) and [federal](#) statutes. Use of alcohol by persons under 21 years of age is illegal under state law. Students and employees who violate this policy shall have college charges processed against them in the normal manner of due process provided by college rules.

Further, students and employees who violate this policy shall have committed a criminal offense, and the college shall notify the appropriate agency of the Commonwealth of Virginia or city government for investigation and, if warranted, prosecution.

### **Confidentiality and Maintenance of Records**

All records and information concerning human resource actions related to this policy shall remain confidential and shall be disclosed only with the employee's permission or when the office of human resources and the supervisor determines that disclosure is necessary for the efficient operation of the college or for reasons related to safety, to include the safety of the employee and/or the college community.

All student records and information concerning actions related to this policy are housed in the Dean of Student's Office.

### **Resources and Other Information:**

- Department of Human Resource Management (DHRM) Policy 1.05, Alcohol and Other Drugs [http://web1.dhrm.virginia.gov/itech/hrpolicy/pol1\\_05.html](http://web1.dhrm.virginia.gov/itech/hrpolicy/pol1_05.html)
- Virginia Community College System (VCCS) Policy 3.14.3, Illegal Substance Policy and Policy 3.14.4, Substance Abuse Policy <https://www.boarddocs.com/va/vccs/Board.nsf/Public#>

- Commonwealth of Virginia Employee Assistance Programs (EAP)  
<http://www.dhrm.virginia.gov/employeeprograms/employeeassistance>
- Federal and State Drug Offense Sanctions and Penalties,  
<https://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>,  
<https://law.lis.virginia.gov/vacode/title4.1/chapter3/section4.1-305/>
- Treatment Locator, AOD (SAMHSA), <https://www.findtreatment.samhsa.gov/>
- Governor's Office for Substance Abuse Prevention,  
<https://www.abc.virginia.gov/education/programs/vosap>
- US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, [www.samhsa.gov/](http://www.samhsa.gov/)
- University of Virginia Gordie Center for Substance Abuse Prevention,  
<https://gordiecenter.studenthealth.virginia.edu/>
- Virginia Department of Behavioral Health and Developmental Services, Office of Substance Abuse Services, <http://dbhds.virginia.gov/developmental-services/substance-abuse-services>  
Community Services Boards, <http://www.dbhds.virginia.gov/community-services-boards-csbs>
- The Foundation for Advancing Alcohol Responsibility, [www.responsibility.org](http://www.responsibility.org)
- BACCHUS Initiatives; [www.naspa.org/constituent-groups/groups/bacchus-initiatives](http://www.naspa.org/constituent-groups/groups/bacchus-initiatives)
- Step Up! [www.stepupprogram](http://www.stepupprogram)
- National Institute on Alcohol Abuse and Alcoholism, [www.niaaa.nih.gov](http://www.niaaa.nih.gov)
- Higher Education Alcohol and Drug Strategic United Prevention (HEADS UP),  
<https://www.abc.virginia.gov/education/programs/heads-up>
- College Drinking, Changing the Culture, <https://www.collegedrinkingprevention.gov>
- Students Against Destructive Decisions (SADD), <https://www.sadd.org>
- National Institute, Alcohol Abuse & Alcoholism (NIAAA), <https://niaaa.nih.gov>
- American College Health Association, [www.acha.org](http://www.acha.org)
- National Institute on Drug Abuse (NIDA), <https://www.drugabuse.gov>
- American Council for Drug Education,  
[www.campushealthandsafety.org/resources/resource\\_rws\\_154.html](http://www.campushealthandsafety.org/resources/resource_rws_154.html)

**Tobacco specific information:**

- American Cancer Society, [www.cancer.org](http://www.cancer.org)
- American Heart Association, [www.heart.org](http://www.heart.org)
- American Lung Association, [www.lung.org](http://www.lung.org)
- Foundation for Smoke-Free America, <http://www.anti-smoking.org/>
- Smoke-Free, <https://www.smokefreeonline.com>

## **Weapons Policy**

This policy regulates the possession and use of weapons on College property, in the conduct of College business, or at College sponsored events. These policy guidelines apply to all employees, students, visitors, contractors, and other third parties. The college prohibits threats and acts of violence on College property; within College facilities; at any College sponsored event; while engaged in College business, educational, or athletic activities; and while traveling in state vehicles. The prohibition on the possession and use of weapons includes but is not limited to:

**Employees:** As a condition of employment, College employees are prohibited from possessing, brandishing, or using a firearm, weapon, or other weapon or device that could be used as a weapon that is not required by the individual's position while on College property or engaged in College business; or is in violation of law or other College policy, except where the employee is a law enforcement professional. This prohibition applies even in the case where an employee has a permit to carry a concealed weapon. Employees violating this policy may be subject to disciplinary action up to and including termination and criminal prosecution using existing policies and procedures including Section 3 of the VCCS Policy Manual (<http://www.vccs.edu/wp-content/uploads/2013/07/Sct3.pdf>) or DHRM Policy 1.60, Standards of Conduct ([http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1\\_60.pdf?sfvrsn=2](http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_60.pdf?sfvrsn=2)).

**Students:** All students, as a condition of enrollment in the College, are prohibited from possessing, brandishing, or using a weapon while on College premises except where possession is a result of participation in an organized and scheduled instructional exercise for a course, or where the student is law enforcement professional. This prohibition applies even in the case where a student has a permit to carry a concealed weapon. Students violating this policy will be subject to disciplinary action as outlined in the [College Catalog & Student Handbook](#) and other College policies as appropriate.

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

## **On Campus Monitoring and Recording**

Campus buildings and equipment are maintained by college facilities personnel and are patrolled by Security Services and CCPD Resource Officers. Monitoring is assisted by an integrated network of cameras (approximately 75-100 per campus) monitored by Security Services and CCPD Resource Officers. The college campuses, including all buildings, grounds, parking areas, and roadways, are maintained with concern for safety and security. Campus buildings and equipment are inspected regularly, and needed repairs to replace faulty equipment and to mitigate potential hazards are promptly made.

### **Monitoring and Managing Threatening Behavior**

No person in the United States, shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.

Title IX is a civil rights law passed in 1972, which prohibits gender discrimination in educational settings that receive federal funding. Sexual harassment, sexual assault, sexual misconduct and other gender-based conduct violations are all considered discrimination, regardless of the gender and sexual orientation of the reporting party and the accused. Gender discrimination impacts a student's or employee's ability to fully benefit from the programs and services offered at John Tyler Community College.

JTCC is committed to maintaining an environment free from sexual harassment, sexual violence, domestic violence, and dating violence and stalking.

### **What is Sexual Misconduct?**

Some examples include but are not limited to:

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

Learn more at <http://www.jtcc.edu/about/title-ix-and-sexual-misconduct/> including:

[Criminal Investigation](#)

[Drug Free Schools and Communities Act \(DFSCA\)](#)

[Interpersonal Violence](#)

[Notification of Rights and Options](#)

[Pregnant Students and Lactation Space](#)

[Prevention Education Offered at JTCC](#)

[Sexual Assault Information and Resources](#)

[Stalking](#)

[Title IX Contacts](#)

[Title IX Policy](#)

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

## **Notice of Nondiscrimination**

As a recipient of federal funds, John Tyler Community College (JTCC) is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. (“Title IX”), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, sexual misconduct, sexual harassment, and similar conduct constitute sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College’s Title IX Coordinator or to the U.S. Department of Education’s Office for Civil Rights. The Title IX Coordinator is Sandra Kirkland, whose office is located at 800 Charter Colony Parkway, Midlothian, VA 23114, Room T205 and may be contacted by phone at (804) 594-1566 or at 13101 Jefferson Davis Highway, Chester, VA 23831, Room M109 and may be contacted by phone at (804) 706-5208 or by email at skirkland@jtcc.edu.

## **Policy**

JTCC is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. Accordingly, the Policy prohibits sex discrimination, sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, stalking, and retaliation. This Policy supplements the following general policy statement set forth by the Virginia Community College System: This institution promotes and maintains educational opportunities without regard to race, color, sex, ethnicity, religion, gender, age (except when age is a bona fide occupational qualification), disability, national origin, or other non-merit factors. This Policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act).

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

## **Purpose**

To set forth procedures by which such allegations shall be filed, investigated and resolved.

## **Applicability**

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

## **Definitions**

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

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

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

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

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

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

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

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

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

**Responsible Employee:** A responsible employee is one designated for purposes of initiating notice and investigation of alleged violations of this Policy or who has the authority to take action to redress violations of this Policy. A responsible employee also is any employee who a student reasonably believes is a responsible employee. [Any employee with supervisory authority is a responsible employee. Alternatively, the College may name responsible employees by title, or name employees who are Campus Security Authorities (CSAs) as responsible employees.] A responsible employee shall not be an employee who, in his/her position at the

College, provides services to the campus community as a licensed health care professional, (or the administrative staff of a licensed health care professional), professional counselor, victim support personnel, clergy, or attorney. No employees at JTCC serve in the roles of providing services to the campus community as a licensed health care professional, (or the administrative staff of a licensed health care professional), professional counselor, victim support personnel, clergy, or attorney. JTCC has determined that all JTCC employees are responsible employees. Any JTCC employee who receives a complaint of sexual misconduct is expected to immediately notify the Title IX Coordinator, Sandra Kirkland, Dean of Students, (804) 594-1566 or (804) 706-5208, skirkland@jtcc.edu.

**Review Committee:** Review committee refers to the committee consisting of three or more persons, including the Title IX Coordinator or his/her designee, a representative of campus police or campus security, and a student affairs representative, that is responsible for reviewing information related to acts of sexual violence.

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

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

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

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

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

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

**Sexual Misconduct:** Sexual misconduct encompasses a range of behaviors used to obtain sexual

gratification against another's will or at the expense of another. Sexual misconduct is a general term that includes rape, sexual harassment, sexual assault, sexual exploitation, and sexual violence.

**Sexual Violence:** Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape and sexual assault.

**Stalking:** Stalking occurs when someone, on more than one occasion, engages in conduct directed at another person with the intent to place or knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member. Such conduct can occur in person or online, but colleges first must establish whether off-campus conduct has continuing effects that create a hostile environment on campus.

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

**Workday:** A workday is any day that the College is open for business. Workdays include days when classes are not held, but when employees are expected to be at work.

### **Retaliation**

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

### **Reporting Incidents**

1. Members of the campus community who believe they have been subjected to crimes should immediately report the incident to campus security or local police. All emergencies or any incident where someone is in imminent danger should be reported immediately to local police by dialing 911 or Campus Security at (804) 897-6678 on the Midlothian Campus, at (804) 796-4025 on the Chester Campus, and at (804) 662-8730 at the Nursing Education Center.

2. Whether or not a report is made to law enforcement, members of the campus community should report alleged violations of this Policy to the Title IX Coordinator during normal business hours. The Title IX Coordinator is solely responsible for overseeing the prompt, fair, and impartial investigation and resolution of complaints filed with the College. To help ensure a prompt, fair, and impartial investigation and resolution, individuals are encouraged to complete a Complaint Form, found on the JTCC Title IX and Sexual Misconduct webpage (<https://jtcc.edu/about/title-ix-and-sexual-misconduct/>). The written complaint will be submitted to the Title IX Coordinator. Although strongly encouraged, a complainant is not required to submit a complaint on the Complaint Form or in writing.

## John Tyler Community College Title IX Campus Resources

Title IX Coordinator: **Sandra Kirkland, M.Ed., LPC**  
800 Charter Colony Pkwy., T205a  
Midlothian, VA 23114  
(804) 594-1566  
[skirkland@jtcc.edu](mailto:skirkland@jtcc.edu)

13101 Jefferson Davis Hwy., M109  
Chester, VA 23831  
(804) 706-5208

Deputy Title IX Coordinator: **Michelle Spencer, MSW, M.Ed., LCSW**  
800 Charter Colony Pkwy., T205b  
Midlothian, VA 23114  
(804) 594-1534  
[mspencer@jtcc.edu](mailto:m Spencer@jtcc.edu)

After normal business hours, members of the campus community should immediately report alleged violations of this Policy to Campus Security at (804) 897-6678 on the Midlothian Campus, at (804) 796-4025 on the Chester Campus, and at (804) 662-8730 at the Nursing Education Center.

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

### **Handling of Reports and Investigations**

The Title IX Coordinator will assist members of the campus community in reporting incidents to law enforcement authorities upon request. When allowable under Virginia law, the Title IX Coordinator will request the consent of the complainant (or alleged victim if different from the complainant) to report incidents of alleged sexual violence that occur on campus property to law enforcement. Under Virginia law, the College may determine that the disclosure of information to local law enforcement regarding the alleged incident of sexual violence, including personally identifiable information, is necessary to protect the health or safety of the complainant or other individuals. The College also is required to notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) when the alleged incident of sexual violence constitutes a felony.

### **Confidentiality and Anonymous Reports**

1. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College has a responsibility to end conduct that violates this Policy, prevent its recurrence, and address its discriminatory effects. For this reason, JTCC employees may not keep secret any report of sexual violence, domestic violence, dating violence, or stalking. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and with as much privacy as possible. College employees must share such information only with those College and law enforcement officials who must be

informed of the information pursuant to this Policy.

2. Responsible employees must report all alleged violations of this Policy obtained in the course of his or her employment to the Title IX Coordinator as soon as practicable after addressing the immediate needs of the complainant. Some campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus law enforcement, local police, student activities staff, human resources staff, and advisors to student organizations. Reports received by the College concerning the abuse of a minor must be reported in compliance with state law.

3. If a complainant wishes to keep the report confidential, it is recommended that he or she reports the alleged conduct to someone with a duty to maintain confidentiality, e.g., mental health counselor or clergy. Full-time employees may contact the Employee Assistance Program. If the complainant requests that the complainant's identity is not released to anyone else, the College's ability to investigate and take reasonable action in response to a complaint may be limited. In such cases, the College will evaluate the request(s) that a complaint remain confidential in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Title IX Coordinator may conduct a preliminary investigation into the alleged violation of this Policy and may weigh the request(s) against the following factors:

- The seriousness of the allegation(s);
- The complainant's or alleged victim's age;
- Whether there have been other similar complaints against the same respondent;
- The respondent's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA; and
- The applicability of any laws mandating disclosure.

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

4. Additionally, upon receiving a report of an alleged act of sexual violence against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College's Review Committee within 72 hours to review the information reported; any information obtained through law-enforcement records; criminal history record information; health records; conduct or personnel records; and any other facts and circumstances, including personally identifiable information, related to the alleged incident known to the Review Committee. The Review Committee may try to reach a consensus, but it is the law enforcement representative of the review committee that ultimately determines whether the disclosure of the information, including the personally identifiable information, is necessary to protect the health or safety of the alleged victim or other individuals. The College shall disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident immediately. The Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

5. If the report of an alleged act of sexual violence would constitute a felony, within 24 hours of the first review team meeting, the law enforcement representative of the Review Committee shall notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) and disclose the information received by the Review Committee, including personally identifiable information, if such information was disclosed pursuant to Paragraph 4 above.. The law enforcement representative usually will make this disclosure; however, any member of the Review Committee may decide independently that such disclosure is required under state law, and within 24 hours of the first review team meeting shall disclose the information to the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence), including personally identifiable information, if such information was disclosed pursuant to Paragraph 4 above. If the Title IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made. In addition, law enforcement will notify the local Commonwealth's Attorney within 48 hours of beginning an investigation involving a felonious act of sexual violence. Either campus police, the local law enforcement agency, or the State Police will notify the Commonwealth's Attorney pursuant to a Mutual Aid Agreement/Memorandum of Understanding (MAA/MOU).

6. The College will accept anonymous reports, but it will be limited in its ability to investigate and take reasonable action. The College must have sufficient information to conduct a meaningful and fair investigation. A respondent has a right to know the name of the complainant and information regarding the nature of the allegations in order to defend against the complaint. The College, when reasonably available and when requested, may arrange for changes in academic, parking, transportation, or work arrangements after an alleged violation of this Policy. When such accommodations are provided, the College will protect the privacy of the complainant to the extent possible while still providing the accommodation.

### **Amnesty**

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

### **Timely Warnings**

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

### **Interim Measures**

1. Prior to the resolution of a complaint, the College may suspend or place on disciplinary or administrative leave the respondent when it is determined that the respondent's continued presence on campus threatens the safety of an individual or the campus community generally;

may hamper the investigation into the alleged misconduct; or is necessary to stop threatening or retaliatory contact against the complainant or complainant's witnesses. The College shall provide advance notice of such measures, except in cases where the individual's presence constitutes a threat. In all cases, however, the College shall notify individuals subject to these interim measure(s) in writing of the specific facts and circumstances that make such interim measure(s) necessary and reasonable. Individuals subject to proposed interim measures shall have the opportunity to show why such measure(s) should not be implemented.

2. Notwithstanding the above, the College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means. The College also will enforce orders of protection issued by courts on all College property to the extent possible.

3. The College may implement other measures for either the complainant or the respondent if requested, appropriate, and reasonably available, whether a formal complaint has been filed or whether an investigation by either campus administrators or law enforcement agencies has commenced. Such measures may include, but are not limited to, course schedule adjustments, reassignment of duty, changing work arrangements, changing parking arrangements, rescheduling class work, assignments, and examinations, and allowing alternative class or work arrangements, such as independent study or teleworking.

### **Sexual and Domestic Violence Procedures**

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

- Safely find a place away from harm.
- Call 911, or if on campus, contact campus police/security.
- Call a friend, a campus advocate, a family member or someone else you trust and ask her or him to stay with you.
- Go to the nearest medical facility/emergency room. It is important to seek appropriate medical attention to ensure your health and well-being, as well as to preserve any physical evidence.
- If you suspect that you may have been given a drug, ask the hospital or clinic where you receive medical care to take a urine sample. The urine sample should be preserved as evidence. "Rape drugs," such as Rohypnol and GHB, are more likely to be detected in urine than in blood.
- For professional and confidential counseling support, call the Greater Richmond Regional Hotline at (804) 612-6126 or the Virginia Family Violence & Sexual Assault Hotline at 1-800-838-8238. Help is available 24 hours a day.
- You should take steps to preserve any physical evidence because it will be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protective order.
  - Do not wash your hands, bathe, or douche. Do not urinate, if possible.
  - Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if oral contact took place.

- Keep the clothing worn when the incident occurred. If you change clothing, place the worn clothing in a paper bag.
- Do not destroy any physical evidence that may be found in the vicinity of the incident by cleaning or straightening the location of the crime. Do not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.
- Tell someone all the details you remember or write them down as soon as possible.
- Maintain text messages, pictures, online postings, video and other documentary or electronic evidence that may corroborate a complaint.

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

Members of the campus community who report incidents of sexual assault, domestic violence, dating violence, or stalking whether the incident occurred on or off campus, shall receive a written explanation of their rights and options, including the (i) the available law-enforcement options for investigation and prosecution; (ii) the importance of collection and preservation of evidence; (iii) the available options for a protective order; (iv) the available campus options for investigation and adjudication under the College's policies; (v) the complainant's rights to participate or decline to participate in any investigation to the extent permitted under state or federal law; (vi) the applicable federal or state confidentiality provisions that govern information provided by a victim; (vii) information on contacting available on-campus resources and community resources, including the local sexual assault crisis centers, domestic violence crisis centers, or other victim support services with which the College has entered into a memorandum of understanding; (viii) the importance of seeking appropriate medical attention; and (ix) options related to changes in academic, parking, and working arrangements, when requested and when reasonably available.

### **Support Services**

1. All students and employees will receive information in writing of counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus.

2. For more information about available resources, go to the JTCC sexual misconduct website; <https://www.jtcc.edu/about/title-ix-and-sexual-misconduct/>

### **Local Community Resources**

Greater Richmond Regional Hotline  
804-612-6126

Safe Harbor Hotline (Henrico County)  
804-287-7877

The James House Hotline (Colonial Heights, City of Hopewell, City of Petersburg, Dinwiddie County, Prince George County, Southern Chesterfield County)  
804-458-2840

Domestic and Sexual Violence Resource Center (Chesterfield County)  
804-318-8265

## **National and State Resources**

National Domestic Violence Hotline

1-800-799-SAFE (7233)

1-800-787-3224 (TTY)

National Sexual Assault Hotline

1-800-656-HOPE (4673)

National Teen Dating Abuse Hotline

1-866-331-9474

1-800-331-8453 (TTY)

Virginia Family Violence and Sexual Assault 24-hour Hotline

1-800-838-8238

LBGTQ Partner Abuse and Sexual Assault Hotline

1-866-356-6998

RAINN – Rape, Abuse & Incest National Network

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

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

## **Education and Awareness**

1. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual violence, domestic violence, dating violence, and stalking.

2. . The program, at a minimum, shall include:

- A statement that the College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
- The definition of domestic violence, dating violence, sexual assault, and stalking;
- The definition of consent;
- Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
- Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- Information on possible sanctions, procedures to follow after an incident of sexual violence, domestic violence, dating violence or stalking, disciplinary procedures, and the protection of confidentiality; and
- Written notification about available resources and services, and options for academic and work accommodations, if requested and reasonably available.

3. The College offers the prevention and awareness program to all new and existing students and employees.

## **Resolution of Complaints**

1. The College has an obligation to the entire College community. Accordingly, the College may pursue an investigation even if the complainant requests that no action is taken; and the College will not be able to ensure confidentiality in all cases. The College will notify the complainant in writing when it is unable to maintain confidentiality or respect the complainant's request for no further action.
2. The College must provide a prompt, fair, and impartial investigation and resolution of alleged violations to this Policy and is committed to so doing. The Title IX Coordinator, Deputy Title IX Coordinator, and investigators must receive annual training on sexual violence, domestic violence, dating violence, and stalking, and the conduct of investigations. The College may resolve complaints either by an informal or formal resolution process.
3. **Suspending an Investigation.** The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed gathering evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.
4. The parties may agree to proceed under the informal resolution process in matters not involving sexual violence, domestic violence, dating violence, or stalking. The formal resolution process will be applied (i) when any party that participated in the informal resolution process chooses to terminate the informal process, and (ii) to all matters that are not eligible for informal resolution.

## **Formal Resolution Process**

**1. Complainant's Initial Meeting with the Title IX Coordinator or Deputy Title IX Coordinator.** As soon as is practicable, the Title IX Coordinator or Deputy Title IX Coordinator will contact the complainant to schedule an initial meeting. If the complainant is not the alleged victim, the Title IX Coordinator or Deputy Title IX Coordinator also will contact the alleged victim as soon as possible to schedule an initial meeting. The complainant may be accompanied by an advisor of his or her choosing. At this initial meeting, the Title IX Coordinator or Deputy Title IX Coordinator will:

- a) Provide the complainant a copy of this Policy;
- b) Provide the complainant with a Complaint Form, if necessary;
- c) Provide a written explanation of the complainant's rights and options related to changes in academic, parking, and working arrangements;
- d) Explain avenues for formal resolution and informal resolution of the complaint;
- e) Explain the steps involved in an investigation;
- f) Discuss confidentiality standards and concerns with the complainant;
- g) Discuss non-retaliation requirements;
- h) Determine whether an informal resolution is permissible, and whether the complainant

wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind;

- i) Refer the complainant to campus and community resources, including the local sexual assault crisis center, domestic violence crisis center, or other victim support service with which the College has entered into a memorandum of understanding;
- j) Discuss with the complainant, as appropriate, possible interim measures that may be taken or provided when necessary during the pendency of the investigative and resolution processes;
- k) Discuss the right to a fair and impartial resolution of the complaint;
- l) Discuss the College's obligation to disclose information about the complaint, including personally identifiable information, to campus/local law enforcement or to the local Commonwealth's Attorney, or both, if the review team determines that such disclosure is necessary to protect the health or safety of the complainant or others.

**2. Respondent's Initial Meeting with the Assigned Title IX Coordinator or Deputy Title IX Coordinator.** As soon as is practicable, the Title IX Coordinator or Deputy Title IX Coordinator will notify the respondent in writing of the complaint. The correspondence should include information about the allegation(s). The correspondence also must schedule an initial meeting with the respondent. (The College may compel the student/employee respondent to attend the meeting; however, the respondent should not be compelled to make any statements that may be used against the respondent in criminal proceeding.) The Title IX Coordinator or Deputy Title IX Coordinator shall inform the respondent that he or she may be accompanied by an advisor of his or her choosing at the meeting. During the initial meeting with the respondent, the Title IX Coordinator or Deputy Title IX Coordinator will:

- a) Provide the respondent, in writing, sufficient information to allow him or her to respond to the substance of the allegation;
- b) Provide the respondent a copy of this Policy;
- c) Provide a written explanation of the respondent's rights and options related to changes in academic, parking, and working arrangements;
- d) Explain the College's procedures for formal resolution and informal resolution of the complaint;
- e) Explain the steps involved in an investigation;
- f) Discuss confidentiality standards and concerns with the respondent;
- g) Discuss non-retaliation requirements;
- h) Inform the respondent of any interim measures that may be imposed on the respondent;
- i) Refer the respondent to campus and community resources, as appropriate;
- j) Discuss with the respondent, as appropriate, possible accommodations that can be provided to the respondent during the pendency of the investigative and resolution processes;
- k) Discuss the respondent's right to due process and a fair and impartial resolution of the complaint; and

- l) If the respondent is a student and the complaint involves an alleged act of sexual violence, explain to the respondent that the College will include a notation on the academic transcript if the respondent is suspended or dismissed after being found responsible, or withdraws while under investigation, and that the investigation will continue in the respondent's absence, if possible while being afforded notice of the allegations and an opportunity to respond to all the evidence.

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

a) The College shall conduct an investigation of the complaint unless (i) the complainant does not want the College to pursue the complaint and the Title IX Coordinator has determined that the College can honor the request; (ii) it is clear on its face and based on the Title IX Coordinator's or Deputy Title IX Coordinator's initial meetings with the parties that no reasonable grounds exist for believing that the conduct at issue constitutes a violation of this Policy. The Title IX Coordinator will consider the following factors in determining whether it is reasonable to investigate the complaint: the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the information; and whether the individuals allegedly subjected to the conduct can be identified. Other considerations include whether the conduct is sexual in nature or sex-based; whether the conduct occurred on college property or within an educational program; whether the conduct has a discriminatory impact; whether the College has jurisdiction over the possible respondent; whether there is an emergency health/safety risk posed by the conduct.

b) Once the College has decided to conduct an investigation, the College will provide written notice to the respondent of the allegations constituting a potential violation of the Policy, to include sufficient details and with sufficient time to prepare a response. Sufficient details include the identities of the parties involved, the specific conduct allegedly constituting the potential policy violation, and the date and location of the alleged incident.

c) In the event that the Title IX Coordinator determines that an investigation of the complaint should not be conducted, he or she will document (in consultation, as necessary, with the complainant, respondent, and other College officials) the appropriate resolution of the complaint and inform the parties of the same. The Title IX Coordinator shall provide specific and clear written reason(s) why an investigation should not be conducted. The Title IX Coordinator shall provide the determination that the College will not investigate the matter to the complainant and the respondent, concurrently, within five (5) workdays of the completion of the initial meetings. This decision is final.

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

a) If the Title IX Coordinator determines that an investigation should be conducted, he or she will appoint an investigator within five (5) workdays of the completion of the initial meetings. The Title IX Coordinator will share the investigator's name and contact information with the complainant and respondent and will forward the complaint to the investigator. Within three (3) workdays of such appointment, the investigator, the complainant or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest posed by assigning such investigator to the matter. The Title IX Coordinator will consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest exists.

b) The investigator will contact the complainant and respondent promptly. In most cases, this should occur within three (3) workdays from the date of the investigator's appointment or the

conclusion of the informal resolution process, whichever is later. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and recommendations of witnesses to be interviewed during the course of the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.

c) In the conduct of the investigation, the investigator should weigh the credibility and demeanor of the complainant, respondent, and witnesses; the logic and consistency of the evidence; motives; and any corroborating evidence.

d) The resolution of any alleged violation of the Policy should be completed normally within 60 workdays of the filing of the complaint or the date on which the College becomes aware of the alleged violation, unless good cause exists to extend the timeframe. The College should make a good faith effort to resolve the matter in a timely manner. The 60-workday timeframe refers to the entire investigation process, which includes conducting the fact-finding investigation; the decision-making process to determine whether the alleged incident occurred; and determining what actions the College will take in response, including the imposition of sanctions. The 60-workday timeframe does not include appeals. If the process must be suspended or delayed for any reason and more time is necessary, the Title IX Coordinator or Deputy Title IX Coordinator will notify the parties in writing and will give the reason for the delay and an estimated time of completion.

e) Both complainant and respondent will have the opportunity to review and respond to evidence obtained during the investigation. Each party also will have the opportunity to review and comment on the written investigative report within five (5) workdays of receiving the report. The final written investigative report and the parties' responses thereto shall be part of the record.

f) The investigator will complete a written investigative report that includes summaries of all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant electronic records, and a detailed report of the events in question. The written investigative report shall include, at minimum, the following information:

- The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation;
- The names and gender of all persons alleged to have committed the alleged violation;
- A statement of the allegation; a description of the incident(s); and the date(s) and time(s) (if known) of the alleged incident(s);
- The date that the complaint or other report was made;
- The date the parties were interviewed;
- The names and gender of all known witnesses to the alleged incidents;
- The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
- Any written statements of the complainant or the alleged victim if different from the complainant;
- The date on which the College deferred its investigation and disciplinary process because

the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process (if applicable); and

- Findings of fact.

g) The investigator will forward the written investigative report to the Title IX Coordinator.

h) The withdrawal of a student from the College while under investigation for an alleged violation of this Policy involving an act of sexual violence shall not end the College's investigation and resolution of the complaint. The College shall continue the investigation as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence; to review and respond to all the evidence against the student; and to the written investigative report prior to making a final determination time and location. If on appeal, the student shall receive notice of the appeal and have the opportunity to submit a statement. Upon the student's withdrawal, the College shall place a notation on the student's academic transcript that states, "*Withdrew while under investigation for a violation of JTCC's sexual misconduct policy.*" After the College has completed its investigation and resolution of the complaint, the College shall either (1) remove the notation if the student is found not responsible or (2) change the notation to reflect either a suspension or dismissal for a violation of the Policy if either was imposed. The College shall end the investigation and resolution of the complaint if the College cannot locate the respondent and provide him or her notice and the opportunity to respond. In such cases, the College shall maintain the withdrawal notation on the student's academic transcript. Upon a final determination, the Title IX Coordinator immediately shall notify the registrar and direct that the appropriate notation is made.

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

1. The Title IX Coordinator will determine whether there is a preponderance of the evidence to find that the respondent violated this Policy as alleged. In most cases, this should occur within five (5) workdays of receiving the written investigative report from the investigator. The "preponderance of the evidence" standard requires that the weight of the evidence, in totality, supports a finding that it is more likely than not that the respondent is responsible for committing the alleged violation. Under the Clery Act (for allegations of domestic violence, dating violence, sexual assault, and stalking), the College must provide to both parties concurrently written notification of the results of the proceeding and the procedures to appeal and any changes to the result when it becomes final. The notification shall include the rationale for the determination and the sanctions. "Result" means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the College.

For allegations of harassment, the College should inform the complainant whether it found that the alleged conduct occurred, any individual remedies offered to the complainant or any sanctions imposed that directly relate to the complainant, and other steps the College has taken to eliminate the hostile environment.

2. If the Title IX Coordinator finds that the evidence does not prove by a preponderance of the evidence that the respondent committed the alleged violation, the matter will be closed. The Title IX Coordinator will make the determination in writing and distribute the written investigative report with such finding to the complainant and the respondent concurrently. All parties to whom the written investigative report is distributed pursuant to this Policy should maintain it in

confidence. Both the complainant and the respondent may appeal the finding under the procedure described below.

3. If the Title IX Coordinator finds by a preponderance of the evidence that a violation of this Policy did occur, the Title IX Coordinator will make the determination in writing and distribute the written investigative report with such finding to the complainant and the respondent concurrently. All parties to whom the written investigative report is distributed pursuant to this Policy should maintain it in confidence. Both the complainant and the respondent may appeal the finding under the procedure described below.

4. When the Title IX Coordinator finds that a violation has occurred, he or she also shall write a separate written corrective action report that will contain recommendations for steps that should be taken to prevent recurrence of any such violation and to remedy any discriminatory effects. If interim measures as described above have been taken, the written corrective action report shall include a recommendation regarding continuation, suspension or modification of any such interim measures. The Title IX Coordinator shall distribute the written corrective action report to the complainant and respondent concurrently. In most cases, the written corrective action report should be completed within five (5) workdays after the distribution of the written investigative report. The written investigative report and the corrective action report may be submitted concurrently. The Title IX Coordinator also shall provide the written investigative report and the written corrective action report to the appropriate College official, as described below.

5. If the respondent is a student, the Deputy Title IX Coordinator will forward the reports to the Title IX Coordinator. Within ten (10) workdays, the Title IX Coordinator shall determine and impose appropriate sanctions, as described below. The respondent and the Deputy Title IX Coordinator shall receive written notification of sanction(s). The notification of sanctions shall include the rationale for such sanctions in a manner consistent with the Family Educational Rights and Privacy Act (FERPA). When the respondent is a student, within five (5) workdays of receipt, the Title IX Coordinator or Deputy Title IX Coordinator may disclose to the complainant the sanctions imposed on the respondent that directly relate to the complainant as permitted by state and federal law, including FERPA and the Virginia Freedom of Information Act, when such disclosure is necessary to ensure the safety of the complainant. The Title IX Coordinator or Deputy Title IX Coordinator also must disclose in writing to the complainant the final results of a disciplinary proceeding involving the respondent with regard to an alleged forcible or non-forcible sex offense; act of stalking; domestic violence or dating violence on the complainant, as permitted by state and federal law including FERPA and the Virginia Freedom of Information Act. The disclosure of final results must include only the name of the student, the violation committed, and any sanction imposed by the College against the student.

6. If the respondent is an employee, the Title IX Coordinator will forward the reports to the Vice President of Administration. Within ten (10) workdays, the Vice President of Administration shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s). Please consult item (1) of this section of this Policy for more information regarding the written notification that must be provided to the complainant. Notwithstanding item (1) of this section, the complainant shall not receive additional information or records that would constitute personnel records.

7. If the respondent is a third party, the Title IX Coordinator will forward the reports to the

Security Manager or designee. Within ten (10) workdays, the Security Manager shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s). The Title IX Coordinator may disclose to the complainant information as described above.

8. The Title IX Coordinator or Deputy Title IX Coordinator will advise the respondent and the complainant of their right to appeal any finding or sanction in writing. The written notification also shall provide information on the appeals process. If the complainant or respondent does not contest the finding or recommend sanction(s), he or she shall sign a statement acknowledging such. The signed statement shall be part of the record.

### **Informal Resolution Process**

1. After receiving a request from both parties to resolve the complaint with the informal resolution process, the Title IX Coordinator will appoint a College official to facilitate an effective and appropriate resolution. Within three (3) workdays of such appointment, the College official, the complainant or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest posed by assigning such official to the matter. The Title IX Coordinator will consider such statements and will assign a different individual to facilitate if it is determined that a material conflict of interest exists. Within five (5) workdays of the appointment, the College official will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed. Within ten (10) workdays of receiving the written statements, the College official will hold a meeting(s) with the parties and coordinate informal resolution measures. The College official shall review the information that is covered in the initial meeting under the formal process as provided in “Formal Resolution Process” of this Policy. The College official shall document the meeting(s) in writing. Each party may have one advisor of his or her choosing during any meeting; however, the advisor may not speak on the party’s behalf.

2. The informal resolution process should be complete within thirty (30) workdays in most cases, unless good cause exists to extend the timeframe. The parties will be notified in writing and given the reason for the delay and an estimated time of completion. Any party may request in writing that the informal resolution process be terminated at any time, in which case the formal resolution process will commence.

3. Any resolution of a complaint through the informal process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also respecting the due process rights of the respondent. Informal resolution remedies might include mandatory education, counseling, written counseling by an employee’s supervisor, or other methods. The College official will concurrently provide the complainant and respondent with a copy of the final written report. The final written report shall include the nature of the complaint, a meeting(s) summary, the informal resolution remedies applied, and whether the complaint was resolved through the informal resolution process.

4. Either party can pursue formal resolution if he or she is dissatisfied with the proposed informal resolution.

### **Sanctions & Corrective Actions**

1. The College will take reasonable steps to prevent the recurrence of any violations of this Policy and to correct the discriminatory effects on the complainant (and others, if appropriate).

Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

2. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education; a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct; verbal or written warning; a no-contact order; written or verbal apology; probation; suspension; and dismissal from the College.

a. If a student is found responsible for an act of sexual violence under this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: *"Suspended/Dismissed for a violation of JTCC's sexual misconduct policy."* In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension and any conditions thereof, and when the student is considered to be in good standing. The student shall be considered to be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator or Deputy Title IX Coordinator shall meet with the student to confirm completion of the conditions and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript.

b. If a student withdraws from the College while under investigation involving an act of sexual violence under this Policy, the student's academic transcript shall be noted as follows: *"Withdrew while under investigation for a violation of JTCC's sexual misconduct policy."* Students are strongly encouraged not to withdraw from the College.

c. The College shall immediately remove the notation from the student's academic transcript upon a subsequent finding that the student is not responsible for an offense of sexual violence under this Policy. Upon such a finding, the Title IX Coordinator or Deputy Title IX Coordinator shall direct the registrar to remove the notation from the student's academic transcript.

d. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student's academic transcript after resolution of all appeals.

3. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and corrective actions include required discrimination or harassment education; informal or formal counseling; reassignment; demotion; suspension; non-reappointment; and termination from employment.

4. Third parties, e.g., contractors, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary.

5. Title IX Coordinator and/or Deputy Title IX Coordinator will determine the final accommodations to be provided to the complainant, if any.

6. Sanctions imposed do not take effect until the resolution of any timely appeal. However, the College may keep in place or impose interim measures when the continued presence of an individual on campus may threaten the safety of an individual or the campus community, generally. These interim measures may continue in effect until such time as the appeal process

is exhausted in such cases.

### **Appeals**

Appeals shall be reviewed by the Vice President of Learning and Student Success or designee. Third parties may submit a request in writing to the Vice President of Learning and Student Success or designee that the College reconsider its decision.

1. Either the complainant or the respondent has the opportunity to appeal the outcome of the written investigative report or the sanction(s) recommended. Individuals must submit a written request for appeal to the Vice President of Learning and Student Success or designee within ten (10) workdays of the outcome of the investigation or imposition of sanction(s), whichever is later. The appeal request must cite the reason(s) for the appeal and provide evidence to support those reason(s).

2. Appeals shall be granted for the following reasons only:

- The investigator exhibited unfair bias which influenced the results of the investigation;
- New evidence, unavailable at the time of the investigation that could substantially impact the investigator's finding. The appeal should explain why the evidence was unavailable previously and why such evidence may substantially impacts the investigator's finding;
- Error in the conduct of the investigation that is of such magnitude as to deny fundamental fairness;
- The sanction(s) are unjustified by the evidence and/or mitigating factors warrant a lesser sanction or aggravating factors warrant a greater sanction.

3. Within five (5) workdays of receipt of the written request for appeal, the Vice President of Learning and Student Success or designee shall notify the parties whether the appeal is granted. This decision is final and may not be appealed. If the appeal is granted, the parties shall be notified in writing.

4. If the appeal is granted the Title IX Coordinator shall forward the written investigative report and the corrective actions report to the Vice President of Learning and Student Success or designee as soon as possible, but no later than (10) workdays from the time the appeal was granted.

5. The Vice President of Learning and Student Success or designee will submit a written decision to the parties and the Title IX Coordinator, concurrently. The decision shall include; (i) a description of the grounds for the appeal; (ii) the Vice President of Learning and Student Success or designee's decision to uphold or reject the findings of the written investigation report and/or the sanctions and the rational for such determination; and (iii) if the written investigation report's findings and/or sanctions are rejected, the findings of the Vice President of Learning and Student Success or designee and the resolution.

6. Either party may appeal the Vice President of Learning and Student Success or designee's decision to the president of the College or designee. The president or designee's decision is final.

### **Academic Freedom and Free Speech**

1. This Policy does not allow censorship of constitutionally protected expression. As a "marketplace of ideas," the College encourages intellectual inquiry and recognizes that such

inquiry may result in intellectual disagreements. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from an employee's work performance or a student's educational experience. Verbal or written communications, without accompanying unwanted sexual physical contact, are not sexual violence or sexual assault.

2. In addressing all complaints and reports of alleged violations of this Policy, the College will take all permissible actions to ensure the safety of students and employees while complying with any and all applicable guidance regarding free speech rights of students and employees. This Policy does not apply to curriculum, curricular materials, or abridge the use of particular textbooks.

### **False Allegations**

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

### **Consensual Relationships**

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

### **Record Keeping**

The Title IX Coordinator shall maintain, in a confidential manner, for at least five (5) years, paper or electronic files of all complaints; witness statements; documentary evidence; written investigative reports; review committee records; written corrective action reports; sanctions; appeal and associated documents, if any; the responses taken by College personnel for each complaint, including any interim and permanent steps taken with respect to the complainant and the respondent; and a narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

This Policy shall be forwarded to the VCCS Office of System Counsel in July of each year to be reviewed and updated as necessary.

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### **Sex Offender and Crimes Against Minors Registry Admissions Policy**

To establish procedures for those on sex offender and crimes against minors registry who apply to the College.

## 6.21.2 Policy

Section 23-2:2:1 of the Code of Virginia requires that the VCCS send enrollment information to the Virginia State Police concerning applicants to institutions of higher education. This information is transmitted electronically and compared against the Virginia Criminal Information Network and National Crime Information Center Convicted Sex Offender and Crimes Against Minors Registry.

If the College receives notification, the following procedures apply:

- A. The College's Threat Assessment Team (TAT) shall be notified and consider the applicant or student's enrollment for a determination of whether he/she is a threat to the campus community or danger to themselves, other students, faculty or staff (i.e., campus community). The Dean of Students reserves the right to suspend the individual or withhold the application on an interim basis while TAT considers the case.
- B. Before a recommendation is made by the TAT to the Dean of Students, the TAT will notify the applicant or student in writing that they will be afforded an opportunity to appear in person before TAT or present relevant information in writing regarding their sex offender or crimes against minors status for consideration of whether he/she is a threat or danger to the campus community. Upon receipt of such notice, the applicant or student shall have five (5) business days to contact the Dean of Students Office and arrange a meeting to appear before TAT or provide a written response. At a minimum, the applicant or student shall provide the following information:

- 1. Disclosure of the nature of the offense for which he/she has been convicted;
- 2. Justification for consideration of admissions/reinstatement;

If the applicant or student does not respond within the requested timeframe, the Dean of Students Office shall inform him/her that TAT will proceed.

- C. The TAT shall make a determination of whether a threat or danger exists and recommend to the Dean of Students whether to deny admission or revoke enrollment.
- D. The Dean of Students Office shall notify the applicant or student in writing of the TAT's recommendation and afford him/her with an opportunity to respond in writing within five (5) business days.
- E. The Dean of Students Office shall forward the TAT recommendation and any response(s) received from the applicant or student to the Vice President of Learning and Student Success (or designee) who may consult with TAT and shall issue a final decision in writing regarding admission or enrollment.
- F. The College will provide the campus community through its catalog or website information on how to access to the Sex Offender and Crimes Against Minors Registry consistent with state and federal law.

### **Mandatory Reporting of Child Abuse**

While everyone should be concerned about child abuse and neglect, certain individuals are required by law to report suspected instances. In 2012, the Virginia General Assembly (SB 239) added "any person employed by a public or private institution of higher education" to the list of "mandated reporters" set out in §63.2-1509 of *the Code of Virginia*. Mandated reporters,

including all JTCC faculty and staff, are those persons who in their professional or official capacity, are required to report instances of suspected child abuse and neglect to the local Social Service Department or to the Virginia Department of Social Services (DSS). The toll-free child abuse and neglect hotline is 1-800-552-7096.

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

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

#### Medical Care

VCU Medical Center and St. Mary's Hospitals have specially trained Sexual Assault Nurse Examiners (SANE) on call 24 hours a day. SANE nurses collect evidence through a Physical Evidence Recovery Kit (PERK), which can later be used in criminal proceeding. The victim is not charged for the cost of the PERK. The PERK will be used to prosecute your assailant if you decide to press charges. You do not have to decide or promise to press charges to have a PERK completed, but may have it done to preserve evidence while deciding whether or not to press charges.

#### **Local Area Hospitals**

Bon Secours St. Francis Medical Center

<http://www.bonsecours.com/>

13710 St. Francis Blvd.

Phone: 804-594-7300

Bon Secours St. Mary's Hospital

<http://www.bonsecours.com/>

5801 Bremono Road

Phone: 804-285-2011

Chippenham Medical Center

[http://hcavirginia.com/locations/chippenham-hospital/index\\_dot](http://hcavirginia.com/locations/chippenham-hospital/index_dot)

7101 Jahnke Road

Phone: 804-320-3911

Johnston-Willis Hospital

<http://hcavirginia.com/locations/johnston-willis-hospital/>

1401 Johnston-Willis Drive  
Phone: 804-330-2000

Henrico Doctors' Hospital  
<http://hcavirginia.com/locations/henrico-doctors-hospital/>  
1602 Skipworth Road  
Phone: 804-289-4500

John Randolph Medical Center  
<http://hcavirginia.com/locations/john-randolph-medical-center/>  
411 W. Randolph Road, Hopewell  
Phone: 804-541-1600

McGuire Veterans Affairs Medical Center  
<http://www.richmond.va.gov/>  
1201 Broad Rock Blvd.  
Phone: 804-675-5000

Southside Regional Medical Center  
<http://www.srmconline.com/Southside-Regional-Medical-Center/home.aspx>  
200 Medical Park Blvd., Petersburg  
Phone: 804-765-5000

Virginia Commonwealth University Medical Center  
<http://www.vcuhealth.org/>  
1250 E. Marshall St.  
Phone: 804-828-9000

## **Student Rights and Responsibilities**

To explain students' rights and responsibilities as a condition of attendance at John Tyler Community College.

### **Policy**

The submission of an application for admission to John Tyler Community College represents a voluntary decision to participate in the programs and courses offered by the institution according to the policies, rules and regulations of the College and the State Board for Community Colleges. The College's approval of the application represents the extension of a privilege to join the JTCC community and to remain a part of it so long as the student meets required academic and behavioral standards. Each student is guaranteed the privilege of exercising his or her rights without fear of prejudice. Conduct by any student that adversely affects the JTCC community's pursuit of its educational objectives or represents a threat to its students, faculty or staff will result in disciplinary action. The student conduct code and the student disciplinary policies and procedures can be found in the JTCC Policy Manual, in the current JTCC Student Handbook and

on the JTCC web site. The dean of students is responsible for the administration of all student disciplinary procedures.

### Student Rights

Each student is guaranteed the privilege of exercising his or her rights without fear of prejudice. Such rights include the following:

- Students are free to pursue their educational goals. Appropriate opportunities for learning in the classroom and on the campus are provided by the College through the majors offered.
- Free inquiries, expressions, and assemblies are guaranteed to all students provided such actions do not interfere with the rights of others or the effective operation of the institution.
- Academic evaluation of student performance shall be neither arbitrary nor capricious.
- Each student will be informed at the beginning of each course as to how the instructor will arrive at the grade for the class. This should be in writing and included in the written outline or syllabus of the course. The student's final grade should be based on total performance for the semester.

### Student Responsibilities

- To know and adhere to the regulations, policies and procedures of the institution addressing academics and student behavior.
- To respect the rights of others to freely express their views and opinions.
- To accept responsibility for the consequences of one's actions.
- To afford appropriate respect to faculty, staff and administrators in the performance of their duties and responsibilities.
- To practice academic integrity in all academic undertakings, avoiding all forms of academic dishonesty, including cheating, plagiarism and furnishing false information.

### Student Conduct

To outline the types of student misconduct that are subject to disciplinary action at John Tyler Community College.

### Policy

Generally, College disciplinary action shall be limited to conduct which adversely affects the College community's pursuit of its educational objectives. The following misconduct is subject to disciplinary action:

1. All forms of dishonesty including cheating and plagiarism (see Academic Dishonesty Policy).
2. Knowingly furnishing false information to the College, forgery, alteration or use of College documents or instruments of identification with intent to defraud.

3. Disruption or obstruction of teaching, research, administration, disciplinary proceedings or other College activities.
4. Physical, psychological and/or verbal abuse or the threat of such abuse of any person on College premises or at College activities. This includes hazing, sexual harassment and sexual assault (see Title IX Policy).
5. Participating in or inciting a riot or an unauthorized or disorderly assembly.
6. Seizing, holding, or damaging property or facilities of the College, or threatening to do so, or refusing to depart from any property or facilities of the College upon direction by College officials or other persons authorized by the president.
7. Use of alcoholic beverages including the purchase, consumption, possession or sale of such except where specifically authorized within the regulations of the College.
8. Gambling or holding a raffle or lottery on the campus or at any College function without proper College and other necessary approval.
9. Possessing, using, selling or distributing any types of illegal drugs (see Policy Governing the Use of Alcohol and Other Drugs).
10. Possessing on College property or at any College activity any dangerous chemical, or explosive elements or component parts thereof, or rifle, shotgun, pistol, revolver, or other firearm, knife, or any other items being used as a weapon not used for lawful College studies without an authorization by the President of the College or designee.
11. Physically detaining or restraining other persons or removing such persons from places where they are authorized to remain or in any way obstructing the free movement of persons or vehicles on College premises or at College activities.
12. Littering, defacing, destroying or damaging property of the College or property under its jurisdiction or removing or using such property without authorization.
13. Willfully encouraging others to commit any of the acts that have been prohibited herein.
14. Violating any local, state or federal laws.
15. Violating any rule or regulation not contained within the official College publications but announced as an administrative edict by a College official or other person authorized by the president.
16. Violation of College parking regulations.
17. Violation of College fire regulations, such as failure to comply with emergency evacuation procedures or tampering with fire protection apparatus.
18. Theft or attempted theft of College or personal property on College premises.
19. Unauthorized entry into or presence in any College building or facility.
20. Violation of College policy on expressive activity.
21. Violation of College policy on solicitation and distribution of materials on College property.
22. Texting, receiving and making phone calls, e-mailing, taking photos, creating videos, filming or recording in class is prohibited unless otherwise approved by the instructor or by accessibility services as an approved accommodation. Please note that recording accommodations may not be appropriate in all classes or all situations in a class. For example, recording, filming or taking photographs in a nursing, art, communications or other class where personally identifiable information regarding a patient, student or model is presented would not be appropriate or allowed. Please be aware that instructors may ask students to put away or close cell phones, close laptops, cameras, or other devices during all or a portion of the class. In cases where the student needs to use a cell phone for emergencies, the student should consult the instructor for direction.
23. Downloading student speeches and other work without permission is prohibited in online, hybrid and in-person classes.

24. Using a preferred name in MyTyler that is disruptive to the operation of the college, to include teaching and learning. Please note that VCCS policy allows students to indicate a preferred name in the MyTyler Student Information System (SIS), which will appear on class rosters and in Blackboard. The official student name record may not be changed without legal documentation.

Note: Nursing students should consult the JTCC Nursing Handbook for additional information regarding conduct.

Note: Emergency Medical – Paramedic and Emergency Medical Technician students should consult the JTCC Emergency Medical Services Student Handbook for additional information regarding student conduct.

## **Student Disciplinary Policies and Procedures**

To specify the College's student disciplinary policy and accompanying procedures.

### **Policy**

Campus Judicial Affairs Officers are responsible for the administration of disciplinary procedures at the Chester and Midlothian campuses, Nursing Education Center, off-site classes, online classes, e-mail communications and Blackboard posts, except in cases relating to Title IX or involving possible Title IX violations. Please see the Title IX policy for additional information. Also, please see the policy on Academic Dishonesty for cases of cheating and/or plagiarism. Allegations of violation of College policy are accepted for consideration only when the apparent infractions are observed on College property or other locations where the College provides services. Infractions of federal, state, or local laws occurring off campus shall be the concern of the civil authorities except when such actions (1) directly affect the health, safety, or security of the College community; (2) affect the College's pursuit of its educational purposes; or (3) occur as a direct result of a College-connected disruption. Reports of alleged student violations of published College regulations may be submitted by an individual to the dean of students within fifteen (15) business days of the infraction. The Dean of Students will assign a Judicial Affairs Officer as appropriate.

### **Campus Judicial Affairs Officers**

Campus Judicial Affairs Officers for the Chester and Midlothian campuses are appointed annually by the Dean of Students, subject to the approval of the College Vice President of Learning and Student Success.

### **Procedures**

When unruly or otherwise unacceptable behavior occurs in a classroom or laboratory, the instructor may immediately require the student or students who are responsible for the disruption to leave the classroom. It is the student's responsibility to contact the instructor prior to the next scheduled class meeting. After discussing the problem with the student, the instructor must either permit the student to return to class or forward formal written disciplinary charges against the student to the Dean of Students.

When unruly or otherwise unacceptable behavior occurs in the College libraries, library personnel may require the student or students who are responsible for the disruption to identify

themselves and leave the library. It is the student's responsibility to contact the librarian prior to returning to the library. After discussing the problem with the student, the librarian must either permit the student to return to the library or forward formal written disciplinary charges against the student to the Dean of Students.

When unruly or otherwise unacceptable behavior occurs in any College facility, College office or in any College related communications, faculty, staff or security personnel may immediately require the student or students who are responsible for the disruption to identify themselves and leave the campus. It is the student's responsibility to contact faculty, staff or security personnel prior to returning to campus. After discussing the problem with the student, faculty, staff or security personnel must either permit the student to return to campus or forward formal written disciplinary charges against the student to the Dean of Students.

Once charges have been forwarded to the campus a Judicial Affairs Officer, the student may attend the class, laboratory, library or specified campus facilities pending the campus Judicial Affairs Officer's review of the allegation. If the Dean of Students, designee or the Vice President of Learning and Student Success believes, however, that the student's presence in the class, laboratory, library or specified campus facilities may infringe on the rights of others or pose a threat to the welfare of other students and the instructor, the Dean of Students may prohibit the student from returning to the class, laboratory, library or specified campus facilities until the allegations have been adjudicated.

The campus Judicial Affairs Officer is responsible for interpreting alleged misconduct with regard to published regulations and for identifying specific charges that will be brought against the student(s) involved. The campus Judicial Affairs Officer should bring charges within ten (10) business days from receipt of a report of a violation.

### **Interim Suspension Option**

A student, pending a hearing by the campus Judicial Affairs Officer, may be suspended on an interim basis by the Dean of Students, designee or the Vice President of Learning and Student Success and barred from the College or specified college facilities if his/her presence is deemed a danger to others or is likely to be disruptive to the normal educational activities of the College. The Dean of Students, designee or Vice President may seek guidance and input from the Threat Assessment Team. Nothing in these procedures should be construed to prevent the Dean of Students, designee or Vice President from taking such official steps as he/she may deem necessary except that final action shall be in accordance with the procedures outlined in this policy. Before a student may be suspended, he or she will be informed of the reasons for the suspension and will be provided an opportunity to respond within five (5) business days, except in exigent circumstances, in which case the student will be given said opportunity as soon as possible as determined by the Dean of Students, designee or Vice President.

### **Student Administrative Hearing**

After reviewing allegations, specifying the charges and obtaining any necessary information, the campus Judicial Affairs Officer will contact the student requesting a meeting to discuss the case with the student, including the nature and source of the charges and the student's rights and responsibilities. During this discussion, the student may question the credibility of his or her accusers or other witnesses by submitting questions through the campus Judicial Affairs Officer. The student will be given an opportunity to review relevant materials, which may have been presented as evidence against him/her. The campus Judicial Affairs Officer may seek guidance

from the Threat Assessment Team. Following this review, the campus Judicial Affairs Officer will either impose a disciplinary sanction or vacate the charges. This decision will be forwarded to the student in writing within ten (10) business days of the initial meeting between the campus Judicial Affairs Officer and the student. If the Threat Assessment Team is consulted the decision notification may be extended to fifteen (15) business days of the initial meeting between the campus Judicial Affairs Officer and the student.

NOTE: If the student declines or does not attend the student administrative hearing, disciplinary proceedings will be held in his/her absence.

NOTE: The Threat Assessment Team, upon review of the judicial affairs investigation and other information available to the team, may make a recommendation of the disciplinary action to be taken. In these cases, the student will be notified in writing. For additional information regarding the Threat Assessment Team process refer to policy 3.19 Workplace Violence and Threat Assessment Team.

NOTE: The student may be accompanied by another individual at the hearing, but this person may not participate in the hearing. If the student wishes to be accompanied by another individual at the hearing, a request must be submitted to the Judicial Affairs Officer no less than 48 hours prior to the hearing.

### **Disciplinary Actions**

Disciplinary actions available to the campus Judicial Affairs Officer are as follows:

1. Removal of the charges against the student.
2. Admonition: An oral or written statement to a student that he/she is violating or has violated College rules and may be subject to more severe disciplinary action.
3. Disciplinary Probation: A student may be prohibited from participating in College extracurricular activities, using specified College facilities, or otherwise restricted in his or her movements while at the institution for a period of time not to exceed one year. A student who violates the provisions of his or her probation will be immediately dismissed from the institution.
4. Restitution: Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
5. Attendance and successful completion of a special student development tutorial addressing ethics and appropriate student behavior. (The failure to attend and successfully complete this tutorial will result in the assignment of another disciplinary action.)
6. Disciplinary suspension: Exclusion from attending the College as a student for a definite period of time not to exceed two academic years.
7. In cases where dismissal is recommended by the Judicial Affairs Officer, this recommendation shall go to the Threat Assessment Team (TAT) for review. Please see the Workplace Violence and Threat Assessment Team policy for dismissal policy and procedures.
8. Administrative withdrawal from a course in which the student was found to be threatening and/or disruptive.

All records of the infraction and materials pertaining to and resulting from the inquiry (and any subsequent appeal) will be forwarded to the Dean of Students Office. This information will remain in the Dean's office.

### **Appeals to the Dean of Students**

If the campus Judicial Affairs Officer imposes a disciplinary sanction, the student may appeal the sanction in writing to the Dean of Students or designee within ten (10) business days of the receipt of the campus Judicial Affairs Officer's decision. The Dean or designee will review the entire disciplinary proceeding and provide the student with a written notification of his/her findings and decision within ten (10) business days of the receipt of the appeal. The Dean may request to meet with the student during his/her deliberations.

### **Appeals to the Vice President of Learning and Student Success**

A student may appeal the decision of the Dean of Students or designee to the Vice President of Learning and Student Success or designee in writing within ten (10) business days of the receipt of the Dean's decision. The Vice President will review the Dean's decision and provide the student with a written notification of his/her findings within ten (10) business days of the receipt of the appeal. The decision of the Vice President is final.

### **Disciplinary Records**

All records of disciplinary action will remain confidential, will remain separate from the student's academic record, will be maintained in the Dean of Students Office, and will not be available to unauthorized persons on campus or to any person off campus without the express written permission of the student involved. Exceptions will be made only under the conditions specified in the Family Education Rights and Privacy Act of 1974, as amended, and under a court order or subpoena.

### **College Maps and Directions**

We have two beautiful and convenient campuses, one in Chester and the other in Midlothian.

[Chester Campus](#)

[Midlothian Campus](#)

### **Chester Campus**



### **Street and Mailing Address**

John Tyler Community College  
13101 Jefferson Davis Highway  
Chester, Virginia 23831-5316

[Directions](#)

[Map of Campus](#) 

John Tyler Community College's original campus was built in Chester in 1967. Since then, John Tyler Community College's Chester Campus has been expanded and renovated. It now consists of five buildings, which house a learning resource center, our technical laboratories and classrooms, traditional classrooms, computer labs, and a large student center.

Buildings at Chester are named for individuals who played an important role in the history of the College. If you would like to learn more about the names, please visit the [building namesake's](#) page. You can also see [highlights of the master plan](#) for the campus. Or, download the [entire 69-page document](#).

## Midlothian Campus



### Street and Mailing Address

John Tyler Community College  
800 Charter Colony Parkway  
Midlothian, Virginia 23114-4383

[Directions](#)

[Map of Campus](#) 

John Tyler Community College's Midlothian Campus was built in 2000. It now consists of four buildings: an administration building, three academic buildings, and a warehouse/physical plant facility. In July 2010, Hamel Hall, then known as the Science Building, was awarded a [Leadership in Energy and Environmental Design \(LEED\)](#) Silver certification, becoming the first project in the Virginia Community College System to be certified under the LEED Green Building Rating System. Buildings at Midlothian are named for individuals who played an important role in the history of the College. If you would like to learn more about the names, please visit the [building namesake's page](#). You can also [read about the construction of Phase III at Midlothian](#) and see [highlights of the master plan for the campus](#) .

***Note: John Tyler Community College (JTCC) Nursing Education Center relocated staff and educational resources to the Chester Campus in May 2019.***