Averett University

Annual Campus Security and Fire Safety Report for 2014

Published October 1, 2015
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Introduction

Founded in 1859, Averett University has grown into a fully accredited, co-educational, four-year university offering both undergraduate and graduate educational opportunities to students from across the nation and around the world.

Whether students attend class at the main campus in Danville, a satellite location, or online, Averett University cares about their safety. It is a goal of Averett University to keep the students, faculty, staff, and visitors to the University as safe as is possible. The Averett Campus Security Office, Office of Student Life, Human Resources Department, and others all work together and with local law enforcement agencies and community organizations to provide a balance of law and policy enforcement with educational programs to help increase the safety of the community.

This report is produced annually to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, also known as the Clery Act. The report provides information about safety-related policies, procedures, practices, and resources. These policies and procedures may be updated or revised after publication of this report; the updated information is accessible through the Averett University website http://www.averett.edu/student-life/campus-security/.

This report also includes statistical data on certain criminal offenses for each campus of Averett University for three calendar years.

The Averett University Campus Security Office is responsible for collecting data and preparing the crime statistics for this report. Working together, the offices of Campus Security, Student Life, Human Resources, and others prepare the policy statements and disclosures.
**Important Telephone Numbers**

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
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<tr>
<td>Report emergencies or call for immediate assistance from law enforcement, fire, or medical responders</td>
<td>Dial 911</td>
</tr>
<tr>
<td>Report non-emergency or emergency requests in the Danville area to Averett Campus Security services</td>
<td>434-791-5888</td>
</tr>
<tr>
<td></td>
<td>If calling from a campus phone: 15888</td>
</tr>
<tr>
<td>Dean of Students Office</td>
<td>434-791-5620</td>
</tr>
<tr>
<td>Residence Life On-Call</td>
<td>434-770-3608</td>
</tr>
<tr>
<td><em>Professional staff member is on-call 24 hours a day, 7 days a week</em></td>
<td></td>
</tr>
<tr>
<td>Counseling Services</td>
<td>434-791-5624</td>
</tr>
<tr>
<td>University Chaplain</td>
<td>434-791-7104</td>
</tr>
<tr>
<td>Danville Regional Medical Center</td>
<td>434-799-2100</td>
</tr>
<tr>
<td>Police Departments</td>
<td><strong>Danville</strong>: 434-799-5111</td>
</tr>
<tr>
<td></td>
<td>Innsbrook Campus: 804-501-5000</td>
</tr>
<tr>
<td></td>
<td>Watkins Center Campus: 804-748-1251</td>
</tr>
<tr>
<td></td>
<td>Quantico Campus: 703-784-2252</td>
</tr>
<tr>
<td></td>
<td>Chesapeake Campus: 757-382-6161</td>
</tr>
<tr>
<td></td>
<td>Newport News Campus: 757-247-2500</td>
</tr>
<tr>
<td></td>
<td>Roanoke Campus: 540-853-2211</td>
</tr>
<tr>
<td></td>
<td>Martinsville Campus: 276-403-5300</td>
</tr>
<tr>
<td></td>
<td>Equestrian Center: 336-694-9311</td>
</tr>
<tr>
<td></td>
<td>Virginia State Police: 804-674-2000</td>
</tr>
<tr>
<td>National Suicide Hotline</td>
<td>1-800-273-TALK (8255)</td>
</tr>
<tr>
<td>National Sexual Assault Hotline</td>
<td>1-800-656-HOPE (4673)</td>
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Campus Security

Structure

Averett University Campus Security Office

Averett University is located primarily in the City of Danville, Virginia, with other locations in Glen Allen, Midlothian, Roanoke, Newport News, Chesapeake, Quantico Marine Base, Martinsville, and Caswell County (North Carolina). In Danville, campus security is responsible for the following areas:

Main Campus: security is available 24/7. Typical response time is 2-3 minutes; emergency contact information is posted in all Main Campus buildings.

Riverview Campus: a security officer is on duty Monday through Thursday from 5 p.m. to 10 p.m. On Fridays, an officer is available from 4 p.m. to 8 p.m.

North Campus: athletic fields are monitored by closed-circuit television cameras (CCTV), an intrusion alarm system, and members of the Athletics and Facility departments that do rounds in the space.

The Averett University campus security team cooperates with local police departments in monitoring the activity of students or student organization while off campus with coordination as needed. Averett University has a memorandum of understanding (MOU) with both the Danville City Police as well as the Virginia State Police that allows those departments to assist campus security by providing off campus law enforcement and patrols. When requested, the Danville Police Department provides on-campus assistance to Averett Campus Security.

Additionally, the memorandums of understanding with the Danville Police Department and the Virginia State Police establish procedures and practices for cooperation between the departments in the investigation of felony sexual assault. Additional MOUs may be negotiated as becomes appropriate.

Residence Hall & Other Building Access

Only students, their invited guests, necessary employees, and persons authorized specifically by the University are permitted access to residential buildings and rooms. All seven residence halls and Mountain View Apartments are locked 24 hours a day. Keys are issued only to students who reside in those areas and only to their assigned room or apartment. Residents may not participate in any activity which poses a safety risk or which may compromise the security of the premises.
Such restricted activities include, but are not limited to, propping exterior doors or removal of window screens or locks.

If a person is observed in the residence hall who is not a resident or guest, it should be reported immediately to a Residence Life or campus security representative. Residence halls are open during fall break and Thanksgiving break and closed during winter break and spring break. Students who are winter athletes may receive permission to be in residence halls for a short amount of time in December and January with approval from the Director of Residence Life.

For all university locations, members of the Averett University community, invited guests, and those conducting lawful business are authorized to have access to non-residential buildings and areas during normal business hours. Non-business hour access to non-residential buildings is available to personnel based on authorization received from Department Heads and Deans. Controlled access to buildings is a significant component of the campus security program. All keys (policy, issuance, control, and accounting) and the operation of the Averett University electronic access control system is the responsibility of the Campus Security Office or the Graduate and Professional Studies (GPS) administrative personnel for satellite classrooms. Specific access information varies by GPS classroom location, but normally these facilities are not accessible by students or visitors outside of normal business and scheduled class hours.

Danville students use coded key cards to access their residence hall as well as other campus buildings including computer labs, the fitness center, and the recreational gym. These areas are patrolled by campus security along with the parking lots on the main campus in Danville.

**Emergency Telephones**

Averett University’s main campus in Danville has seven emergency call boxes located at the following locations:

1. Front of Main Hall main entrance door.
2. Danville Hall side entrance (facing Mt. View Road)
3. Bottom floor of Bishop Hall (across from Main Gym).
4. Frith Hall (sidewalk area between the bottom floor Frith entrance and the faculty parking lot)
5. Front of Fugate entrance door (ground floor level).
6. Fugate / Student Center parking lot (located on the bridge from the parking lot to Fugate Hall)
7. Lutheran Church parking lot (back parking lot).

These call boxes are in yellow. To activate, simply push the button marked “emergency assistance, press button.” When activated, a blue light will flash and automatically contact the Averett University Security officer on duty. When using one of these phones, be sure to tell the
security officer your name, your location, the nature of the call, when the event occurred and whether medical or other emergency assistance is needed in addition to security.

Additional Emergency Phones and call boxes (Red phones/Redbox):

There are Emergency call boxes (Red Box) located on each breezeway area of all three Averett Commons apartment buildings on the Danville main campus. There are also two Red Boxes at North Campus located inside of the main entrance lobby area and at the side entrance area, near the vending machines. To activate, simply push the button (button is LED lit). The Red Box automatically calls the Averett University Security officer on duty. When using one of these phones, be sure to tell the security officer your name, your location, the nature of the call, when the event occurred and whether medical or other emergency assistance is needed in addition to security.

The red phones are located in each hallway of each residential dorm area. To use, simply pick up the phone and dial 15888 (for Averett Security) or 911 (for police, fire and rescue). When using one of these red boxes or red phones, be sure to tell the security officer your name, your location, the nature of the call, when the event occurred and whether medical or other emergency assistance is needed.

Security Cameras

Averett University is committed to providing a safe and secure environment for the members of our campus community. Security and safety video monitoring and recording (CCTV) enhances campus security and the safety of persons and property through electronic security patrol of campus areas, monitoring access to grounds and facilities, documentation of incidents, and assisting Averett Security Department in criminal or misconduct investigations. Averett University Main Campus has security cameras in various places outside and inside academic
buildings. These cameras record real-time video and can be viewed from the Averett University Security Department Offices located on Robertson Avenue and in Davenport Hall.

The main campus CCTV system is not monitored 24/7, in real time by Averett Security Officers, rather they conduct CCTV observation periodically, in open view of others at the Security Department office when not making rounds or on patrol. The primary use of CCTV is to make recordings that can later be reviewed to follow up on incident reports or for use of Averett Administrators involved in student disciplinary matters.

Information obtained through CCTV monitoring may be released to persons or entities outside the University (such as law enforcement) only when compelled by lawful means, such as a subpoena, or when authorized by the Director of Security, in consultation with the Dean of Students or other authorized Averett Administrator. CCTV video data will not be released to news or media sources without additional approval from Averett leadership.

No one should assume that the presence of a CCTV system on campus will guarantee safety for persons or property. Rather, it is one tool in Averett University Security Department’s continuing efforts to increase campus security and safety.

The presence or use of CCTV at GPS locations is a decision made by the property owners in the locations leased by Averett University. Students, staff, and faculty members are advised to use diligence and care for personal safety at all times.

Prevention

Averett University Security

Averett University contracts with Aramark Higher Education to provide security services at its campuses in Danville, VA. There is always at least one officer on duty 24 hours a day, 7 days a week, year round. These campus security officers patrol the main campus and neighboring areas via foot patrol and are available by calling the campus security emergency number whenever needed. For non-emergency situations, Averett community members are encouraged to contact the regular office number.

Campus Security Procedures

Although maintenance of security systems is not the direct responsibility of Campus Security, officers are constantly looking for conditions on campus that could affect safety. They forward information on inoperable lights, door problems, emergency phone malfunctions, and so forth to the appropriate department for correction or repair. Students have several ways of reporting repair requests or notices of inoperable safety features or unsafe conditions.
For the Danville main campus, the online Aramark service request form allows reporting facilities concerns quickly at www.averett.edu/student-tools/maintenance-fixit-request/.

For locations outside of Danville, students should notify the instructor of any problems or malfunctioning equipment. The instructor will notify the appropriate person within the administration to provide repair.

The Averett community can email seeitsayit@averett.edu for facilities concerns, security concerns and other general comments and suggestions. While this is not anonymous, only three people have access to these emails: the Dean of Students, the Associate Dean of Students and the Director of Facilities.

**Prohibited Activities**

Any activity which may cause damage to property or personal injury is prohibited on all campuses including classrooms, offices, and residential areas. Examples include athletic and recreational activities, such as ball throwing and bouncing, baseball, basketball, Frisbee throwing, boxing, hockey, golf, mattress slides, racquetball, skateboarding, skating, soccer, throwing water balloons, using water guns, and bicycle riding except in areas specifically set aside for these activities.

**Residence Life Security Procedures**

Security is a concern in residence hall areas. The following safety and security agreements are included as part of the housing contract for all students who reside in on-campus housing:

**Entry into Residence Halls**

Students must enter a residential area or a specific room in a residential area through the main door. No propping of doors is permitted; propping doors open creates a safety and security hazard for everyone in that building. Entry in any other way is strictly prohibited and a fine or disciplinary action may be assessed.

**Room Responsibilities**

Students are responsible for keeping their rooms clean. They also are responsible for any behavior, activity, or item in their room or common area about which they could reasonably be expected to know and could be subject to disciplinary action and sanctions as a result. This responsibility includes, but is not limited to, noise, fire/candles, possession of alcohol or alcohol paraphernalia, drugs or drug paraphernalia, misappropriated furniture, damage, etc.
Averett University

Windows/Balconies

Nothing is to be hung or thrown out of the windows. A violation could result in disciplinary action. Furthermore, for safety reasons, no one is allowed to sit on windowsills, remove window screens, or endanger himself or herself by hanging out of windows or on balcony railings. Entry or exit through windows or balconies is strictly prohibited and violators will be referred to the Averett Conduct System. All items placed on balconies are subject to removal by the Residence Life staff if deemed unsafe. Items are not to be hung from or over railings on balconies. Balcony lights are not to be tampered with or obstructed in any way and should remain on when it is dark outside.

Due to the potential for damage to the structure of the building and potential for danger to individuals, students are not allowed to be on any residence hall roof area for any reason.

Guests

Any student planning to host an overnight guest (non-student) must register the guest with the Office of Residence Life or Campus Security. Overnight guests who are not registered may be asked to leave campus. Guests will not be allowed to stay on campus for more than three consecutive nights. Students will be held responsible for the conduct of their guests as well as for escorting them at all times during their visit. Misconduct by a guest (a non-student or another Averett student) may result in disciplinary action taken against the student host.

Visitation

Visitation hours at Averett University are intended to assist in maintaining a reasonable living and learning environment in campus housing. Visitation rules apply to student and non-student guests who do not reside in a particular room, suite, floor, apartment, or building.

Visitation hours are:

- Sunday-Thursday 9:00 a.m. - Midnight
- Friday-Saturday 9:00 a.m. - 1:00 a.m.

The Residence Life department reserves the right to restrict guest privileges if it is determined that the presence of guests may be contributing to a negative impact on the living and learning environment.

Education and Prevention of Violence

The departments of Student Life and Campus Security at Averett University take a proactive approach to preventing crimes. The goal of crime prevention and security awareness programs is
to eliminate or minimize criminal opportunities and to encourage students, faculty, and staff to be responsible for both their own safety and the safety of others. During new student orientation and open houses, students and their families are informed about the types of crimes that occur on campus and prevention resources offered by campus security and student life.

During the 2013-2014 academic year, the departments of campus security and student life worked together to present a number of different programs including general crime prevention and security awareness programs for Danville area students in a town hall format. These programs addressed such topics as safety, alcohol abuse, domestic violence, self-defense, fire safety, emergency response and evacuation procedures, sexual assault prevention and theft prevention. The programs offered to the Averett community in 2014 include:

- Fire safety and CPR/First Aid Certification for resident assistants
- Bystander Intervention training for 45 student leaders
- Town Hall meeting for Danville students with the Dean of Students and Chief of Security
- LEAP Series Programming by student life which included two alcohol and drug programs, two programs on sexual misconduct, and two on mental health for the Danville student community
- Social Norms survey on alcohol and drugs with the Regional Alliance for Substance Abuse Prevention in Danville, VA. A Social Norms campaign followed receiving the results.
- Programming in the residence halls that included awareness programs on healthy relationships, sexual misconduct, and alcohol and drugs.

Additionally, the student life department provided information on security awareness and crime prevention information to approximately 250 students and families at New Student Orientation.

Each year, the University offers numerous campus safety and crime prevention programs to student groups and to residence halls. At least one (mandatory attendance) presentation on campus safety and crime prevention is delivered to each residence hall.

GPS students do not have the same security and safety issues as residential students and are generally present on Averett premises for a only a few hours a week (or not at all if they attend online); however, they have always been encouraged to be aware of personal safety as they arrive and depart classes.

A representative from campus security provides a security awareness presentation at each new employee orientation.
Crime Prevention Policies

Campus Violence and Threat Management:

Under University policy, acts or threats of violence must be reported to enable the University to take appropriate action to protect the safety of all members of the Averett community. Reports relating to events in the Danville area should be made to the Campus Security Office at 434-791-5888 and reports in other areas should be directed to the local police department. Reports concerning behavior that raises a safety concern, even though it is not a direct threat, should also be reported. Examples of behavior that should be reported include: references to planning a violent or destructive event or harming others, extreme and inappropriate reactions or responses, such as angry outburst, suicidal comments, or threats. Reports of concerning behavior also may be made to the Dean of Students, Director of Human Resources, or Residence Life on Call.

The University also has a Threat Assessment Team that is charged with assessing threats to the campus community and taking remedial action as necessary. Members of the Threat Assessment Team are the Dean of Students, Chief of Security, Associate Dean of Students, Director of Human Resources, and Director of Counseling Services.

Weapons on Campus:

The possession or use, whether openly or concealed, of any weapon while on University owned property or in an automobile while on University owned property or its environment is not permitted. Prohibited weapons include, but are not limited to, handguns, rifles, pistols, stun weapons, tasers, explosives, bb guns, bowie knives, martial arts weapons, bow and arrows, daggers, switchblade knives, metallic knuckles, or any other object used to inflict harm on one’s self or others.

This policy applies to all members of the Averett community: faculty, staff, and all students. If faculty need to use weapons for a class or a theatrical production, special approval from the Vice President of Academic Affairs and Student Success must first be obtained.

Timely Warning:

Timely warnings are a means to notify Averett community members (faculty, staff, and students) of certain crimes that may be a serious or ongoing threat to campus safety and to increase safety awareness. The warnings may also include requests for information that could lead to the arrest and conviction of the offender when violent crimes or substantial crimes have been reported.

Timely warnings will include information about the crimes that trigger the warnings but will not include information that will enable identification of victims. These warnings will include other information that the university believes will help members of the Averett community protect themselves, such as description of suspects or tips of deterring thefts. The exact content of a
warning will be based on the nature of the threat, the information available at the time it is issued, the risk of compromising official law enforcement investigations, and other factors relating to the circumstances.

Timely warnings are made only regarding crimes specified in the Clery Act; other dangers to the Averett community are addressed through emergency communications as described in the Emergency Management section of this report.

Under the timely warning policy, the Chief of Security is responsible for issuing timely warnings to the community for crimes involving students, and the Dean of Students is responsible for issuing timely warnings for all other crimes. Timely warnings are issued through campus emails. This policy applies to all campus locations.

*Alcohol & Drug Abuse Policy & Prevention:*

In addition to being a crime, certain uses of alcohol and all uses of illegal drugs are linked clearly to other criminal activities such as violence against others, driving while impaired, or stealing money to buy alcohol or drugs. Averett University prohibits the possession or use of illegal drugs or alcoholic beverages on any campus. Violators are subject to college disciplinary measures as well as prosecution through appropriate legal channels when applicable.

These policies and others that apply to being a student at Averett University are available in the Student Handbook which is distributed to all students annually, and is available electronically at http://content.yudu.com/Library/A3vgtp/AverettStudentHandbo/resources/index.htm?referrerUrl=http%3A%2F%2Ffree.yudu.com%2Fitem%2Fdetails%2F3539495%2FAverett-Student-Handbook-2015.

As an institution of higher learning, committed to the purpose of providing avenues for intellectual growth and personal development, Averett University embraces the shared responsibility of upholding the values and expectations of the community. The University does not allow the possession or use of alcoholic beverages or illegal drugs on campus. In reference to alcohol, this prohibition includes, but is not limited to:

- drinking alcohol on campus;
- possessing alcohol, alcohol beverage containers (including empty containers), or drinking paraphernalia (used for drinking games or quick consumption of alcohol);
- being intoxicated or under the influence on campus;
- use or possession of alcohol on University sponsored trips;
- drinking alcohol while under the age of 21, on or off campus;
- providing alcohol to a minor on or off campus; and
the possession of false identification on or off campus.

In terms of illegal drugs, the prohibitions in the campus policy includes, but is not limited to:

- using, possessing, or distributing illegal drugs on campus;
- possessing drug paraphernalia on campus;
- using, possessing, or distributing illegal drugs on University sponsored trips, and
- the misuse or illegal distribution of prescription medications.

When a student is charged with a violation of law, Averett University will consider initiation of its own disciplinary proceeding independently of any pending or completed court action. Behavior off-campus is subject to disciplinary action. Violations of the drug and alcohol use policy can result in potential disciplinary consequences up to and including termination of association with the University.

All new students at the Danville campus are required to attend a new student orientation which includes a program on alcohol and drugs as well as sexual misconduct. Additionally, Student Life offers educational programs throughout the year on alcohol, drugs, healthy relationships and health and wellness.

Under the Drug-Free Schools and Communities Act, the Department of Education requires that Averett University provide employees with written notice of the prohibition of the unlawful possession, use or distribution of illegal drugs and alcohol. As a community, Averett seeks to maintain a work and school environment free from the adverse effects of drugs and alcohol.

The following actions constitute violations of the University’s policy and are applicable to all employees.

- Consumption and/or possession of alcoholic beverages on campus.
- Being under the influence of alcoholic beverages or illegal substances on campus.
- The illegal possession, use, distribution and sale of controlled and/or illegal substances.
- The use of University funds for the purchase of alcoholic beverages.

The Employee Assistance Program provides confidential information and services on counseling, treatment and rehabilitation programs for Averett faculty and staff.
Resources available to members of the Averett University community who are experiencing problems with drugs and/or alcohol include:

- Alcohol and Drug Abuse Helpline: 1-800-ALCOHOL (252-6465)
- Al-Anon/Alateen: 1-888-4AlAnon (425-2666)
- Alcoholics Anonymous (AA): www.aa.org
- Substance Abuse and Mental Health Services Administration (SAMHSA): 1-800-662-HELP (4357)
- National Clearinghouse for Alcohol and Drug information (NCADI): 1-800-729-6686

**Response**

**Reporting a Crime**

The Averett campus security team encourages students and employees to be responsible for their own safety and the security of their property. The University community is asked to support safety and security efforts by reporting unusual or suspicious circumstances to the Security Department promptly.

For Clery Act crimes and Title IX sexual misconduct violations (sexual harassment, including sexual assault allegations) the University has specific policies and procedures designed to ensure that criminal conduct or incidents that occur on Averett property, regardless of who is involved, are reported immediately to the Averett security team, the Title IX Coordinator, or other responsible personnel. Nearly all employees of Averett University are Campus Security Authorities (CSA) and as such are obligated to notify the security department if Clery Act crimes are reported to them by students or other employees. CSAs must report the information regarding incidents even if the information was shared with them in confidence, but may withhold the identity of the victim or reporting person unless it is a case of sexual misconduct. CSAs are notified of their role and trained on their responsibility through several means including faculty and staff meetings. The Averett Security Department maintains a record of all incidents reported in the form of a daily crime log. This crime log is one source of information used to compile the statistical data for this annual crime report. Further, each incident is
evaluated to determine if a timely warning or other notice is required for purposes of the safety and security of the Averett community.

The Averett Security Department responds to all reports of criminal activity occurring on campus. Crimes or potential criminal actions that occur on Averett’s Danville campus should be reported directly to the Security Office by dialing 911 or 434-791-5888. Personnel are on duty 24 hours a day 365 days a year.

The Sexual Misconduct Policy requires that as soon as a responsible employee (nearly all faculty and staff members) becomes aware of conduct or behavior that reasonably appears to constitute sexual misconduct, he or she must report the incident to the Title IX Coordinator for further action. The university does provide several confidential reporting resources for students as well as an anonymous report form. Averett University has an obligation to investigate and take action in order to fulfill its Title IX obligations to provide a non-discriminatory environment. Provisions for the protection of the students can be put in place, including changes to academic, housing, and other campus-based circumstances.

Decisions to issue timely warnings and emergency notifications are made on a case-by-case basis taking into consideration the specific facts and circumstances of the situation and the danger posed to the Averett Community. Because the purpose of these warnings and notifications is to enable people to protect themselves, it is essential that the information on criminal incidents and dangerous conditions be reported immediately so that warnings and notifications can be issued quickly.

**Missing Persons**

If a member of Averett University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Averett University Security Department at 434-791-5888 or extension 15888. The Averett University Security Department will generate a missing person report and contact the Danville Police Department to initiate an investigation. The Averett University Security Department and the Residence Life Department will work closely with Danville Police Department to support such investigation to locate the missing person.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by Averett University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Averett University will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so through calling the security emergency number at (434) 791-5888 (or ext. 15888). The student does not need to give his / her name if that student wishes to remain confidential.
If the missing student is under the age of 18 and is not an emancipated individual, Averett University will notify the student’s parent or legal guardian immediately after Averett University Security and the Danville Police Department has determined that the student has been missing for 24 hours.

Sexual Assault and VAWA Crimes

Structure

Sexual assault is an issue of significant concern on American college campuses, including Averett University. In compliance with Title IX and the Campus SAVE Act, the University responds to all allegations of sexual misconduct, including sexual harassment, nonconsensual sexual contact, non-consensual sexual intercourse, and sexual exploitation, in a prompt and unbiased manner.

Averett University departments that are responsible for preventing and responding to reports of sexual assault include the Averett University Security Department, Dean of Students Office, and Counseling Services.

The Role of the Title IX Coordinator

The Title IX Coordinator will be informed of all reports of sexual misconduct and will oversee the University’s review, investigation, and resolution of those reports to ensure the University’s compliance with Title IX and other applicable laws, and the effective implementation of this policy.

The Title IX Coordinator is:

- Responsible for the oversight of the resolution of all reports of sexual misconduct involving students, staff, and faculty, as well as volunteers and third parties;
- Knowledgeable and trained in University policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, a respondent, or a third party, about the courses of action available at the University, both informally and formally, and in the community;
- Available to provide assistance to any University employee regarding how to respond appropriately to a report of sexual misconduct;
Responsible for monitoring compliance with all procedural requirements, record keeping and time frames outlined in this policy;

Responsible for overseeing training, prevention and education efforts, and reviews of climate and culture; and

Responsible for conducting or overseeing investigations of complaints against students.

The Averett University administration is committed to preventing and correcting instances of sexual misconduct and retaliation, but it must be made aware of any such behavior in order to take corrective action. Thus, it is vital that these incidents be reported in a timely manner by those experiencing, or by witnesses of, sexual misconduct or retaliation. To facilitate this process, Averett strives to provide members of the University community with various avenues of reporting. Anyone suspecting that he or she has been a victim of sexual misconduct or retaliated against, or witnesses of sexual misconduct or retaliation, may file a complaint with the Title IX Coordinator, Kathie Tune, Director of Human Resources; or Title IX Co-Coordinator, Lesley Villarose Dean of Students.

Kathie Tune  
434-791-7106  
ktune@averett.edu

Lesley Villarose  
434-791-5627  
villarose@averett.edu

**Title IX Task Force**

Through the risk management committee at Averett University, a Title IX Task Force was created. The task force meets regularly to assure the way the University responds to reports of discrimination, harassment (including sexual misconduct), stalking and interpersonal violence is appropriate, thorough, fair, and objective.

The task force is responsible for the revision and implementation of the Averett University Sexual Misconduct Policy that was created in response to guidelines issued by the federal Department of Education. The task force is broadly based, including faculty and staff members specializing in this area and related fields.
Title IX Task Force Members:

Carrie Hendrick  
Assistant Professor and Director, Athletic Training  
434-791-5868  
chendrick@averett.edu

Anna Kautzman  
Compliance & Policy Specialist  
434-791-7244  
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Michael Moroni  
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Kathie Tune  
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434-791-7106  
kture@averett.edu  
Title IX Coordinator

Lesley Villarose  
Dean of Students  
434-791-5627  
Lvillarose@averett.edu  
Title IX Coordinator

Jamie Walker  
Chief of Security  
434-791-5874  
jwalker@Averett.edu

Prevention

Averett University provides information about sex offenses and the procedures to follow if a student becomes a victim of a sex offense.
Prevention Policies

Averett University has a sexual misconduct policy that helps to prevent sexual assault and other forms of sexual misconduct. This policy is distributed in the Student Handbook, presented on the University website, and following this discussion.

Prevention and Education Programs

Averett University is dedicated to providing information and resources to the University community about sexual assault prevention and awareness, intimate partner violence prevention and awareness, and stalking resources and prevention. The following programs are offered to all students enrolled at the Danville campus, and are available to a limited extent to students enrolled in the distance/adult education programs offered through GPS.

New Student Orientation
During new student orientation prior to the start of each semester, Student Life staff inform new students about various in person and online resources that the University provides, explain the phone numbers on the back of every new ID card, and instruct them in the steps of being a good bystander. There are also specific sections on establishing consent and supporting survivors of sexual violence. As part of orientation, new students are required to attend a program on sexual assault.

Red Flag Campaign
In the fall, IMPACT (the university’s health and wellness student organization) does a public awareness campaign designed to address dating violence and promote the prevention of dating violence on college campuses. The campaign was created using a “bystander intervention” strategy, encouraging friends and other campus community members to “say something” when they see warning signs (“red flags”) for dating violence in a friend’s relationship.

Sexual Assault Awareness Week
Averett staff and faculty join with student organizations to participate in sexual assault awareness week where programs, speakers, and events are scheduled each day for a week in April. This campaign is designed to bring awareness to issues of sexual assault on campus for both victims and bystanders.
Sex Offender Information

The Campus Sex Crimes Prevention Act of 2000 (which amended the Jacob Wetterling Crimes Against children and Sexually Violent Offender Registration Act, the Clery Act, and the Family Education Rights and Privacy Act of 1974) requires colleges and university to issue a statement informing the campus community where law enforcement information may be obtained by a state concerning registered sex offenders. It requires registered sex offenders to register in a State to provide notice of each higher education institution in that State at which the person is employed, carries a vocation, or is a student. In the Commonwealth of Virginia, convicted sex offenders must register with the Sex Offender and Crimes Against Minors registry maintained by the State Police. This Registry is available via the internet pursuant to Section 19.2-390.1 of the Code of Virginia and shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Use of this information for the purpose of intimidating or harassing another is an unlawful, prohibited and a willful violation shall be punishable as a Class 1 misdemeanor. The Virginia State Police are responsible for maintain this registry.

http://sex-offender.vsp.virginia.gov/sor/

Response

Reporting Obligations

To help ensure that incidents of sexual violence, dating and domestic violence, and other forms of violence are promptly and correctly addressed for the safety of the Averett community, Averett University has policies in place that require those who become aware of such incidents to report them. The policies do not require the victims or survivors to report.

Averett University also works to ensure that all members of the Averett community are aware of their obligations to report sexual assault and other crimes of violence to help increase campus safety. The University mandates that all employees are responsible employees with the exception of the University Chaplain and the Director of Counseling Services who are confidential reporting resources.

Sexual Misconduct Policy

Averett University strives to provide a safe environment where its students can engage in their educational and employment pursuits. As such, the University is committed to discouraging all forms of sexual misconduct by providing resources pertaining to support, education and
Averett University

Sexual Misconduct Policy

POLICY/PROCEDURE

1. Averett University is committed to fostering a climate free from sexual misconduct. The University encourages all members of our community to participate in creating a safe, welcoming, and respectful environment on campus. Ultimately, each member of the community is expected to assume responsibility for his or her conduct, to report behaviors that may violate this policy, and to take reasonable and prudent actions to prevent, stop, or report acts of sexual misconduct.

   a. Averett prohibits sexual violence, sexual assault, sexual harassment, domestic and dating violence, stalking, and retaliation for reporting or cooperating with the investigation into any of these actions (collectively referred to as Sexual Misconduct). These conducts are disruptive of the learning and working environment within the University and will not be tolerated. This policy addresses Averett University’s responsibilities under Title IX, the Violence Against Women Reauthorization Act of 2013, and (VAWA) the Code of Virginia §23-234 and §23-9.2:15-17.

      i. Title IX prohibits discrimination based on sex (gender) in educational programs and activities that receive federal assistance. VAWA Section 304 requires Universities to have procedures to respond to reports and incidents of sexual assault, relationship violence and stalking. The Code of Virginia requires certain agreements to be in place to provide support and investigation of reports of sexual misconduct and requires reporting of violations on academic transcripts.

      ii. This policy covers student-related concerns of Sexual Misconduct, regardless of whether the Sexual Misconduct occurred on or off campus. It applies to conduct occurring from when the student is admitted as a
student, through academic terms and breaks continuously until the student withdraws or graduates. In all instances of Sexual Misconduct reported under this policy, the Title IX Coordinator will take appropriate steps to end such conduct, address its effects, and prevent its recurrence.

iii. All academic and administrative units of the University, regardless of division, school, campus, department, or center, are subject to this policy and must comply with and ensure that their policies are consistent and comply with this policy.

2. Relevant definitions under this policy are as follows.

a. **Bystander** is any person who is not directly involved in Sexual Misconduct, but who is a witness or who otherwise becomes aware of Sexual Misconduct against another person.

b. **Conduct Hearing Board** is the 6-member hearing panel that determines whether the Respondent is responsible for conduct in violation of this policy based on a preponderance of the evidence and majority vote and, if warranted, administers sanctions and/or discipline against respondent. The board is composed of two student members, two faculty members, and two staff members.

c. **Confidential Reporting Resource** is an individual who is exempted from the obligation to report an allegation of Sexual Misconduct to the Title IX Coordinator, based on law or policy. Such Confidential Reporting Resources are the Averett University Chaplain and the Averett University Director of Counseling.

d. **Consent** is informed mutually understandable words or actions that are free made or given and that clearly indicate a willingness to engage in sexual activity. Consent cannot exist if there is coercion, intimidation, threats, physical force, or if a person is mentally or physically incapacitated or impaired so that the person cannot understand the fact, nature or extent of the sexual situation. Such impairments include incapacitation from use of drugs or alcohol, asleep, unconscious, unaware, or otherwise physically helpless. In the Commonwealth of Virginia, consent cannot be given by any individual under the age of 18 to participate in sexual activity with an individual over the age of 18, and can never be given by a minor under the age of 13.

e. **Complainant** is a student who has made an allegation of Sexual Misconduct being committed on or toward the student by another person.

f. **FERPA** is the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99, a federal law that limits a school’s ability to share student “education records” with anyone other than the student.
g. **Outcome Letter** is the written document provided to all parties at the end of the student disciplinary process that provides information regarding the decision, sanctions or restrictions applicable to that one party, and appeal options.

h. **Privacy** means that information will be shared only with individuals who have a need to know the information in order to assist in the investigation, review, resolution of the reported Sexual Misconduct.

i. **Sexual Misconduct** means conduct that interferes with another person’s rights to access and enjoy the educational and related opportunities offered by Averett University, specifically including sexual harassment, sexual assault, sexual misconduct, relationship or domestic violence, and stalking, regardless of whether the conduct occurred on campus or not, during the time school is in session or not.

j. **Relationship or Domestic Violence** is physical violence within a romantic, intimate, or family relationship regardless of the length of the relationship or the gender of the individuals in the relationship.

k. **Respondent** is the person who is accused of engaging in Sexual Misconduct.

l. **Responsible Employee** is an employee who has been given the duty by Averett University to report incidents of sexual violence or any other misconduct by students to the Title IX Coordinator or other appropriate school official, as well as those who have been given authority to redress such Sexual Misconduct. At Averett, all faculty and staff members are considered Responsible Employees for reporting purposes except those who are Confidential Reporting Resources.

m. **Retaliation** is an act or attempt to pay back, strike back, or punish a person for exercising their rights or reporting acts of Sexual Misconduct or acting as a witness to Sexual Misconduct. Acts of Retaliation are also Sexual Misconduct.

n. **Sexual Assault** is the actual, attempted, or threatened unwanted sexual act (including intercourse, contact, or exploitation) against a person's will by means of force (express or implied), violence, duress, menace, fear or fraud; or when a person is incapacitated or unaware of the nature of the act due to unconsciousness, sleep and/or intoxicating substances. See Appendix A for a list of sample behaviors that constitute sexual assault.

o. **Sexual Harassment** is unwelcome conduct of a sexual nature (advances, requests, or visual, verbal or physical conduct) or unwelcome conduct based on sex, sexual orientation, gender identity or gender expression when: (see Appendix A for examples)

i. It is implicit or explicit that submission to or rejection of the conduct will be a factor in academic or other decisions or evaluations, including permission to participate in a University event/activity; or
ii. The conduct has the purpose or effect of unreasonably interfering with a
person’s work or academic performance or creating an intimidating or
hostile academic, work, or student living environment.

p. Stalking is engaging in a course of directed directed at a specific person that
would cause a reasonable person to fear for his/ her safety or the safety of others;
or to suffer substantial emotional distress.

q. Title IX refers to Title IX of the Education Amendments of 1972, a federal law
that provides, “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 education program or activity receiving Federal
financial assistance.”

r. Title IX Coordinator is a person or persons designated by Averett University to
“coordinate its efforts to comply with and carry out its responsibilities” under
Title IX including: receive reports and oversee investigations of sexual
misconduct or other forms of discrimination in accessing educational
opportunities at Averett, and assure timely resolution of complaints alleging
actions prohibited under Title IX. Averett University has designated Kathie Tune,
Director of Human Resources, and Lesley Villarose, Dean of Students, as Title IX
co-Coordinators.

3. As part of its ongoing commitment to the safety and wellbeing of its community
members, Averett University shall engage in a series of educational programs and
campaigns to promote awareness of sexual misconduct, sexual harassment, and other
Sexual Misconduct, to raise awareness of the procedures to report such misconduct,
 bystander intervention, the response to, and the resources available to support persons
who have suffered as a result of other persons’ misconduct. These efforts may include:

   a. Programing sponsored by student organizations
   b. Programing supported by the Office of the Dean of Students
   c. New student orientation
   d. Integration into appropriate courses
   e. Educational programs for employees and faculty on responding, providing
      assistance, and reporting

4. Any Averett University student who has knowledge of or believes she or he has been
subjected to Sexual Misconduct is encouraged to report the concern, regardless of where
or when the Sexual Misconduct occurred. There are two alternate forms of reporting
available: Confidential Reporting which does not lead to an investigation or disciplinary
action against those who may have committed the Sexual Misconduct; or reporting to a
Responsible Employee which will lead to a report to the University’s Title IX
Coordinator, an investigation, and potential disciplinary action against those who may
have committed the Sexual Misconduct.
a. To make a confidential report of Sexual Misconduct, the student should contact the Averett University Chaplain and the Averett University Director of Counseling.

b. A student who has been impacted by or a witness to Sexual Misconduct may notify the University of the Incident and initiate the Title IX assessment and resolution by contacting a Title IX Coordinator or any member of the faculty or staff of Averett University.

   i. If the Respondent is an Averett University student, a student from another university, or an unknown individual, Complainants are urged to contact Lesley Villarose, Dean of Students and Title IX Coordinator.

   ii. If the Respondent is an Averett University faculty or staff member, or a graduate assistant, Complainants are urged to contact Kathie Tune, Director of Human Resources and Title IX Coordinator, who will work closely with Lesley Villarose, Dean of Students and Title IX Coordinator, to work jointly to manage concerns and make decisions under this policy.

c. Complainants, persons who have been the subject of sexual misconduct, relationship or domestic violence, or stalking, may choose from several paths:

   i. Confidential reporting to an identified Confidential Reporting Resource which will enable access to support, some protective measures, and will not involve sharing of personally identifying information with other persons or entities. These trained professionals can provide counseling, information and support under legally protected confidentiality that applies privilege to the conversations and restricts sharing patient/client information without express written permission. Some non-identifying information about the incident may be shared for purposes of securing campus safety and statistical reporting purposes. The Complainant may decide to pursue other avenues of action later.

   ii. Reporting to a Responsible Employee who will help access the Title IX Coordinator, and medical assistance, as needed. Once this option is selected, confidential reporting is no longer available.

   iii. Reporting directly to the Title IX Coordinator who will review the options available with the student, provide support and assistance accessing needed services. Once this option is selected, confidential reporting is no longer available.

   iv. Reporting directly to the appropriate law enforcement agency, such as the Virginia State Police, Danville Police, Caswell County Sheriff, Chesapeake Police, Newport News Police, Quantico Marine Base officials, etc.
v. Anonymous reporting of incidents of Sexual Misconduct without disclosing the identity of the person making the report, the identification of the Complainant or the Respondent, or requesting any action. The ability of the University to respond to anonymous reports is limited based on the information provided. Anonymous reports may be made at: http://www.averett.edu/student-life/campus-security/

vi. Bystanders are encouraged to report information relating to Sexual Misconduct on campus or involving any member of the Averett Community. Bystanders are supported by the University and are protected from retaliation.

d. Regardless of which reporting option is chosen, Averett University encourages Complainants to seek medical treatment as soon as possible following an incident that may pose a threat to one’s health, safety, or well-being. Campus Security and law enforcement assistance are available.

e. The decision of whether, when and to whom to make a report of Sexual Misconduct and how to proceed thereafter is a personal, and difficult, decision. Averett University encourages Complainants to make a prompt report to law enforcement and to seek medical care to address immediate safety concerns, allow for the preservation of evidence, and enable an investigative response. Making these choices preserves the Complainants’ options later but does not represent a commitment to a particular course of action (such as criminal prosecution).

i. There is no time limit on reporting violations of this policy. A delay in reporting may impair the University’s ability to take disciplinary action against the Respondent

ii. In all cases, regardless of the timeliness of the report, the University will take all appropriate steps to end the Sexual Misconduct, prevent its recurrence, and address its effects.

iii. Under Virginia law, Averett University is required to have and maintain a Memorandum of Understanding with law enforcement agencies that provides for the reporting (which may exclude personally identifiable information) of Sexual Misconduct that may constitute a criminal act to law enforcement, and in some instances to the Commonwealth’s attorney’s office.

f. A list of University and community resources is maintained by Averett University as Appendix B to this policy and will be distributed and be accessible to all members of the Averett community through print and electronic media. Complainants and Respondents are encouraged to access the resources they
determine they need as they work through the reporting, investigation, and resolution processes.

g. Averett University seeks to remove barriers to reporting of Sexual Misconduct. To encourage reporting of Sexual Misconduct, as a Complainant or Bystander, a person who reports such activity will not be subject to disciplinary action by the University for his or her personal consumption of alcohol or drugs at or about the time of the incident, provided that such consumption did not and does not place the health and safety of any other person at risk.

h. A false complaint of Sexual Misconduct can have serious permanent effects on a member of the Averett community and others, regardless of the ultimate outcome of an investigation. Accordingly, Averett University prohibits false accusations of Sexual Misconduct as violations of University policy. If it appears reasonably likely that a Complainant and/or others acted in bad faith or deliberately and knowingly filed a false complaint or provided false testimony, the Respondent, as well as the University, may seek disciplinary action against those persons making the false report/testimony.

5. Averett University will provide Complainants with access to counseling and other resources as needed or requested. The University will also provide the Complainant with the option to implement reasonable and appropriate interim measures. Respondents may also request interim measures. The University will implement such measures to address concerns of safety, emotional health, and physical well-being of community members and to preserve students’ educational, work, and volunteer experience and the overall University environment.

a. If the Complainant reported the Sexual Misconduct to a Responsible Employee or to the Title IX Coordinator directly, discussions regarding what interim measures are desired and appropriate will be conducted directly with the Title IX Coordinator. If the report of Sexual Misconduct was made confidentially to a Confidential Reporting Resource, that confidential resources will discuss options with the Complainant and the Title IX separate to provide appropriate support and protection to the Complainant.

b. Such interim measures may include, but are not limited to:
   i. Academic accommodations (such as rescheduling assignments, transfer to another section of class, academic support, extensions, leave of absence, preservation of eligibility for financial aid, internships, etc.)
   ii. Access to medical and mental health services
   iii. Change in campus housing or dining locations
   iv. Change in work schedules or arrangements
   v. No-contact directive (unilateral or bilateral) pending the outcome of an investigation prohibiting the parties from verbal, electronic, written, or third party communication with each other
vi. An escort to ensure safe movement between classes, housing, and activities

vii. Other reasonable remedies that can be tailored to meet the needs and circumstances of the individuals

c. If the Title IX Coordinator, after consultation with the Dean of Students and others, determines that there is a risk to the health or safety of any member of the Averett community or to the physical property of the University, the Respondent(s) or others who are deemed a potential threat may be placed on an interim administrative leave of absence (known as an interim suspension). During such an interim suspension, the student may be denied access to University property including residence halls, dining halls, administrative and classroom buildings, and programs and activities. Under Virginia law, if an interim suspension is imposed, a notation disclosing the suspension must be placed on the individual’s transcript until such time as the suspension is lifted. If a Respondent withdraws or ceases attending Averett University while an allegation of Sexual Misconduct is pending assessment, investigation, or scheduled for a hearing, Virginia law requires that a notation disclosing the student withdrew while under investigation must be added to the Respondent’s transcript. In some instances alternative arrangements for the continuation of coursework may be made at the discretion of the Title IX Coordinator and appropriate Dean.

6. Averett University is committed to consistent and equitable application of this policy to all individuals through the conduct of a prompt, thorough, and fair assessment of the alleged Sexual Misconduct. In accordance with Virginia law, Averett University has a review team that meets with the Title IX Coordinator within 72 hours of a report of sexual violence to review the information available and determine if there is a threat to the health and safety of Averett community members. Following an initial assessment, the title IX Coordinator may open a formal investigation. The initial assessment by the Title IX Coordinator will consider the nature of the reported Sexual Misconduct, the safety of the persons involved and the Averett community, the Complainant’s expressed preference for resolution, severity of the conduct, existence of threats, pattern of similar conduct by the Respondent, and necessity for interim measures or remedies. The determination of how to proceed will be communicated to the Complainant in writing. Respondents will be notified only when the determination will impact the Respondent such as imposing restrictions or proceedings that may result in disciplinary actions.

a. An investigation, if conducted, is to determine if the Sexual Misconduct has occurred, the extent of any risk of ongoing harm, whether additional accommodations or protective measures need to be put in place, whether the conduct hearing board should be convened, and if changes to policies, practices, or training should be considered.

b. An investigation may be conducted even if the Complainant declines to consent or cooperate with the investigation if, the balancing of factors indicates it is in the best interest of the Averett community to proceed. Factors to be considered...
include the seriousness of the allegation, the age of the Complainant, history of complaints about the same Respondent, and the respondent’s rights.

c. Averett has designated certain individuals as Title IX Investigators who will work with the parties, witnesses, and collection of other information and evidence. Persons who may be involved in the conduct of such investigation include employees of the Office of the Dean of Students, Averett University Security Department, and others who have access to information relevant to the investigation. Disclosure of the investigation will be limited to a small number of individuals who need to know in order to effectively complete the investigation and address the Sexual Misconduct. A notice of investigation will be issued to the Respondent within 10 days of the initiation of the investigation that provides notice of the investigation, information regarding the allegations, identifies the alleged violation of policy, and how to obtain information on the investigation and disciplinary process. The investigation should normally be completed within 30-60 calendar days after the Title IX Coordinator receives notice of the Sexual Misconduct.

d. The investigation will be conducted as a fair and reliable gathering of facts that is thorough, impartial, and fair. All persons will be treated with appropriate sensitivity and respect. All Averett University faculty members, staff members, students, and other community members are expected to cooperate in the investigation, although students have the right to not incriminate themselves.

e. The University may defer its Title IX investigation and fact finding at the request of law enforcement to enable the criminal investigation to proceed unhampered. In such an instance, communication with and provision of services to the Complainant, and implementation of interim measures will not be held in abeyance. The University’s Title IX investigation will recommence as soon as law enforcement has released the case for review following the initial criminal investigation. The Title IX investigator will prepare a written report, supported by documentary and other evidence, following the completion of the inquiry. The Complainant and Respondent may request a copy of the report; however, the report shall be redacted to protect the privacy of personal and confidential information regarding all individuals other than the individual requesting the report.

f. Based on the investigation report, the Title IX Coordinator may refer the report to the Associate Dean of Students to determine whether or not to convene the Conduct Hearing Board. Often, this decision will be made within 48 hours of the Associate Dean’s receipt of the report. If the decision is to proceed to the Conduct Hearing Board, a formal charge will be prepared that state the alleged violation (sexual misconduct, retaliation, etc.), the name of the Complainant, and the approximate date and time of the alleged conduct.
7. If a hearing before the Conduct Hearing Board is convened, the Complainant and Respondent may be accompanied by an advocate of their choice. The student may ask that the University provide a trained advocate to guide them through the process; outside advisors are not permitted to be present during the hearing.

   a. Hearings will be held in a timely manner, normally within 14 calendar days of the issuance of the charging document.

   b. During the hearing, the Conduct Hearing Board may question the Complainant, the Respondent, witnesses, the investigator, and examine evidence.

   c. A Complainant's sexual history is not relevant and will not be considered as evidence. Where there has been a relationship between the Complainant and the Respondent, and the Respondent alleges consent, the sexual history between the parties may be relevant to assess the manner and nature of communications between the parties.

   d. Hearings are confidential and all persons involved in hearings are expected to maintain confidentiality as well.

   e. At any time, the Respondent may choose to agree to a finding of responsibility to some or all of the charged conduct violations.

   f. Based on a preponderance of the evidence standard and a majority vote, the Conduct Hearing Board will vote to reach a decision.

      i. If the Respondent is found not responsible, both the Respondent and Complainant receive an outcome letter; the Complainant may appeal, and interim measures may be extended. If there is evidence of intentional falsehood by the Complainant, the Respondent may consider filing a grievance with the Dean of Students Office for investigation.

      ii. If the Respondent is found responsible, the Conduct Hearing Board will impose a sanction, based on the University’s Sanction Guideline Matrix in Appendix C, intended to eliminate the misconduct, prevent its recurrence, and remedy its effects. As part of its deliberation, the Conduct Hearing Board may allow the Complainant, the Respondent, and other affected parties the opportunity to submit a written impact statement for consideration.

   g. The Chair of the Conduct Hearing Board will notify the parties orally and, within 36 hours of the decision, shall provide to each party a written outcome letter that presents the decision and provides information on appeal options.

      i. If sanctions are imposed, the Chair will inform the Respondent of those sanctions, the date by which requirements must be satisfied (if applicable), and the consequences of failure to satisfy such requirements.
ii. The Chair will inform the Complainant of sanctions that directly relate to the complainant or are required by federal law to be disclosed to the Complainant in the case of certain criminal sexual offenses covered by the Campus Security Act (including sexual assault, domestic/relationship violence, and stalking).

iii. Either the Complainant or Respondent may appeal the outcome to the Vice President of Academic Affairs and Student Success within 2 business days of receipt of the written outcome letter. An appeal may be based on:

1. Discovery of substantial new facts that were unavailable at the time of the hearing and which could affect the hearing board or hearing officer’s decision.
2. Violation(s) of hearing procedure so substantial as to deny one of the parties a fair hearing.
3. Excessive sanction.

8. The Title IX Coordinator will retain records of all reports, allegations, and complaints, regardless of how the matter is resolved.
   a. Complaints resolved by Title IX assessment or remedies-based resolutions are not part of a student's conduct file or academic record.
   b. Affirmative findings of responsibility through the Conduct Hearing Board are part of a student's conduct record which are used in reviewing further conduct and in developing sanctions, and shall remain a part of a student's conduct record.
   c. The University will maintain records for the duration of the Respondent's relationship with the University, and for no fewer than seven years following the Respondent's departure from the University.
   d. If the Respondent is found not responsible, the student's conduct file will reflect the finding.

**Appendix A: Sample Behaviors Constituting Sexual Misconduct**

This list of sample behaviors that constitute Sexual Misconduct is not a complete, all-inclusive list, but rather is intended to help members of the Averett University community understand the types of behaviors that are prohibited without specific consent.

**Examples of Sexual Assault**

Unless there is effective consent, the follow behaviors are examples of sexual contact that are prohibited as Sexual Assault.

**Sexual Intercourse:**
- Vaginal or anal penetration, no matter how slight
Penetration with a body part such as penis, tongue, finger, hand, etc.
- Penetration with an object
- Oral penetration involving mouth to genital contact

**Sexual Contact:** Intentional, non-accidental, and non-consensual:
- Touching of the intimate parts of another person’s body
- Causing another person to touch one’s intimate body parts
- Disrobing or exposure of another person
- Intimate body parts include breasts, genitals, buttocks, groin, mouth, or any other part of the body touched in a sexual manner

**Sexual Exploitation:**
- Taking advantage of the sexuality of another person for any purpose (sexual gratification, financial gain, personal benefit, etc.):
- Observing another person’s nudity or sexual activity
- Allowing others to observe consensual sexual activity without consent of every person involved
- Streaming of images, photography, video, or audio recording of sexual activity or nudity
- Distribution of images, photography, video, or audio recording of sexual activity or nudity
-Prostituting another person
- Inducing incapacitation for purposes of making a person vulnerable to non-consensual sexual activity

**Examples of Sexual Harassment**

A wide range of behavior can fall within the general definition of sexual harassment. Key factors are that the behavior is not welcome, is gender-based or of a sexual nature, and is reasonably perceived as offensive and objectionable. Harassment may be one severe incident or it can be a series of less severe incidents. It does not require an intent to harm and can occur anywhere.

**Physical conduct:**
- Unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements
- Unwanted sexual advances or suggestions

**Verbal conduct:**
- Making or using derogatory comments, epithets, slurs, or humor
- Verbal abuse of a sexual nature;
  - graphic verbal commentaries about an individual's body;
  - sexually degrading words used to describe an individual;
  - suggestive or obscene letters, notes, or invitations
o Offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes

Visual conduct:
o Leering; making sexual gestures; displaying suggestive objects or pictures, cartoons, or posters in a public space or forum
o Severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading, sexually oriented images that are not pedagogically appropriate

Written conduct:
o letters, notes or electronic communications, including social media, containing comments, words, or images described above

Quid pro quo conduct:
o Direct propositions of a sexual nature between those for whom a power imbalance exists, such as teacher-student or supervisor-worker
o Offering employment benefits or grades in exchange for sexual favors
o Making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose

Making or threatening reprisals after a negative response to sexual advances

Examples of Stalking Behavior

Stalking includes physical as well as the use electronic media to pursue, harass, or make unwelcome and unsolicited contact with another person. Examples include any (or combination) of these behaviors:

Unwelcome and repeated visual or physical proximity to a person
Unwelcome and repeated electronic contact with a person (internet, social networks, blogs, calls, texts, etc.)
Repeated oral or written or electronic threats
Unwelcome/unsolicited written communications including letters, notes, cards, email, IMs, Snapchats, messages on online boards or social media messages, etc.
Implicitly threatening physical conduct

Appendix B: Averett University & Community Resources

Averett University Resources for Students

Lesley Villarose, Dean of Students & Title IX Coordinator
Kathie Tune, Director of Human Resources & Title IX Coordinator
Anonymous Reporting of Sexual Misconduct:

The Averett University Counseling Center –A CONFIDENTIAL REPORTING RESOURCE
Suite 417, Student Center
420 West Main Street
Danville, VA 24541
434-791-5624

Averett University Security Department: 434-791-5888
Residence Life On-call: 434-770-3608

Averett University Chaplain’s office: - A CONFIDENTIAL REPORTING RESOURCE
Suite 412 in the Student Center
420 West Main Street
Danville, VA 24541
434-791-7104

Community Resources for Students

Law Enforcement Agencies

Virginia State Police: 804-674-2000
Danville Police Department 434-799-5111

Medical Resources

National and State Hotlines:

The Virginia Family Violence and Sexual Assault Hotline
800-838-8238 (24 hour confidential resource)
www.dss.virginia.gov/community/dv/

Rape, Abuse, and Incest National Network (RAINN)
A confidential, anonymous national sexual assault hotline
800-656-4673
www.rainn.org

National Domestic Violence Hotline
Advocacy, resources, referrals, & legal assistance to victim/survivors of relationship violence
Averett University

800-838-7233
www.thehotline.org

The Alcohol Treatment Referral Hotline
(Ask for referrals for Virginia facilities)
800-252-6465

The National Suicide Prevention Lifeline and Veterans Crisis Line
800-273-8255

Alcoholics Anonymous
AA World Services, Inc.
www.aa.org
212-870-3400

Alanon/Alateen
Al-Anon World Service Office
wso@al-anon.org
757-563-1600

Nar-Anon
wso@nar-anon.org
800-477-6291

Mental Health Resources:

The Virginia Department of Behavioral Health and Developmental Services
www.dbhds.virginia.gov

Danville Pittsylvania Community Services Board
245 Hairston Street
Danville, VA 24540
434-799-0456

Chesapeake Integrated Behavioral Healthcare (CIBH)
224 Great Bridge Boulevard
Chesapeake, VA 23320
757-547-9334

Richmond Behavioral Health Authority
107 South Fifth Street
Richmond, VA 23219
Appendix C: Sanction Guideline Matrix

This matrix will be used by the Conduct Hearing Board to determine the appropriate sanction when a Respondent has been found responsible for Sexual Misconduct under the Averett University Sexual Misconduct Policy.

<table>
<thead>
<tr>
<th>Sexual Misconduct</th>
<th>Range of Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Consensual Sexual Intercourse</td>
<td>Dismissal/Expulsion from the University – <em>Virginia law requires a notation be added to the student transcript disclosing the dismissal for violation of the Code of Conduct</em></td>
</tr>
<tr>
<td>Non-Consensual Sexual Contact</td>
<td>One or more of the following: Dismissal/Expulsion from the University – <em>Virginia law requires a notation be added to the student transcript disclosing the dismissal for violation of the Code of Conduct</em> Suspended – <em>Virginia law requires a notation be added to the student transcript disclosing the suspension for violation of the Code of Conduct until such time as the student has been restored to good standing at Averett University</em></td>
</tr>
<tr>
<td>Non-Physical Sexual Harassment</td>
<td></td>
</tr>
<tr>
<td>Sexual Exploitation</td>
<td></td>
</tr>
<tr>
<td>Stalking</td>
<td></td>
</tr>
<tr>
<td>Dating Violence</td>
<td></td>
</tr>
<tr>
<td>Domestic Violence</td>
<td></td>
</tr>
<tr>
<td>Retaliation</td>
<td></td>
</tr>
</tbody>
</table>
Averett University strongly believes in a comprehensive approach to protecting our community and being prepared for any emergency. We work every day to make our campuses safer. In an emergency, good communication is the key to successful management and Averett is committed to providing information to the community if there is an emergency, disaster, or potential disaster immediately upon determining the nature of the emergency.

**Structure**

**Emergency Management Committee/Team**

The Averett University Emergency Management Team meets periodically throughout the year to participate in emergency exercises, including University exercises, local exercises, and state exercises, to improve preparedness measures. The Emergency Management Team also participates in writing and updating plans and procedures for emergencies on campus. The team is chaired by the Associate Dean of Students and the Director of Facilities and consists of faculty members and administrators from various departments across the University.

**Preparedness**

**Emergency Response Plan**

A primary goal of colleges/universities is to provide a safe environment for the students, faculty and staff members. This emergency plan will only be employed when there is an actual or imminent threat to a large population. If and when an emergency or crisis strikes, Averett University will need to be prepared to handle the initial impact of the disaster until further assistance can be given. The number of casualties and the amount of destruction suffered during an emergency could be reduced if the emergency plan is followed and order is maintained. Upon notification of an actual or impending disaster, the President or his/her designee will activate the EOP and initiate the specific emergency response phase of operations. He/she may also activate the Emergency Operations Center (EOC) and take other appropriate actions.
The Averett University EOP will be activated upon noticeable threat of an impending emergency or disaster on the Averett University locality or surrounding areas. It will be used as a decision making tool and a guide for information collection and dissemination during an emergency. The following Emergency Management Team is responsible for administration of the emergency plan:

President
Executive Vice President
Dean of Students
Associate Dean of Students
Director of Communications and Marketing
Director of Facilities
Director of Security
Director of Human Resources
Vice President for Finance and CFO
Chief Information Officer

In the event an incident exceeds the University’s emergency response capabilities, outside assistance may be available, either through mutual support agreements with nearby jurisdictions or volunteer emergency organizations. University resources must be fully committed before local, state or federal assistance is requested.

This section discusses the early-stage efforts to activate and deploy Averett University organizational elements and resources including emergency management groups, response groups, and response resources.

Upon notification of an incident, the Emergency Response Coordinator and Emergency Management Team will activate departments that will or may become involved in the incident response. Some of these departments will go to the scene of the incident and some will meet in groups to discuss further actions.

The Emergency Response Coordinator will call meetings of the Averett University Emergency Management Team as necessary throughout the incident. The EOC will be activated upon
discretion of the Emergency Response Coordinator. Once it is activated, all further activation of resources will take place through the EOC. Public information dissemination will also take place through the EOC.

**Emergency Closing**

The authority to close the university, to cancel classes or to maintain academic activity is delegated to the Vice President of Academic Affairs and Student Success who makes decisions in consultation with the President and the President’s Council. Academic and administrative units are expected to abide by any decision made regarding operating status.

**Evacuation Plans**

In the event of a fire, it is the policy of Averett University that all occupants (faculty, staff and students, etc.) will evacuate by the nearest exit, closing doors and activating the fire alarm (if alarm has not already sounded). Once safely outside a building, it is appropriate to contact 911 and the Averett Security. All occupants (Students, staff and faculty, etc.) are informed where to relocate to by staff if the circumstances warrants at the time of the alarm.

In the event of a fire alarm, all occupants (faculty, staff and students, etc.) are to evacuate the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous, and each community member’s only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit (if the alarm hasn’t already been activated). At no time should the closing of doors or activation of the alarm delay the exit from the building.

**Building Coordinators**

Building coordinators are a vital part of the University’s emergency preparedness and response protocols. Members of the University community should familiarize themselves with the responsibilities of building coordinators and identify the coordinators for the buildings they use most.

Building Coordinators are expected to:

Ensure that an emergency evacuation plan is in place for their assigned building(s), and/or floor(s). The plan will include but not be limited to the following:

1. Education of new employees on basic evacuation procedures;
2. Ensuring that building evacuation routes and charts are posted near exits;
3. Being familiar with all exits out of the building;
4. Identification of assigned assembly points for building evacuees;
5. Having a contingency plan for evacuation of persons with physical disabilities;
6. At the assembly point, provide information between Emergency Management Team (EMT) and evacuees;
7. Prevent reentry into the building until the all-clear has been given;
8. During an evacuation, maintain a record of all personnel reporting to the assembly area;

Shelter-in-Place

Sheltering in place provides refuge for students, staff and the public inside a school building during an emergency. Shelters are located in areas of the building that maximize the safety of inhabitants.

Sheltering in place is used when evacuation would put people at risk (i.e., tornado, environmental hazard, blocked evacuation route).

Shelter areas may change depending on the emergency.

- Identify safe areas in each school building.
- Building administrator announces that students and staff must go to shelter areas.
- Bring all persons inside building(s).
- Teachers take class rosters.
- Close all exterior doors and windows, if appropriate.
- Turn off ventilation leading outdoors, if appropriate.
- Teachers account for all students after arriving in shelter area.
- All persons remain in shelter areas until a building administrator or emergency responder declares that it is safe to leave.
If all evacuation routes are blocked:

- Stay in room and close door.
- Keep air as clean as possible.
- Seal door.
- Open or close windows as appropriate.
- Limit movement and talking in room.
- Communicate your situation to administration or emergency officials by whatever means possible.

Some kinds of chemical accidents or attacks may make going outdoors dangerous. Leaving the area might take too long or put you in harm’s way. In such a case it may be safer for you to stay indoors than to go outside.

In case of a chemical accident or attack please follow these guidelines:

- Close Doors and Windows
- Do not exit the building.
- If possible move to an interior, windowless room on an upper floor.
- Close all doors to the outside and lock all windows.
- Wet towels or other fabric items and jam them in the crack under the door. Use plastic (trash bags are good) to cover all windows and doors. Use tape to seal the edges of plastic.
- Turn off fume hoods, range hoods, air handlers, and all air conditioners. Switch inlets to the "closed" position.
- Seal off all vents, grills, or other openings to the outside to the extent possible.
- Minimize the use of the elevators in the building. These tend to "pump" outdoor air in and out of a building as they travel up and down.
- If you become bothered by the gaseous release, hold a wet cloth or handkerchief over your nose and mouth.
If you experience breathing difficulties contact the Campus Security (1-5888 from any campus phone or 434-791-5888 from a cell phone) and request immediate medical assistance.

Monitor the local media for further information and guidance.

Do not evacuate the building unless told to do so by Campus Security or the City of Danville Fire Department.

Response

Emergency Notification Plan

The E2 Campus Alert system provides for simultaneous notification of an emergency via voice mail, text message, e-mail and website, and accommodates multiple numbers for each person in the system. Lists in the system are maintained by IT so that a single message can be sent to all or so that special messages can be directed to specific populations – e.g. members of the Emergency Management Team or Emergency Operations Team, all students, all faculty, and all staff. Students, faculty and staff are required to maintain current contact information in the system by registering online on the Averett Security website.

Crime Statistics

Collection Procedures

Averett University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Campus Security Office is tasked with the responsibility of collecting data and preparing crime statistics for the annual crime report. The Campus Security Office also completes an analysis of the crimes reported to that office. Data is collected from local police agencies where Averett has a campus or non-campus property including property controlled by Averett during study abroad programs. These locations include Martinsville, VA; Roanoke, VA; Quantico, VA; Glen Allen, VA; Henrico County, VA; Chesapeake, VA; and Newport News, VA. Data is also collected from individuals who are designated as Campus Security Authorities.
Definitions of Clery Crimes

*Murder/Non Negligent Manslaughter:*
The willful (non-negligent) killing of one human being by another. Note: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

*Negligent Manslaughter:*
The killing of another person through gross negligence.

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

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

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

*Motor Vehicle Theft:*
The theft or attempted theft of a motor vehicle. Classified as motor vehicle theft: all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned (including joy riding).

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

*Weapon Law Violations:*
The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

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

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

**Larceny:**
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Vandalism:**
To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Intimidation:**
To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Simple Assault:**
An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Hate Crimes:**
We are also required to report statistics for bias-related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations and/or weapons (possessing carrying, etc.), and larceny-theft, destruction/damage/vandalism of property, intimidation, and simple assault

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim,
which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc., the assault is then also classified as a hate crime.

**Dating Violence:**
means violence committed by a person

Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
Where the existence of such a relationship shall be determined based on a consideration of the following factors:
- The length of the relationship,
- The type of the relationship, and
- The frequency of the interaction between the persons involved in the relationship.

**Domestic Violence:**
includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, or by a person:

- With whom the victim shares a child in common; or
- Who is cohabitating with or who has cohabitated with the victim as a spouse; or
- Similarly situated to a spouse of the victim under Virginia domestic or family violence laws; or
- Who is a family or household member of the victim, where

**Family or household member means:**
The person’s spouse, whether or not he or she resides in the same home with the person,
The person’s former spouse, whether or not he or she resides in the same home with the person,
The person’s parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person,
The person’s mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law who reside in the same home with the person,
Any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or
Any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person (section 18.2-57.2 of the Virginia Code).

**Stalking:**
is the engagement in a course of conduct directed at a specific person that would cause a reasonable person to:
Fear for his or her safety or the safety of others or
Suffer substantial emotional stress.

Annual Statistics for 2012, 2013, and 2014


The Clery Act requires Averett to report statistical information for certain types of reported offenses. These offenses include: homicide, manslaughter, arson, hate crimes, assault, robbery, burglary, forcible and non-forcible sex offenses, and motor vehicle theft. The Violence Against Women Act recently amended the Clery Act by adding several additional types of offenses that need to be reported with the annual statistics beginning for the year 2013. For three of these types of offenses – dating violence, domestic violence, and stalking – additional regulatory guidance is expected. Definitions of these offenses are given above.

The statistics provide the total number of reported offenses to the Averett University Campus Security Office for the previous three years. These statistics reflect reports of crimes to the Campus Security Office that the University has assumed has occurred. The statistics are summarized in the following charts:

**Chart I:** Averett University Main Campus

**Chart II:** Averett University Satellite Campuses