

Data reported for
calendar year 2024

Annual Campus Security and Fire Safety Report

ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT

Shepherd University is firmly committed to maintaining a safe campus environment and to the swift prosecution of criminal offenders. The full benefit of academic freedom is only experienced by faculty and students when the University community is free of violence or other criminal activity. The University makes basic information regarding crime available to students and employees in compliance with federal and state policies.

How Shepherd University Prepares the Annual Crime Statistics

Shepherd University has a committee of individuals who gather the crime statistics throughout the year and help produce the Annual Security and Fire Safety Report. When notified of a crime, the committee members will document the crime and report it. The crimes are then classified within the guidelines set forth in the most updated version of the published Clery Act.

The Clery Compliance Committee members include:

- Chief of Police, Lori A. Maraugh, Chair
- Director of Residence Life, Elizabeth J. Sechler
- Vice President for Student Affairs & Director of Community Relations, Holly Morgan Frye
- Title IX Coordinator, Anne Lewin
- Dean of Students, Jacob Mellow

Reporting Crimes

Shepherd University Police Department (SUPD) officers have full law enforcement powers and duties within the jurisdiction of the University. The University strongly urges all students and requires all employees with knowledge of a crime to report the crime promptly to SUPD. Only employees designated as serving as a “counselor” are exempt from this requirement. Prompt reporting of crime maximizes the potential for a successful arrest and prosecution. The preservation of evidence is critical to successful prosecutions. University police officers are available 24 hours per day, 7 days a week/365 days per year. The SUPD administrative phone is 304-876-5374; evenings and weekends dial 304-876-5202 to reach an officer directly. In an emergency, dial 911 from any campus phone.

Alternatively, a student with knowledge of a crime, or as a victim, has a right to file a report with:

- Shepherdstown Municipal Police Department: 304-876-6036
- Jefferson County Sheriff’s Department: 304-728-3205
- West Virginia State Police: 304-725-9779

SUPD officers have traditionally maintained an excellent working relationship with all regional law enforcement agencies in the joint investigation of offenses within the jurisdiction of the University, and inter-departmental agreements provide for mutual assistance with the municipal and Sheriff’s departments. Institutional discipline for any criminal offense is not dependent on prosecution or conviction in the state or federal courts.

Limited Voluntary Confidential Reporting

SUPD encourages anyone who is a victim or witness to a crime to promptly report the incident to the University Police. Because police records are public records under state law, SUPD cannot hold reports of crimes in confidence. However, confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to any Shepherd University campus security authorities as identified below.

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Campus Security Authorities are:

Officials of Shepherd University who have significant responsibility for student and campus activities, including, but *not limited to*, student housing, student discipline and campus judicial proceedings.

Shepherd University Gender-based/ Sexual Misconduct and Interpersonal Violence Policy

I. Resources

i. Overview and Reporting Options

Shepherd University is committed to providing all members of the community with an environment free from discrimination, harassment, and violence. Any member of the campus community that experiences gender-based or sexual misconduct, including sexual assault, relationship violence, or stalking is encouraged to seek assistance from the resources listed below. All members of the campus community have the right to make a report to the University, University Police, local law enforcement, and/or the State Police, or choose not to report at all. Shepherd campus community members have a right to be protected from retaliation for reporting an incident and to receive assistance and resources from the University outlined below.

Shepherd University employs a full time Title IX Coordinator on campus. The Title IX Coordinator, Ms. Annie Lewin, is located in Gardiner Hall. The Title IX Coordinator can be reached by emailing alewin@shepherd.edu or calling 304-876-5041. Online reporting and further information can be found at <http://www.shepherd.edu/title-ix>.

ii. Confidential Resources (Counseling and Advocacy)

The University encourages all member of the campus to make a prompt report of any incident of sexual misconduct to the University and/or local law enforcement. For individuals who are not prepared to make a report to the University, may be unsure what happened, or are seeking information and support, there are several legally protected confidential resources available as designated below. These confidential resources will not share information with the University or anyone else without the individual's permission. Information shared with these confidential resources is not considered a report to the University.

a) On-campus Confidential Support

SU Counseling Services 304-876-5161

Counseling Services has licensed clinicians to offer advocacy, support, therapy, and guidance. Counselors are available to provide advocacy to students and connect them to other resources, on and off campus. Any names and information shared with a counselor will not be shared with any other campus personnel except when there is an immediate danger to self or others or a suspicion of child abuse. Counseling Services works with the Title IX Coordinator to provide sexual violence prevention education to the campus community. A counselor is available to students 24/7 in the event of a crisis.

Confidential Support Staff

Confidential Support Staff are well trained faculty and staff members who volunteer their time to partner with

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students to provide emotional support and to assist students by addressing medical concerns, safety issues, interim accommodations, reporting options, and can connect students with on and off campus resources. Sharing information with a confidential advisor will not trigger a university investigation into an incident against the person's wishes. Confidential advisors are required to report non-personally identifiable information to the Title IX coordinator for the collection of aggregate data and crime statistics purposes.

b) Off-campus Confidential Support Options

Eastern Panhandle Empowerment Center

24 Hour Hotline: 304-263-8292

EPEC is a confidential domestic violence and sexual assault crisis center serving both men and women; services include emotional support, counseling, emergency shelter and a 24-hour hotline. Although EPEC is officially located off-campus, Shepherd has a long standing and highly functional relationship with EPEC. Advocates at EPEC can connect victims of violence and harassment to university resources or reporting, as well as facilitate criminal reporting and medical assistance <http://epecwv.org>

The National Sexual Assault Hotline 1-800-656-HOPE

The National Resource Center on Domestic Violence <http://www.nrcdv.org>

The National Coalition Against Domestic Violence <http://www.ncadv.org>

WV Foundation for Rape Information and Services <http://www.fris.org>

Rape, Abuse and Incest National Network (RAINN): 800-656-4673

A confidential, anonymous national sexual assault hotline
<http://www.rainn.org>

c) On-campus Confidential Medical Resources

Shepherd Health Services Center: 304-876-5161

Appointments can be scheduled Monday-Friday 8:30am-3:30pm by calling the number above.

The professionals at SU Health Services Center provide medical attention and referrals to campus and community resources. While Health Services does not provide a sexual assault forensic exam, they do provide some testing for sexually transmitted infections, pregnancy testing, Plan B emergency contraception, and treatment for minor injuries. Any names and information shared with a member of the Health Services staff will not be shared with any other campus personnel **except when there is an immediate danger to self or others or a suspicion of child abuse.**

d) Off-campus Confidential Medical Resources

Winchester Medical Center: 540-536-8000 1840 Amherst St, Winchester, VA 22601

Berkeley Medical Center: 304-264-1000 2500 Hospital Drive, Martinsburg, WV 25401

Jefferson Medical Center: 304-728-1600 300 South Preston Street, Ranson, WV 25438

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Shepherd University will work with the Eastern Panhandle Empowerment Center to fully and promptly cooperate in obtaining appropriate medical attention for a Complainant, including transportation to one of the listed hospitals.

iii. Statement on Preservation of Evidence

Evidence of sexual assault, dating violence, domestic violence, stalking, or retaliation should be preserved as soon as possible, even if you are unsure about reporting to the University or filing criminal charges. Preservation of evidence is essential for both law enforcement and University investigations. Write down, or have a friend write down, everything you can remember about the incident, including a physical description of the perpetrator. You should attempt to do this even if you are unsure about reporting the incident in the future.

A medical professional can provide emergency and/or follow-up medical services. Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (SAFE), also commonly referred to as a rape kit. Winchester Medical Center is located in Winchester, VA and will provide exams free of charge. Other local options include Berkeley Medical Center, located in Martinsburg, WV and Jefferson Medical Center, located in Ranson, WV. The medical exam has two goals: first, to diagnose and treat the full extent of any injury or physical effect (including prevention of sexually transmitted infections and/or pregnancy), and second, to properly collect and preserve evidence. The University is not notified by the hospital unless the Complainant desires to have on-campus personnel notified.

If an exam is desired, it is ideal if the Complainant (victim/survivor) does not shower, use the bathroom, or clean one's body in any way. The individual should also preserve any clothing (including undergarments) in a paper bag.

Digital Evidence

Evidence such as texts, emails, social media posts, chats, pictures, videos or other forms of electronic communication can be helpful in an investigation. Download files, save to a .pdf, take screen shots, or use other methods to preserve electronic evidence.

Stalking or Intimate Partner Violence Evidence

Documenting behavior that is unwanted, unwelcome, or violent at the start of such conduct will be helpful even if you are not yet ready to report an incident.

iv. Campus Resources

In addition to the confidential resources listed above, Shepherd community members have access to a variety of resources provided by the University. The staff members listed below are trained to support campus members and will collaborate with the Title IX Coordinator in a manner consistent with the University's commitment to a safe and healthy educational and working environment. While not bound by confidentiality, these resources will maintain the privacy of an individual's information within the limited circle of those involved in the Title IX resolution process.

Title IX Coordinator: Annie Lewin, 304-876-5041, alewin@shepherd.edu

The Title IX Coordinator supervises the University's response to a report of sexual harassment. The coordinator is responsible for the initial Title IX assessment, implementing supportive measures for the individual and the community, initiating the investigation, and ensuring a fair and impartial resolution designed to stop the harassing conduct, address its effects, and prevent its recurrence. The coordinator provides oversight of all Title IX complaints to ensure compliance with local, state, and federal authority. The Title IX Coordinator receives and reviews all complaints to identify and address any systemic problems. The coordinator also assesses student activities periodically to ensure that the practices and behaviors of the students do not violate the policies on sexual harassment and violence, and to tailor education, prevention, and training programs regarding sexual

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harassment to the needs of the community. The coordinator is available to meet with students, staff, and faculty.

Dean of Students Office: Jacob Mellow, 304-876-5307, jmellow@shepherd.edu

The Dean of Students can provide options and resources for students related to student conduct as well as assist with a variety of accommodations and interim remedies. The Dean will work with the Title IX Coordinator to resolve misconduct relating to students under this policy.

Vice President for Student Affairs: Holly Frye, 304-876-5030, hfrye@shepherd.edu

The VP for Student Affairs & Dir of Community Relations has overall responsibility for the Div. of Student Affairs by helping to facilitate supportive measures and resolution of complaints involving students.

Provost: Dr. Jack DeRochi, 304-876-5176, jderochi@shepherd.edu

The Provost has overall responsibility for Academic Affairs and will work with the Title IX Coordinator to provide supportive measures and resolve complaints of sexual harassment involving faculty and/or students.

Director of Human Resources Operations: Tammy Gill, 304-876-5288, tgill@shepherd.edu

The Director of HR will coordinate with the Title IX Coordinator to respond and resolve complaints of sexual harassment involving employees.

II. Shepherd University Commitment to Civility and Community Expectations

Shepherd University is committed to developing and implementing appropriate strategies to achieve greater awareness, appreciation, and human understanding, both in the classroom and throughout the campus. We promote a campus that celebrates different cultures. We demonstrate this commitment through our acceptance and appreciation of all groups and individuals. We commend those individuals on our campus who practice civility daily by actively supporting and fostering differences at Shepherd University. All campus community members are expected to follow the Shepherd University Civility Code and will be held accountable for failure to do so. The Code of Civility and contact information to report violations of the code can be found here: [Shepherd University Civility Code](#).

The university's Mission Statement demonstrates that it is our shared duty to create a welcoming culture where all members of the campus community are accepted and respected. For more information, go to [Shepherd University Non-Discrimination and Civility](#).

III. Scope of Policy

The University prohibits sexual harassment under Title IX, including sexual violence, stalking, dating violence, and domestic violence. Sexual harassment may occur regardless of a participant's sex, sexual orientation, gender identity, or gender expression.

The University strives to foster a climate free from discrimination, harassment, or violence through training, education, and prevention programs, as well as through policies and procedures that promote prompt reporting, prohibit retaliation, and ensure timely, fair, and impartial investigation and/or resolution of complaints in a way that eliminates the sexual harassment, prevents any recurrence, and addresses the effects of the harassment. This policy applies to all members of the Shepherd campus community, including students, faculty, administrators, staff, volunteers, vendors, independent contractors, and any individuals regularly or temporarily employed, studying, living, conducting business with, or having any official capacity with the University.

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This policy is intended to protect and guide individuals who have been affected by sexual harassment, whether as a Complainant, a Respondent, or a third party, and to provide fair and equitable procedures for the investigation and resolution of complaints.

When used in this policy, “Complainant” refers to an individual who is alleged to be the victim of conduct that could constitute sexual harassment, as defined by this policy, including sexual assault, stalking, or relationship violence. A “Respondent” refers to an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment as defined by this policy. A “Third Party” refers to any other participant in the process, including a witness to the incident or an individual who makes a report on behalf of someone else. Complainants and Respondents include both students and employees. Both students and employees are held to the same standard when it comes to complaints of sexual harassment.

IV. Geography of Jurisdiction

This policy applies to conduct occurring within a university education program or activity, including locations, events, or circumstances over which the University has exercised substantial control over both the Respondent and the context in which the sexual harassment occurs. This policy applies to conduct occurring on university property or at university-sanctioned events, including off-campus buildings owned or controlled by a student organization that is officially recognized by the University.

General jurisdiction dictates that some off-campus sexual harassment may fall within the University’s Title IX jurisdiction. This extends to incidents of sexual harassment if any of the following criteria are met:

- The off-campus incident occurs as part of the recipient’s ‘operations’
- The recipient exercised substantial control over the Respondent and the context of alleged sexual harassment
- The incident of sexual harassment occurs at an off campus building owned or controlled by a student organization officially recognized by a postsecondary institution

A Complainant is encouraged to report harassment regardless of where the incident occurred, or who committed it. Even if the University does not have jurisdiction over the Respondent, the University will still take prompt action to provide for the safety and well-being of the Complainant and the broader campus community and will assist a Complainant in identifying the appropriate external reporting options.

V. Non-Discrimination Statement

Shepherd University strives to create a safe and non-discriminatory learning, living, and working environment for all members of the campus community, based on mutual respect and acceptance of differences. Accordingly, the University provides opportunities to all prospective and current members of the student body, faculty, and staff on the basis of individual qualifications and merit. Shepherd University does not discriminate on the basis of race, color, national origin, religion, ancestry, age, ability, pregnancy, marital or family status, veteran status, sex, sexual orientation, gender identity, or gender expression.

Title IX is a federal law that prohibits sex discrimination in institutions of education that receive federal financial assistance. Inquiries concerning the application of Title IX may be referred to the University’s Title IX Coordinator or to the Department of Education’s Office for Civil Rights. Shepherd University’s Title IX Coordinators’ information can be found here:

- Annie Lewin, Title IX Coordinator, 304-876-5041, alewin@shepherd.edu
 - Gardiner Hall, Room 120, Shepherd University <http://www.shepherd.edu/title-ix>
- Contact information for the Department of Education’s Office for Civil Rights
 - Philadelphia Office: The Wanamaker Building

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- 100 Penn Square East, Suite 515
- Philadelphia, PA 19107
- Telephone: 215-656-8541
- FAX: 215-656-8605
- Email: OCR.Philadelphia@ed.gov <http://www.ed.gov/ocr>

VI. Privacy vs. Confidentiality

The University is committed to protecting the privacy of all individuals involved in a Title IX report or investigation. All employees who participate in the University's Title IX response, including the Title IX Coordinator, the Student Conduct Office, Title IX investigators, the Hearing Panel members or Decision Makers, the Title IX Advisors, and any other member of the Title IX team receive specific training and instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all involved individuals in a manner consistent with the need for a thorough review of the report. All university proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, the Violence Against Women Act (VAWA), Title IX, and state and federal law. No information shall be released from such proceedings except as required or permitted by law and University policy. To ensure all members of the community understand how the university protects the privacy of individuals, please be aware that privacy and confidentiality have distinct meanings.

Privacy

Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those university employees who need to know in order to assist in the active review, investigation, or resolution of the report, including providing supportive measures. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

Confidentiality

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual who shared the information. These designated campus and community professionals include professional counselors in the counseling center and medical health professionals in the student health center.

All Shepherd employees outside of designated confidential campus professionals will be responsible to report knowledge of any sexual harassment or violence to the Title IX Coordinator, who will then weigh any requests for confidentiality against the University's obligation to provide a safe, non-discriminatory environment for all members of the campus community. When a report involves suspected abuse of a minor under the age of 18, these confidential resources are required by West Virginia law to notify child protective services and/or local law enforcement. They are also required to notify the Title IX Coordinator that such a report has been made.

Employee Reporting Requirements

Shepherd University requires all employees to report any knowledge of sexual harassment, except for individuals who have legally protected confidentially (see Section 1, Resources). University employees are required to share this information with the Title IX Coordinator. This allows the Title IX Coordinator to conduct an initial assessment of the reported conduct, and to ensure that a Complainant is aware of all options for resolution, both on and off campus. The Title IX Coordinator will seek the Complainant's expressed preferences in determining a course of action.

Complainant's Request for Privacy

Where a Complainant requests that the Complainant's name or other identifiable information not be shared with

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the Respondent or that no formal action be taken, resolution options will be limited. If the University has information that may include a threat to the campus community, the Title IX Team will evaluate the information and make a determination based on the request. The University will balance the dual obligation to provide a safe and non-discriminatory environment for all campus community members and to remain true to principles of fundamental fairness that require notice and an opportunity to respond before action is taken against a Respondent. In making this determination, the Title IX Coordinator may consider the following factors (also used to make determination on timely warning):

- The seriousness of the conduct
- The respective ages and roles of the Complainant and Respondent
- The rights of the Respondent to receive notice before disciplinary action is sought
- Circumstances that suggest there is an increased risk of the Respondent committing additional acts of sexual violence or other violence
- Examples include: whether there have been other complaints or reports of harassment or misconduct about the same Respondent, whether the Respondent has a history of arrests, records from a prior school indicating a history of violence, whether the Respondent threatened further sexual violence or other violence against the Complainant or others, and whether the sexual violence was committed by multiple Respondents
- Circumstances that suggest there is an increased risk of future acts of sexual violence under similar circumstances
- Example: whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group
- Whether the sexual violence was perpetrated with a weapon
- Whether the University possesses other means to obtain relevant evidence
- Examples include: security cameras or other physical evidence

The University will take all reasonable steps to investigate and respond to the complaint consistent with the request for privacy or request not to pursue an investigation promptly upon receipt of report.

Where the University is unable to take action consistent with the request of the Complainant, the Title IX Coordinator will inform the Complainant about the University's chosen course of action.

VII. Timely Warning and Applicable Law

All University proceedings are conducted in accordance with University policies and procedures (contained herein) and in compliance with the requirements of FERPA, the Clery Act, Title IX, the Violence Against Woman Act (VAWA), and state and federal law. No information shall be released from such proceedings except as required or permitted by law and University policy.

If a report of sexual harassment meets the definition of a Clery Act crime, has occurred within Clery Act geography, and represents a serious and ongoing threat to the Shepherd community, the University may issue a campus-wide timely warning which will take the form of an email to campus to protect the health or safety of the community. The timely warning will not include any identifying information about the Complainant. The determination to issue a timely warning is considered on a case-by-case basis through an assessment by the Clery Compliance committee, taking into account the effect on the parties involved, and the safety and wellness of the campus as a whole. **The Clery Compliance committee will consider the factors listed above in "Complainant's Request for Privacy" as well when making the determination to send a Timely Warning.**

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Prohibited Conduct and Definitions Prohibited Forms of Conduct

The University prohibits all forms of harassment or discrimination on the basis of sex, including sexual harassment as defined below. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct (also referred to as quid pro quo harassment).

Quid pro quo conduct examples:

- Direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists
- Offering employment benefits in exchange for sexual favors
- 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

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity (also referred to as hostile environment harassment).

Hostile Environment examples that may fit the definition depending on circumstances:

Physical conduct:

- Unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements
- Unwanted sexual advances within the employment context
- Verbal conduct:
 - Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual
 - Objectively offensive comments of a sexual nature, including persistent and pervasive sexually explicit statements, questions, jokes, or anecdotes

Visual conduct:

- Severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate
- Written conduct:
 - Letters, notes, or electronic communications containing comments, words, or images described above

3. Sexual and Intimate Partner Violence as defined below:

a. **Sexual Assault:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Non-consensual Sexual Contact/Fondling:** The intentional touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the

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victim, including instances where the victim is incapable of giving consent because of their age and/or because of their temporary or permanent mental incapacity.

- **Non-consensual Sexual Intercourse/Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Incest:** Including non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Including non-forcible sexual intercourse with a person who is under the statutory age of consent.

b. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

c. **Domestic Violence:** A felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

d. **Stalking:** Includes engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition:

- *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, threatens, or communicates to or about a person, or interferes with a person's property.
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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4. **Retaliation:** Intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testifies, assisted, or participated or refused to participate in any manner in an investigation, or hearing under Title IX.

Other Definitions

Consent: A knowing, voluntary, and mutual agreement to engage in sexual activity.

- Consent can be given by words or actions, as long as those words or actions create clear, unambiguous permission regarding willingness to engage in the sexual activity.
- Consent is active, not passive. Silence, passivity, or lack of resistance does not imply consent.
- Consent to engage in one form of sexual activity does not imply consent to engage in other forms of sexual activity.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Past consent does not imply future consent.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent cannot be given when it is the result of coercion, intimidation, force, threat of harm, or when a person is mentally or physically incapacitated.
- Incapacitation can occur as a result of mental disability, sleep, involuntary physical restraint, unconsciousness, voluntary (or involuntary) use of alcohol and/or drugs, or when a person is otherwise physically helpless.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Incapacitation: An incapacitated individual is unable to make rational, reasonable decisions (e.g., to understand the fact, nature, or extent of the sexual interaction) and therefore is incapable of giving consent. Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.

Incapacitation may result from the use of alcohol and/or drugs. The impact of alcohol and drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include but are not limited to: slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, emotional volatility, lack of control over physical movements, and inability to communicate.

Force: Force is the use or threat of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that overcomes an individual's free will to choose whether or not to participate in sexual activity.

Coercion: Coercion is the improper use of pressure to compel another individual to initiate or continue sexual activity. Coercion occurs when a person intimidates, forces, or manipulates someone into engaging in sexual activity without the use of physical force. Manipulative statements, threats of violence, blackmail, drugs, and/or

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alcohol can be used to coerce another into sexual activity. A person's words or conduct are sufficient to constitute coercion if another individual's freedom of will and ability to choose whether or not to engage in sexual activity is impaired. Use of alcohol as a tool to engage another, sexually, will be a factor in determining coercion and consent. A person's age and level of experience compared to another will also be used as a factor in determining whether sexual activity has been consensual.

Warning: In general, the University considers sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and drugs can impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important, therefore, that **anyone engaging in sexual activity be aware of the other person's level of intoxication**. If there is any doubt as to the level or extent of the other individual's intoxication, the prudent course of action is to forgo or cease any sexual contact or activity.

Intoxication or impairment through the use of drugs or alcohol **is never an excuse** for sexual harassment, misconduct, or interpersonal violence and does not diminish one's responsibility to obtain informed and freely given consent.

VIII. Reporting

Shepherd University campus community members have the right to make a report to the University by contacting the Title IX Coordinator; or to law enforcement by contacting University Police or any local police department. All members of the campus community have a right to be protected from retaliation for reporting an incident of discrimination, including sexual harassment.

The University is committed to supporting those who experience sexual harassment and encourages all individuals or third-party witnesses to report any incident to the University and/or local law enforcement. Reporting options are not mutually exclusive. Both campus and criminal reports may be pursued simultaneously. At the time a report is made, a Complainant does not have to decide whether or not to request any particular course of action. In this process, the University will balance the individual's interest with its obligation to provide a safe and equitable environment for all members of the campus community.

Any complaint of sexual harassment reported to the University will be resolved in a fair and impartial manner. A Complainant, a Respondent, and all individuals involved can expect to be treated with dignity and respect. In every report under this Policy, the University will make an immediate assessment to consider the nature of the report, the safety of the individuals involved, and the safety of the campus community overall.

Emergency and External Reporting Options

The University will help any campus community member to get to a safe place and will provide coordination with law enforcement and information about on- and off-campus resources and options for resolution. The University will fully and promptly cooperate in obtaining appropriate medical attention for a Complainant, including coordination with the local rape crisis center to provide transportation for the Complainant to a local hospital.

Law Enforcement

For immediate assistance: 911

SUPD: 304-876-5202

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Shepherdstown Police Department: 304-876-6036

Jefferson County Sheriff's Department: 304-728-3205

West Virginia State Police: 304-725-9779

Medical Providers

Provides Sexual Assault Forensic Exams

Winchester Medical Center: 540-536-8000

Berkeley Medical Center: 304-264-1000

Jefferson Medical Center: 304-728-1600

Provides Medical Treatment

Shepherd University Health Center: 304-876-5161 Mon-Fri: 8:00am-4:30pm

Reporting Considerations: Timeliness and Location of Incident

Complainants and third-party witnesses are encouraged to report sexual harassment and violence as soon as possible in order to maximize the University's ability to respond promptly and effectively. The University does not, however, limit the time frame for reporting. If the Respondent is not a member of the Shepherd community, the University response may be limited by jurisdiction, but the University will attempt to take every step possible to provide supportive resources and a safe, equitable educational environment. The University's ability to take disciplinary action against the Respondent may be limited, but the University will provide supportive measures for the Complainant and assist in identifying the appropriate external reporting options.

Amnesty for Alcohol or Other Drug Use

Shepherd is concerned first and foremost with the safety of the entire campus community. At times, students are hesitant to report the occurrence of sexual harassment, including sexual assault, to university officials because students are concerned about charges for violating alcohol or drug policies. While alcohol and drug violations are not condoned by the University, reporting sexual assault and other forms of harassment are strongly encouraged. A bystander, acting in good faith, or a reporting individual (Complainant) acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to university officials will not be subject to code of conduct action for violations of alcohol and/or drug use policies occurring in connection with the report.

Coordination with Law Enforcement

A Complainant has the right to file criminal charges with the appropriate law enforcement official or may decline to notify law enforcement. The University encourages Complainants to pursue criminal action for incidents of sexual or intimate partner violence that may also be crimes under West Virginia law. The University will assist a Complainant in making a criminal report if a Complainant decides to pursue the criminal process. The University will cooperate with law enforcement agencies.

The University's Policy, definitions and standard of proof may differ from West Virginia criminal law. A Complainant may seek recourse under this policy and/or pursue criminal action. Neither law enforcement's determination whether or not to prosecute a Respondent, nor the outcome of any criminal prosecution, are determinative of whether a violation of this policy has occurred. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

At the request of law enforcement, the University may agree to defer its Title IX fact gathering until after the initial

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stages of a criminal investigation. The University will nevertheless communicate with the Complainant regarding Title IX protections, procedural options and the implementation of supportive measures to assure safety and well-being. The University will promptly resume its Title IX fact-gathering as soon as it is informed that law enforcement has completed its initial investigation.

Statement Against Retaliation

Shepherd University does not tolerate any form of retaliation. It is a violation of University Policy and Title IX to retaliate, intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complained, testified, assisted, or participated/refused to participate in any manner in an investigation, or hearing under Title IX. The University recognizes that retaliation can take many forms, may be committed by or against an individual or a group, and that a Complainant, Respondent or third party may commit or be the subject of retaliation. Retaliatory conduct or conduct that could be construed as retaliation or intimidation, including having or attempting contact with any individual involved in the reporting or investigation process to intimidate, harass, threaten, or coerce such individual will be considered a violation of University Policy. Contact also includes contact from third parties, such as friends, family members, and/or other students.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

The University shall not retaliate against an individual who has made a report or complaint, testifies, assisted, or participated/refused to participate in any manner in an investigation, or hearing under Title IX. The University will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate. An individual reporting discrimination, including sexual harassment, is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report does not later result in a finding of responsibility.

False Reports

The University will not tolerate intentional false reporting of incidents. The University takes the validity of information very seriously as a charge of sexual harassment may have severe consequences. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated accusation; however, when a Complainant or third-party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, that individual may be subject to disciplinary action. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws. Similarly, a Respondent or witness who is later proven to have intentionally given false information during the course of an investigation or conduct action may be subject to disciplinary action.

IX. Supportive Measures and Accommodations

Upon receipt of a report, the Title IX Coordinator will work with other University personnel to provide reasonable and appropriate supportive measures designed to restore equal access to the University's education program or activity without unreasonably burdening the other party. Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

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The University will make reasonable efforts to communicate with the parties to ensure that all safety, emotional and physical well-being concerns are being addressed; namely, the University will offer to change academic, living, transportation, and working situations or other supportive measures, if such an accommodation is reasonably available. Supportive measures may be provided regardless of whether the Complainant files a formal complaint.

A Complainant or Respondent may request a Mutual No-Contact Order or other protection, or the University may choose to impose a No-Contact Order or other measure at its discretion to ensure the safety of all parties, the broader University community and/or the integrity of the process.

All individuals are encouraged to report concerns about the failure of another individual to abide by a No-Contact order imposed. Failure to abide by the imposition of a No-Contact Order is a violation of this Policy, and the University may pursue disciplinary action for any failure to comply.

Depending on the circumstances and requested measures, the Respondent may or may not be notified. A Respondent will be notified when the University seeks action that would impact a Respondent, such as measures that restrict the movement of the Respondent on campus, the initiation of an investigation, or an informal resolution.

Range of Measures

Supportive measures will be implemented at the discretion of the University. Potential measures, which may be provided to the Complainant or Respondent, include:

- Access/referral to counseling services and assistance in setting up an initial appointment, both on and off campus
- References and assistance in obtaining medical/health services
- Imposition of a campus Mutual No-Contact Order
- Imposition of a restriction from campus for non-student
- Increased security and monitoring of certain campus areas
- Timely warnings
- Academic accommodations (with permission of the student and with agreement of the appropriate faculty, who will not be informed of the specific reason for the request):
- Rescheduling of exams and assignments, providing alternative course completion options, change in class schedule or other academic accommodations without penalty to the party
- Providing Academic support services, such as tutoring, extensions, course-related adjustments
- Change in work schedule or job assignment
- Residence modifications, including:
 - Change in on-campus housing, arranging to dissolve a housing contract and pro-rating a refund in accordance with campus housing policies
- Education to the community or community subgroup
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

Emergency Removal and Administrative Leave

The University may remove a student Respondent from an educational program or activity on an emergency basis if a determination is made that the student is an immediate threat to the physical health or safety of any student or other individual arising from allegations of sexual harassment. The determination for an emergency removal will be made based on an individualized safety and risk analysis completed by the Title IX/Clergy Coordinated

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Campus Response Team. The University will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

The University may also place a non-student employee Respondent on administrative leave pending the resolution or outcome of a Title IX grievance process underway. Neither a Student Emergency Removal or an Employee Administrative Leave action will modify any rights under the Americans with Disabilities Act, Section 504 of Rehabilitation Act, and other applicable law.

IX. Options for Resolution of Complaints Time Frame for Resolution

The University seeks to resolve all complaints within a reasonable time frame. All time frames expressed in this policy are meant to be guidelines rather than rigid requirements. Extenuating circumstances may arise that require the extension of time frames. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances.

In general, a Complainant and Respondent can expect that the process will proceed according to the time frames provided in this Policy and accompanying procedures. The University will keep all parties updated on the status of resolution procedures throughout the process.

Grievance Process for Resolution of Complaints or Reports

1. Initial Title IX Response

Upon receipt of a report, the University's Title IX Team will conduct an initial Title IX assessment. The goal of this assessment is to provide an integrated and coordinated response to reports of sexual harassment, including sexual violence, stalking, and dating or domestic violence. The assessment will consider the nature of the report, the safety of the individual and of the campus community, and the Complainant's expressed preference for resolution in determining the appropriate course of action to eliminate any hostile environment presented, stop the conduct at issue, prevent its recurrence, and address its effects.

Both informal and formal options are available to resolve the complaint. When a report of sexual harassment is received, the Title IX Coordinator will respond promptly to provide supportive measures and options for resolution of complaints. The Title IX Coordinator, or designee, will contact the Complainant to discuss the availability of supportive measures regardless of filing a formal complaint, and will explain the process for filing a formal complaint. A Formal Complaint is required to initiate a formal or informal process for resolution.

2. Formal Complaint

A formal complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment. In order to file a formal complaint, a Complainant must physically or digitally sign the complaint, or otherwise indicate that the Complainant is the one filing the complaint and intends to file a formal complaint. A formal complaint is required to initiate either the formal resolution process, including an investigation and hearing, or an informal resolution under Title IX. A Complainant cannot file a formal complaint and remain anonymous; however, a formal complaint may be filed without knowing the identity of the Respondent. A formal complaint must allege sexual harassment as defined by this policy.

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3. Written Notice of Allegations

Both the Complainant and the Respondent will receive written notice of an allegation if a formal complaint is filed. This notice includes a written document to the Respondent outlining, the Complainant, the nature of the incident and how it constitutes sexual harassment (as previously defined), and information pertinent to the incident (date, time, location, etc.) if known. The Respondent is not presumed responsible for the alleged conduct, and only at the conclusion of the grievance process will there be a determination of responsibility. Both parties will at this time be made aware of their right to an advisor and detailing evidence, as well as prohibition of making false statements or providing false information. Following the filing of a formal complaint, the Title IX Coordinator will contact the Respondent and provide written notice of allegations, including sufficient details known at the time with sufficient time to prepare a response before any initial interview. Sufficient details include: the identities of the parties involved in the incident (if known); the conduct allegedly constituting sexual harassment; the date and location of the alleged incident. The Written Notice of Allegations will also include options for resolution, including formal investigation and adjudication or informal resolution.

4. Informal Resolution Options

Informal resolution is an alternative dispute resolution option that is a remedies-based approach, including mediation or arbitration, and designed to eliminate a hostile environment and prevent future harassment. Both the Complainant and Respondent must submit written consent and agree on the type of informal resolution. Informal resolutions may not be used to resolve complaints submitted by students against employees. An informal resolution process does not involve a full investigation and adjudication and may be initiated at any point prior to reaching a determination regarding responsibility. The University will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Complainant's access to the educational and extracurricular activities at the University, eliminate any hostile environment issues, and prevent future misconduct. Other potential remedies include targeted or broad-based educational programming or training.

The Title IX Coordinator will work with the Complainant and Respondent to determine the best and most appropriate option for informal resolution based the individual circumstances of the situation. Participation in informal resolution is voluntary, and parties can request to end informal resolution at any time, resume the formal process or choose an alternative informal process. The informal resolution process will include a document outlining action steps to address current and prevent future hostile environment concerns. Informal resolutions can include No-Contact Orders, educational requirements, and other supportive measures as well. The Title IX Coordinator will maintain records of all reports and conduct resolved through the informal resolution process. The University will keep all parties informed of the progress of the informal resolution process. Informal resolutions can never be forced upon a party for fear of retaliation.

5. Formal Resolution Options

Formal Investigation

Formal resolution begins with a formal investigation. The goal of the investigation is to gather all relevant facts and determine if there is sufficient information to refer the report to an adjudication or grievance process in order to determine responsibility and impose appropriate sanctions or outcomes. If the Complainant files a formal complaint and chooses to pursue a formal resolution process, the University will initiate a prompt, thorough, and impartial investigation. The Title IX Coordinator will have oversight over the investigation. Prior to any investigation meetings,

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the Title IX Coordinator, or member of the Title IX team will meet with both the Complainant and Respondent to inform both parties of their rights and responsibilities, the name of the investigator(s) appointed to the case, the policy provisions alleged to have been violated, the range of potential sanctions for the alleged violations, the name of the parties alleging violations, and the date, time, and place of the alleged sexual harassment, to the extent known.

At the conclusion of the investigation, an investigation report will be compiled with relevant evidence included and submitted to the hearing panel prior to the hearing and after documents have been reviewed by both parties. The investigation is designed to provide a fair and reliable gathering of the facts. All individuals in the investigation, including the Complainant, the Respondent and any third-party witnesses, will be treated with appropriate sensitivity and respect. Consistent with the need for a full assessment of the facts, the investigation will safeguard the privacy of the individuals involved as much as possible.

The investigator(s) will coordinate the gathering of information from the Complainant, the Respondent, and any other individuals who may have information relevant to the determination. The investigator(s) will also gather any available physical or medical evidence, including documents, communications between the parties, and other electronic records as appropriate. The Complainant and Respondent will have an equal opportunity to be heard, to submit evidence, and to identify witnesses who may have relevant information.

Evidence regarding a party's sexual behavior or predisposition that is directly related to the allegations raised in a formal complaint should be offered for review to all parties for consideration of inclusion in the investigative report. The Complainant's prior sexual behavior is considered irrelevant; however, **it must be shared if it is considered directly related to the allegations.**

At the conclusion of the investigation, the investigator(s) will prepare a written investigation report synthesizing the facts that will be submitted for review by the Hearing Board to determine responsibility outcomes and sanctions.

Advisor of Choice

Complainants and Respondents have the right to be assisted by an advisor to provide support through the grievance process. Advisors may be any member of the campus community but may not be a witness or other party in the proceeding. Complainants and Respondents who wish to consult with an attorney may do so at their own expense; the attorney may act as the party's advisor and accompany the party to any investigation meeting and/or hearings. An advisor may be present for any investigation, meeting, or hearing. If a party does not have an advisor, the University will provide the party with an advisor at no cost for the purpose of cross-examination during the live hearing. The advisor for Title IX hearings will conduct cross examination for the Complainant or Respondent during the hearing.

Document Review

Before the investigator(s) issues a final report, both parties will be provided with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely. Prior to completion of the investigative report, the University will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The Recipient must make all such evidence subject to the parties' inspection and review available at any hearing to give

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each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination. Upon completion of the investigative report, the parties will have another opportunity to review evidence documentation prior to the live hearing.

Preponderance Standard

Preponderance of evidence is the required standard for determining a policy violation. Administrators charged with rendering a decision of policy violation must be convinced based on the information provided that **a policy violation was more likely to have occurred than to not have occurred** in order to find a Respondent responsible for violating a policy.

Hearing Board Panels and Decision-Makers

The hearing board panel typically consists of three members drawn from a pool of faculty and staff, selected and trained by the Title IX Coordinator. All decision-makers and hearing board members must participate in annual training on: non-discrimination; the dynamics of sexual harassment, sexual violence, stalking, and intimate partner violence; the factors relevant to a determination of credibility; the appropriate manner in which to receive and evaluate sensitive information; the manner of deliberation; evaluation of consent and incapacitation; the application of the preponderance of the evidence standard; sanctioning; and the University's policies and procedures. The training will be coordinated by the Title IX Coordinator.

All formal hearing recordings will be maintained by the University.

Witnesses

The Complainant, Respondent, and the hearing board all have the right to call witnesses, including expert witnesses. Witnesses must have observed the conduct in question or have information relevant to the incident and cannot be called solely to speak about an individual's character. The Decision Maker will determine if the proffered witness(es) has relevant information.

If witnesses are approved to be present, the Respondent and Complainant are provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than ten (10) business days before the hearing. All parties have the opportunity to ask questions of witnesses through the party's advisor, regardless of which party requested the witness.

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Prohibited Conduct/Policy Violation	Range of Sanctions
Sexual Harassment (Not constituting sexual assault)	Maximum: <ul style="list-style-type: none"> • Suspension • Deferred Suspension • Disciplinary Probation Minimum: <ul style="list-style-type: none"> • Educational/Counseling Component • Community Service
Non-consensual Sexual Contact/Fondling	Maximum: <ul style="list-style-type: none"> • Expulsion • Suspension (including deferred) Minimum: <ul style="list-style-type: none"> • Disciplinary Probation and Community Service with an Educational/Counseling Component
Non-consensual Sexual Intercourse/Rape	Maximum: <ul style="list-style-type: none"> • Expulsion Minimum: <ul style="list-style-type: none"> • Suspension (including deferred) and Educational/Counseling Component
Sexual Exploitation	Maximum: <ul style="list-style-type: none"> • Expulsion • Suspension • Deferred Suspension • Disciplinary Probation Minimum: <ul style="list-style-type: none"> • Educational/Counseling Component • Community Service
Dating/Domestic Violence or Stalking	Maximum: <ul style="list-style-type: none"> • Expulsion • Suspension • Deferred Suspension • Disciplinary Probation Minimum: <ul style="list-style-type: none"> • Educational/Counseling Component • Community Service

The conduct body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

For further definitions please refer to the student code of conduct at <https://www.shepherd.edu/student-handbook>

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Employees

Disciplinary action may include, but is not limited to, a letter of reprimand, instructions to draft and send a letter of apology, termination of a contract, demotion, termination of employment, or expulsion from university programs. The decision notification will also advise the Complainant and the Respondent of the right to appeal the decision.

Outcome Notification

Written notice of the outcome, the rationale for the decision, relevant sanctions imposed, and instructions for filing an appeal will be provided to both parties following the decision. Both parties will also be notified of any change to the outcome that occurs prior to final resolution, and when the outcome becomes final.

Appeals

A Respondent or Complainant has up to five business days from the date of the decision notification to submit an appeal in writing to the Decision Maker. An appeal may be made on the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

This notification must clearly identify the grounds for the appeal and give clear support for this reason. Appeals will be heard through the Shepherd University Appeal Board. The Shepherd University Appeal Board will consist of three faculty or staff members, one of which will serve as chairperson. The appeals process will be limited to the content of the appeal request, a review of hearing recordings (if any), supporting documents, and related information. **The decision of the Shepherd University Appeal Board is considered final in all cases and cannot be appealed.** Decisions of the Shepherd University Appeal Board may take one of the following three forms:

- Affirm the original decision and sanctions.
- Change the original decision and/or sanctions.
- Void the original decision and order a new formal hearing.

The Shepherd University Appeal Board will make its decision promptly and communicate the findings to the Respondent and Complainant in writing in a timely manner.

Records

The Title IX Coordinator will retain records of all reports and complaints, regardless of whether the matter is resolved by means of Title IX assessment, informal resolution, or formal resolution. Affirmative findings of responsibility in matters resolved through formal resolution are part of a student's conduct record. Such records shall be used in reviewing any further conduct, or developing sanctions, and shall remain a part of a student's conduct record.

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Records will be retained for seven years or may be retained for longer periods of time or indefinitely at the discretion of the University.

X. Education and Prevention Programs

Shepherd University is committed to the prevention of sexual and intimate partner violence, harassment, and discrimination through education and awareness programs. Throughout the year, programs designed to promote awareness are presented by a variety of campus resources. Prevention programs include an overview of the University's policies and procedures, relevant definitions, including prohibited conduct, discussion of the impact of alcohol and drug use, affirmative consent, safe and positive options for bystander intervention, and information about risk reduction. Risk reduction is intended to educate members of the campus community to decrease perpetration and bystander inaction, while also increasing empowerment for healthy relationships, communications, and survivor support to increase safety on campus.

Incoming first year students and new employees will receive primary prevention and awareness programming as part of their orientation as well as online training. Returning students and employees will receive ongoing training on a periodic basis. The Title IX Coordinator oversees the education and prevention calendar and tailors programming to campus needs and climate. All educational programs include a review of resources and reporting options available for students, faculty, and staff.

Training for Faculty/Staff

All incoming faculty and staff at Shepherd University receive Title IX/Sexual Harassment training focused on both the awareness and prevention of gender-based harassment, discrimination, and violence.

Options are given for all faculty and staff to complete Title IX training in person through a presentation from the Title IX Coordinator or online through the completion of the Shepherd Employee Title IX training for faculty and staff created by the Title IX Office using the Articulate 360 software. All Shepherd employees are required to complete one of the training options described above.

Prevention and Education Programs for Students

1. Shepherd Online Sexual Respect Module

All incoming students are required to complete the Shepherd University Virtual Tour on Sexual Respect created by the Title IX Coordinator using collaboration from the IPV Prevention Task Force and the online software Articulate 360. This online training is customized to explain Shepherd University policies, procedures, definitions, and techniques for prevention, including videos featuring the Title IX Coordinator, the Shepherd Chief of Police, the Vice President for Student Affairs, Counseling Services, the local rape crisis center (Eastern Panhandle Empowerment Center), and other campus and student voices.

2. In-person Title IX and Sexual Violence Prevention Training

All incoming students, student-athletes, student employees, students involved in fraternity or sorority life, and student leaders are required to complete annual Title IX and sexual/intimate partner violence prevention training. In addition, all incoming students will receive in-person or virtual sexual and interpersonal violence prevention training during orientation. All training programs are organized by the Title IX Office, in collaboration with the Prevention Task Force.

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3. Stand Up Campaign

“Stand Up Don’t Stand By,” modeled after the national Green Dot Program, is Shepherd’s homegrown bystander intervention program implemented to raise awareness and empower bystanders to prevent sexual and intimate partner violence, harassment, and discrimination on campus. This bystander intervention campaign empowers all members of the campus community as bystanders to direct, distract, or delegate to get involved in a situation and prevent sexual and other misconduct or bias related behavior from occurring. Stand Up Don’t Stand By works in collaboration with the Social Justice Project on campus to promote campaigns and sponsor events that empower the community as allies to intervene and interrupt systems that perpetuate discrimination, harassment, and violence.

4. On-going Prevention and Awareness Campaigns

Shepherd University has engaged in a variety of prevention and awareness campaigns including the Stand-Up Bystander Intervention Program, the It’s On Us Pledge Campaign, the Red Flag Campaign, the Culture of Respect Campaign, SU Consent Week, and Campus Conversations on healthy masculinity programming using the Prevention task force described below, utilizes evidence-based prevention methods through resources, including the CDC’s Technical Packet for Addressing Sexual Violence. Risk reduction efforts include empowerment campaigns for survivors of violence, and student run organizations. Every year, the Office of Social Equity, Inclusion, and Title IX organizes various programs to create awareness, to include film screenings, panels, and the Rams Rally for Respect.

Interpersonal Violence Coordinated Campus Response Team

The Interpersonal Violence Coordinated Campus Response Team (CCRT) is a comprehensive, collaborative, and trauma-informed action team composed of campus and community organizations that manage the university's overall efforts to improve campus response in addressing sexual assault, domestic violence, dating violence, and stalking. A CCRT works in collaboration to assess, plan, monitor, and evaluate campus prevention and response efforts within the context of an institution and serves as the institutional body of expertise that guides and informs decision-making on institutional policy, response, and prevention efforts. A CCRT facilitates the use of trauma-informed response procedures to create a safer and more inclusive environment by promoting accountability and policy that is reflective of the campus’s commitment to ensure that all members of the campus community have awareness of and access to trauma-informed, culturally sensitive, survivor-centered services.

XI. Agreements with Local Law Enforcement and Rape Crisis Programs

Shepherd University is a grantee of the Office for Violence Against Women and has signed both internal and external memoranda of understanding with local law enforcement and the local rape crisis center - the Eastern Panhandle Empowerment Center. Shepherd is also engaged in a partnership with the WV Foundation for Rape and Information Services for training and grant coordination purposes.

XII. Campus Climate Survey

The Title IX Office conducted a campus climate survey during the spring of 2018 and all of the data from that

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survey can be found here on the website for any campus or community member to view:

<https://www.shepherd.edu/title-ix/shepherd-campus-climate>. As you can see, nearly 83% of students are aware of and understand policies and procedures for handling sexual violence. 91.8% of students feel safe on this campus, and almost 90% of students believe that Shepherd is trying hard to make sure students feel safe. Nearly 85% of students know what services are available for students that have experienced sexual assault and 91% of students feel that if they reported sexual assault Shepherd would treat them with dignity and respect. 93.6% students responded that sexual harassment is not tolerated at this school. If you compare Shepherd results to other schools, Shepherd leadership response and perception is much higher than other schools. You can find that information here: <https://www.shepherd.edu/title-ix/shepherd-campus-climate>

According to the survey, students know where to report and understand the resources and support available to them. We know that sexual misconduct is happening at Shepherd and at schools across the country. We will continue to work toward improving outreach, prevention, and appropriate response.

XIII. Conflicts with Other Policies

To the extent that this policy conflicts with any other University policy, procedure, handbook, faculty or employee bylaw, agreement, or process, this policy shall prevail.

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West Virginia Offenses

§61-8B-2. Lack of consent

- a) Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without the consent of the victim.
- b) Lack of consent results from:
 - 1) Forcible compulsion;
 - 2) Incapacity to consent; or
 - 3) If the offense charged is sexual abuse, any circumstances in addition to the forcible compulsion or incapacity to consent in which the victim does not expressly or impliedly acquiesce in the actor's conduct.
- c) A person is deemed incapable of consent when such person is:
 - 1) Less than sixteen years old;
 - 2) Mentally defective;
 - 3) Mentally incapacitated;
 - 4) Physically helpless;

§61-8B-3. Sexual assault in the first degree

- a) A person is guilty of sexual assault in the first degree when:
 - 1) The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - a. Inflicts serious bodily injury upon anyone; or
 - b. Employs a deadly weapon in the commission of the act; or
 - 2) The person, being fourteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than twelve years old and is not married to that person.
- b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than fifteen nor more than thirty-five years, or fined not less than one thousand dollars nor more than ten thousand dollars and imprisoned in a state correctional facility not less than fifteen nor more than thirty-five years.
- c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is eighteen years of age or older and whose victim is younger than twelve years of age, shall be imprisonment in a state correctional facility for not less than twenty-five nor more than one hundred years and a fine of not less than five thousand dollars nor more than twenty-five thousand dollars.

§61-8B-3. Sexual assault in the first degree

- a) A person is guilty of sexual assault in the first degree when:
 - 1) The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - a. Inflicts serious bodily injury upon anyone; or
 - b. Employs a deadly weapon in the commission of the act; or

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- 2) The person, being fourteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than twelve years old and is not married to that person.
- b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than fifteen nor more than thirty-five years, or fined not less than one thousand dollars nor more than ten thousand dollars and imprisoned in a state correctional facility not less than fifteen nor more than thirty-five years.
- c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is eighteen years of age or older and whose victim is younger than twelve years of age, shall be imprisonment in a state correctional facility for not less than twenty-five nor more than one hundred years and a fine of not less than five thousand dollars nor more than twenty-five thousand dollars.

§61-8B-4. Sexual assault in the second degree

- a) A person is guilty of sexual assault in the second degree when:
 - 1) Such person engages in sexual intercourse or sexual intrusion with another person without the person's consent, and the lack of consent results from forcible compulsion; or
 - 2) Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless.
- b) Any person who violates the provisions of this section shall be guilty of a felony, and, upon conviction thereof, shall be imprisoned in the penitentiary not less than ten nor more than twenty-five years, or fined not less than one thousand dollars nor more than ten thousand dollars and imprisoned in the penitentiary not less than ten nor more than twenty-five years.

§61-8B-5. Sexual assault in the third degree

- a) A person is guilty of sexual assault in the third degree when:
 - 1) The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated; or
 - 2) The person, being sixteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than sixteen years old and who is at least four years younger than the defendant and is not married to the defendant.
- b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years, or fined not more than ten thousand dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

§61-8B-7. Sexual abuse in the first degree

- a) A person is guilty of sexual abuse in the first degree when:
 - 1) Such person subjects another person to sexual contact without their consent, and the lack of consent results from forcible compulsion; or
 - 2) Such person subjects another person to sexual contact who is physically helpless; or
 - 3) Such person, being fourteen years old or more, subjects another person to sexual contact who is younger than twelve years old.

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- b) Any person who violates the provisions of this section shall be guilty of a felony, and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years, or fined not more than ten thousand dollars and imprisoned in a state correctional facility not less than one year nor more than five years.
- c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is eighteen years of age or older and whose victim is younger than twelve years of age, shall be imprisonment for not less than five nor more than twenty- five years and fined not less than one thousand dollars nor more than five thousand dollars.

§61-8B-8. Sexual abuse in the second degree

- a) A person is guilty of sexual abuse in the second degree when such person subjects another person to sexual contact who is mentally defective or mentally incapacitated.
- b) Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be confined in the county jail not more than twelve months, or fined not more than five hundred dollars and confined in the county jail not more than twelve months.

§61-8B-9. Sexual abuse in the third degree

- a) A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent, when such lack of consent is due to the victim's incapacity to consent by reason of being less than sixteen years old.
- b) In any prosecution under this section it is a defense that:
 - 4) The defendant was less than sixteen years old; or
 - 5) The defendant was less than four years older than the victim.
- c) Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be confined in the county jail not more than ninety days, or fined not more than five hundred dollars and confined in the county jail not more than ninety days.

§61-2-9a. Stalking; harassment; penalties; definitions

- a) Any person who repeatedly follows another knowing or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress, is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars, or both.
- b) Any person who repeatedly harasses or repeatedly makes credible threats against another is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars, or both.
- c) Notwithstanding any provision of this code to the contrary, any person who violates the provisions of subsection (a) or (b) of this section in violation of an order entered by a circuit court, magistrate court or family court judge, in effect and entered pursuant to part 48-5-501, et seq., part 48-5-601, et seq. or 48- 27-403of this code is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county jail for not less than ninety days nor more than one year or fined not less than two thousand dollars nor more than five thousand dollars, or both.

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- d) A second or subsequent conviction for a violation of this section occurring within five years of a prior conviction is a felony punishable by incarceration in a state correctional facility for not less than one year nor more than five years or fined not less than three thousand dollars nor more than ten thousand dollars, or both.
- e) Notwithstanding any provision of this code to the contrary, any person against whom a protective order for injunctive relief is in effect pursuant to the provisions of section five hundred one, article twenty-seven, chapter forty-eight of this code who has been served with a copy of said order or section six hundred eight, article five, chapter forty-eight of this code who is convicted of a violation of the provisions of this section shall be guilty of a felony and punishable by incarceration in a state correctional facility for not less than one year nor more than five years or fined not less than three thousand dollars nor more than ten thousand dollars, or both.
- f) For the purposes of this section:
- 1) "Bodily injury" means substantial physical pain, illness or any impairment of physical condition;
 - 2) "Credible threat" means a threat of bodily injury made with the apparent ability to carry out the threat and with the result that a reasonable person would believe that the threat could be carried out;
 - 3) "Harasses" means willful conduct directed at a specific person or persons which would cause a reasonable person mental injury or emotional distress
 - 4) "Immediate family" means a spouse, parent, stepparent, mother-in-law, father-in-law, child, stepchild, sibling, or any person who regularly resides in the household or within the prior six months regularly resided in the household; and
 - 5) "Repeatedly" means on two or more occasions.
- g) Nothing in this section shall be construed to prevent lawful assembly and petition for the lawful redress of grievances, including, but not limited to: Any labor or employment relations issue; demonstration at the seat of federal, state, county, or municipal government; activities protected by the West Virginia constitution or the United States Constitution or any statute of this state or the United States.
- h) Any person convicted under the provisions of this section who is granted probation or for whom execution or imposition of a sentence or incarceration is suspended is to have as a condition of probation or suspension of sentence that he or she participate in counseling or medical treatment as directed by the court.
- i) Upon conviction, the court may issue an order restraining the defendant from any contact with the victim for a period not to exceed ten years. The length of any restraining order shall be based upon the seriousness of the violation before the court, the probability of future violations, and the safety of the victim or his or her immediate family. The duration of the restraining order may be longer than five years only in cases when a longer duration is necessary to protect the safety of the victim or his or her immediate family.

West Virginia Domestic Violence Laws

§61-2-28. Domestic violence – Criminal acts.

- a) *Domestic battery.* – Any person who unlawfully and intentionally makes physical contact force capable of causing physical pain or injury to his or her family or household member or unlawfully and intentionally causes physical harm to his or her family or household member, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than twelve months, or fined not more than \$500, or both fined and confined.

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b) *Domestic assault.* – Any person who unlawfully attempts to use force capable of causing physical pain or injury against his or her family or household member or unlawfully commits an act that places his or her family or household member in reasonable apprehension of immediately suffering physical pain or injury, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months, or fined not more than \$100, or both fined and confined.

c) *Second offense.* – Domestic assault or domestic battery.

A person convicted of a violation of subsection (a) of this section after having been previously convicted of a violation of subsection (a) or (b) of this section, after having been convicted of a violation of subsection (b) or (c), section nine of this article or subsection (a), section fourteen-g of this article where the victim was his other current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense or who has previously been granted a period of pretrial diversion pursuant to section twenty-two, article eleven of this chapter for a violation of subsection (a) or (b) of this section, or a violation of subsection (b) or (c), section nine of this article or subsection (a), section fourteen-g of this article where the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not less than sixty days nor more than one year, or fined not more than \$1,000, or both fined and confined.

A person convicted of a violation of subsection (b) of this section after having been previously convicted of a violation of subsection (a) or (b) of this section, after having been convicted of a violation of subsection (b) or (c), section nine of this article or subsection (a), section fourteen-g of this article where the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense or having previously been granted a period of pretrial diversion pursuant to section twenty-two, article eleven of this chapter for a violation of subsection (a) or (b) of this section or subsection (b) or (c), section nine of this article or subsection (a), section fourteen-g of this article where the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense shall be confined in jail for not less than thirty days nor more than six months, or fined not more than \$500, or both fined and confined.

d) Any person who has been convicted of a third or subsequent violation of the provisions of subsection (a) or (b) of this section, a third or subsequent violation of the provisions of section nine of this article or subsection (a), section fourteen-g of this article where the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense or who has previously been granted a period of pretrial diversion pursuant to section twenty-two, article eleven of this chapter for a violation of subsection (a) or (b) of this section or a violation of the provisions of section nine of this article or subsection (a), section fourteen-g of this article in

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which the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense, or any combination of convictions or diversions for these offenses, is guilty of a felony if the offense occurs within ten years of a prior conviction of any of these offenses and, upon conviction thereof, shall be confined in a state correctional facility not less than one nor more than five years or fined not more than \$2,500, or both fined and confined.

e) As used in this section, "family or household member" means "family or household member" as defined in §48-27-204 of this code.

f) A person charged with a violation of this section may not also be charged with a violation of subsection (b) or (c), section nine of this article for the same act.

g) No law-enforcement officer may be subject to any civil or criminal action for false arrest or unlawful detention for effecting an arrest pursuant to this section or pursuant to §48-27-1002 of this code.

§61-2-29. Abuse or neglect of incapacitated adult; definitions; penalties

a) The following words, when used in this section and sections twenty-nine-a and twenty-nine-b of this article, have the meaning ascribed, unless the context clearly indicates otherwise:

- 1) "Abuse" means the intentional infliction of bodily injury on an incapacitated adult;
- 2) "Bodily injury" means substantial physical pain, illness, or any impairment of physical condition;
- 3) "Caregiver" means any person who has assumed the legal responsibility or a contractual obligation for the care of an incapacitated adult or has voluntarily assumed responsibility for the care of an incapacitated adult. The term includes a facility operated by any public or private agency, organization or institution which provides services to, and has assumed responsibility for the care of an incapacitated adult.
- 4) "Incapacitated adult" means any person eighteen years of age or older who by reason of advanced age, physical, mental, or other infirmity is unable to carry on the daily activities of life necessary to sustaining life and reasonable health;
- 5) "Neglect" means the unreasonable failure by a caregiver to provide the care necessary to assure the physical safety or health of an incapacitated adult; and
- 6) "Serious bodily injury" means bodily injury which creates a substantial risk of death, which causes serious or prolonged disfigurement, prolonged impairment of health or prolonged loss or impairment of the function of any bodily organ.

b) A caregiver who neglects an incapacitated adult or who knowingly permits another person to neglect an incapacitated adult is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$500 or confined in jail for not more than one year, or both fined and confined.

c) A caregiver who abuses an incapacitated adult or who knowingly permits another person to abuse an incapacitated adult is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 or more than \$500 or confined in jail for not less than ninety days nor more than one year, or both fined and confined.

d) A caregiver of an incapacitated adult who intentionally and maliciously abuses or neglects an incapacitated

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adult and causes the incapacitated adult bodily injury is guilty of a felony and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 and imprisoned in a state correctional facility not less than two years nor more than ten years.

e) A caregiver of an incapacitated adult who intentionally and maliciously abuses or neglects an incapacitated adult and causes the incapacitated adult serious bodily injury is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$5,000 and imprisoned in a state correctional facility not less than three years nor more than fifteen years.

f) Nothing in this section or in section twenty-nine-a of this article shall be construed to mean an adult is abused or neglected for the sole reason that his or her independent decision is to rely upon treatment by spiritual means in accordance with the tenets and practices of a recognized church or religious denomination or organization in lieu of medical treatment.

g) Nothing in this section or in section twenty-nine-a of this article shall be construed to mean an incapacitated adult is abused or neglected if deprivation of life-sustaining treatment or other act has been provided for by the West Virginia Health Care Decisions Act, pursuant to article thirty, chapter sixteen of this code.

Security and Access to Campus Facilities

The Shepherd campus consists of academic, administrative, and student services facilities, as well as grounds covering more than 300 acres. Academic and administrative buildings are unlocked and secured electronically by the Shepherd University Police Department (SUPD) each day according to an established schedule. Generally, unscheduled access to a secured administrative or academic building is not possible, except for authorized employees.

Admission to campus residence halls is by card access and limited as set forth in the Student Handbook. SUPD officers typically patrol the interior of residence halls, however this practice was reduced due to COVID. Enforcement of regulations of residence hall visitation is through the cooperative efforts of all residents and the residence hall advisors. West Woods residence hall rooms open directly to the campus grounds; the continuous use of locks on all doors is, therefore, imperative for maximum student safety.

The campus grounds are regularly patrolled by SUPD, and secured exterior doors are periodically checked. It is not possible for every portion of the campus to be under continuous visual oversight by a police officer, and all students are cautioned to exercise reasonable care for personal safety, especially during night hours. Lighting is installed along most popular pedestrian lanes of traffic on the campus; unlit or dimly lit areas should be avoided, particularly by students or employees walking alone. Any student may telephone SUPD @ 304-876-5202 for an escort from one campus location to another during night hours; a short wait may be necessary except for emergency situations.

Holiday Closings

As is stated on the *Residence Hall Contract*, residence halls serve only as a temporary residence for students, and the opening and closing of the residence halls follows the University's academic calendar, with Printz and Dunlop Hall apartments being exempted. The University reserves the right to modify this schedule in accordance with officially announced changes in the University calendar. Unless students are notified otherwise, residence

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halls are officially closed for holidays at the following times:

- Beginning at 10 a.m. on the Saturday preceding both Thanksgiving Break and Spring Break until 2 p.m. the Sunday terminating each respective break.
- Beginning at 10 a.m. on the day of the University's last scheduled final examination for Winter Break until 10 a.m. on the day before classes beginning in the spring semester (new first-year residents may arrive earlier).
- Beginning at 10 a.m. on the day of the University's last scheduled final examination of the spring semester until 10 a.m. on the day before classes begin for summer term I. Graduating seniors who apply for extended stay in accordance with all posted procedures and designated deadlines may remain in the residence halls at no additional charge until Commencement in consolidated spaces in the facility designated by Residence Life.
- At the end of the fall, spring, and summer terms, each resident is expected to vacate the residence hall room no later than 24 hours after taking her/his last final examination or by 6 p.m. on the day of the last scheduled final examination, whichever comes first.
- Apartment residents may remain in their assigned housing during all holidays and breaks during the contract period of their Residence Hall Contract. If an apartment resident is not returning to Shepherd University for the spring semester, he/she must officially check out as prescribed for other residential students.

Sex Offender Information

The West Virginia State Police maintain an Internet record of registered sex offenders living in Jefferson, Berkeley, and other counties in West Virginia. This information can also be accessed through the University Police Department.

Security Education

During the month of August, at the beginning of each academic year, the University conducts orientation sessions for freshmen and other new students. The orientation program includes information regarding SUPD and issues of personal security. Additionally, brochures and other information regarding personal security, or institutional security operations, are available from the Division of Student Affairs.

For students living on campus, issues of security are frequently addressed by the Residence Life staff who have received a brief training on security issues.

Off-Campus Student Activities

The University's sphere of interest extends beyond the geographic jurisdiction of the University's campus and grounds. Any formal or informal student organizations, and all of its members or participants, remain under the authority and jurisdiction of university policies, even when meeting off- campus.

In the case of criminal activity, Shepherd University receives information of arrests of students from the regional law enforcement agencies when requested, and such activity will result in a case-by-case review of whether disciplinary sanctions will be applied by the University.

Alcohol and Narcotics

As explained in the Student Handbook, Shepherd University strongly supports the alcohol and narcotics regulations of the state and federal government. Possession or use by, or distribution of alcoholic beverages to any underage person (less than 21) is prohibited by state law, and this legal mandate is strongly enforced by the

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University through the Residence Life staff and SUPD. Discipline and/or counseling will be pursued for violators. Persons possessing, using, or distributing illegal narcotics are usually suspended or expelled from the University. Counseling for persons seeking liberation from substance abuse is available from Student Affairs.

Firearms

As permitted by the Campus Self-Defense Act, individuals with a valid West Virginia Concealed Carry Permit, West Virginia Concealed Carry Provisional Permit, (or State with a reciprocal permit agreement) may conceal carry a revolver or pistol/ "Handgun" as defined by West Virginia state code on campus. Some locations on campus are prohibited for concealed carry. Under WV Law, the presence of a lawfully owned, not-loaded firearm inside a person's automobile while the vehicle is operated upon a street or parked in a parking lot of the university is not a violation of university policy.

Emergency Response

The University's Safety Manual includes information about fire procedures, bomb threats, mail and/or package threats, blood-borne pathogens and spill, and appropriate counter measures. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.

SUPD officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually SUPD, Shepherdstown Police Department (SPD), the Jefferson County Sheriff's Office, West Virginia State Police and the Shepherdstown Volunteer Fire Department (SVFD) or Sharpsburg, MD Volunteer Fire Department. Shepherd University works closely with the Jefferson County Homeland Security and Emergency Management Agency, which responds and may manage the incident if needed. Depending on the nature of the incident, other SU departments and other local or federal agencies could also be involved in responding to the incident. <https://www.shepherd.edu/emergency>

General information about the emergency response and evacuation procedures for SU is publicized each year as part of the institution's Clery Act compliance efforts and that information is available on the Shepherd University website. Detailed, updated information about the *Student Handbook* is available on the Campus website at <https://www.shepherd.edu/student-handbook>

All members of the SU community are expected to notify SUPD of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or on-going threat to the health and safety of students and/or employees on campus. SUPD has the primary responsibility of responding to and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, SUPD has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community. If that is the case, federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

Notification to the Shepherd Community About an Immediate Threat

SUPD, the General Counsel, and the Division of Student Affairs receive critical information from various offices/departments on campus, student housing, faculty, staff, students, grounds, and building maintenance. These three offices work together to assess whether there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the SU community. The Vice President of

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Finance and Administration, General Counsel, Police Chief, or the Vice President of Student Affairs will, without delay and taking into account the safety of the community, determine the content of the notification and initiate an appropriate notification system, unless issuing a notification will, in the judgment of the first responders (including but not limited to: SUPD, SPD, and/or SVFD), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the SU community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate and substantial threat to the SU campus community, or a component thereof. These methods of communications include postings of notices, mass voice-messaging to campus phones, network e-mails, University website alerts, and emergency text messages that can be sent to a phone or PDA (individuals must sign up for this service on the campus website, under RAVE in order to receive alerts). The University will post updates during a critical incident on the SU campus website at <https://www.shepherd.edu/emergency>. Members of the larger community may not be notified of an emergency through RAVE or e-mail. Students, faculty, and staff who are interested in receiving information about emergencies on campus must sign up for the emergency text message system, RAVE, on the campus website.

Emergency Evacuation Procedures

An evacuation drill is coordinated by SUPD and the Associate Director of Residence Life each semester for each residential facility on campus. A second drill is coordinated each semester for some first-year Residence Halls and the more densely populated halls. Thus, the emergency response and evacuation procedures are tested at least twice each year and, for some of the buildings, four times a year.

Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation.

University staff members do not tell students in advance about the designated location for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as location and nature of the threat. In both cases, SUPD and Residence Life staff on the scene will communicate information to students regarding the developing situation to students or any evacuation status changes. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of fires or other emergencies. At SU, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the SUPD, SVFD and the Residence Life staff to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately, as well as assessment and evaluation of emergency plans and capabilities. Residence Life staff prepares a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and procedures during their first floor-meetings and during other educational sessions that they can participate in throughout the year. The Residence Life staff members are trained in these procedures as well and act as an on-going resource for the students living in residential

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facilities.

Evacuation Protocol

An evacuation protocol exists in the event that a building must be evacuated for an extended period of time. The evacuations of buildings are rare occurrences but understanding what each person needs to do provides a mechanism for a smoother transition during an emergency. The following are things you need to know to assist with a smoother evacuation:

In any given situation where a building is deemed uninhabitable for an extended period of time by the Director of Facilities, the ranking officer of University Police, the Director of Residence Life and/or SVFD will determine if the occupants/residents will need to be evacuated.

- When a building must be evacuated, follow the directives of campus officials including those from SUPD, Student Affairs, Residence Life, and Facilities Management. In many cases, the SVFD will also be providing directives. The fire department is in charge when on the scene of an incident.
- Should the Dining Hall be evacuated and uninhabitable, food service will be operational in the Student Center only.

Evacuation Route

When the fire alarm sounds in your building, proceed to the nearest exit or follow posted emergency exit plans. Proceed to a designated assembly area as indicated by first responders. Keep streets, fire lanes, hydrant areas, and walkways clear for emergency response vehicles and personnel.

Notification of Missing Students

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify SUPD at 304-876-5202. SUPD will generate a missing person report and initiate an investigation immediately.

After investigating the report of a missing person, should SUPD determine that the student is genuinely missing, SUPD will notify the student's designated emergency contact no later than 24 hours after that student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, SUPD will notify the student's parent or legal guardian immediately after SUPD has determined that the student has been missing.

Safety and Security of Residents

Residence Life staff members are dedicated to and place an utmost priority on, the preservation of the safety and security of our residents. As such, a variety of procedures have been put in place for this purpose.

Community Policing

Residence Life collaborates closely with SUPD officers in responding to and resolving incidents which occur in the residence halls. Regular, confidential communication takes place between the two departments. In addition, SUPD officers may make unscheduled visits to residence halls and conduct regular walking tours in and around the exterior of buildings to ensure no safety or security breaches exist. These rounds also provide officers and residents an opportunity to get to know each other better.

K-9 Unit

A K-9 unit is an important aspect of the community policing team. It is used as a deterrent to illegal drug possession and consumption. A K-9 unit will periodically make unannounced inspections of the residence halls.

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Medical Emergencies

For medical or mental health emergencies, students are strongly encouraged to call 9-911 from any campus phone immediately for emergency transport services, and then notify a residence hall staff member for support. Residence Life staff members are trained to follow strict protocols in emergency situations. Due to limited staffing, the University Health Center is not able to respond to medical emergencies outside of the Health Center facility.

In cases where a student's life may be in danger, the senior student affairs staff on call or an SUPD officer may contact individuals listed on the student's emergency contact information card. Please note that Shepherd University is not responsible for the costs of any emergency transport services or medical care incurred by a student.

Theft and Renter's Insurance

Shepherd University is not responsible for theft, damage, or loss of personal items belonging to residents. To prevent such occurrences, keep your door locked at all times, including when going to use bathroom facilities. It is suggested that residents do not keep large sums of money or expensive items in their rooms. If you do choose to keep such valuables in your room, it is highly recommended that you purchase insurance.

Fire Protection Equipment/Systems

A majority of university buildings are equipped with automatic fire detection and alarm systems which are constantly monitored by SUPD staff. Refer to the chart in this document to review the Fire Safety Amenities in SU residential facilities for information about fire detection, notification, and suppression systems in each residential facility.

General Fire Safety

If a fire occurs in an SU building, community members should immediately notify emergency services by calling 9-1-1, IF USING A CAMPUS PHONE dial 911.

During fire alarms, community members are required to heed the warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. The Fire Marshall can levy fines and penalties to individuals who fail to evacuate a building promptly – but a more important reason for evacuating is for safety reasons!

When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus ring to an SUPD officer. Following a false alarm in a residential facility, an e-mail message is distributed to residents, typically the next business day, informing them of the cause of the activation and the reason for the evacuation. The purpose of providing follow-up information is to use those instances as a teaching moment to point out the reason for the alarm activation, the evacuation routes, and the instructions and guidelines for evacuations.

Fire Emergency Procedures

Residence Life addresses fire safety for its residents through building rules which reduce the risk of fire, safety training for students, and routine fire drills for all residents. These drills provide an opportunity to ensure that fire warning systems are functioning properly and that residents know the appropriate evacuation routes. The SVFD has an excellent crisis response team. Fire squads, EMTs, and ambulance crews provide additional

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emergency services to the campus. The individuals who staff these units are well-trained responders who regard the Shepherd University campus as a top priority.

A fire emergency is defined as any situation in which a discernible smell of smoke or fire, visible signs of smoke, or a live fire in a residence hall exists.

In case of fire:

- Sound the alarm. Yell “fire!” repeatedly. As you leave the building, activate the nearest fire alarm pull.
- Evacuate the building quickly. Use the nearest exit or follow posted emergency exit plans and proceed to the designated gathering place. Remember that saving lives is the most important thing; do not carry any items with you. Once you are outside, be sure to go to and remain in your designated area until an accurate headcount has been taken. Do not return to an evacuated building unless instructed to do so by a university official or fire and rescue personnel.
- If the door to your room feels hot, do not open it. Keep the door closed and place wet towels at the bottom of the door, if possible, to prevent smoke from entering. Call 911 for help; if no operable phone is available, yell out the window for help. Remain in your room and wait for assistance.
- If the hallway is filled with smoke, drop low to the ground, cover your nose and mouth with a damp cloth, if possible, and crawl quickly to the nearest exits. If the smoke is overwhelming or fills the entire hallway, return to, and remain in your room, following the procedures above.
- Call 911 from a safe place for emergency response services. Provide your name, phone number, and exact building location.
- Call SUPD at x5202. The responding officer will be responsible for directing traffic and communicating with fire and ambulance personnel.
- Under no circumstances are residents or staff to reenter the building until the responding Fire Chief or law enforcement officer has indicated that it is safe to do so.

Annual Fire Safety Report

A daily fire log is available for review Monday through Friday from 8 a.m. to 4 p.m. The information in the fire log typically includes information about fires that occur in residential facilities, including the nature, date, time, and general location.

SUPD publishes this fire safety report as part of its annual Clery Act compliance document, via this brochure, which contains information with respect to the fire safety practices and standards for SU. This report includes statistics concerning the number of fires, and the value of the property damage caused by a fire (see chart for more information). The compliance document is available for review 24 hours a day on the SU website at <https://www.shepherd.edu/emergency>.

Education of Members of the University Community

Shepherd University’s safety and security measures, along with fire safety procedures, are discussed during new student orientation. SUPD staff, Student Affairs Staff, and Residence Life staff participate in forums, meetings, and program in residence halls to address students and explain University security, public safety, and fire safety measures and procedures at SU. SUPD members conduct crime prevention and general security and safety awareness presentations when requested by various community groups, including students and employees of

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the University. During these presentations, the following information is typically provided: crime prevention tips; statistics on crime at SU; fire safety information; and information regarding campus security/safety. New employee orientation includes the distribution of crime prevention and safety materials to all new employees of the institution.

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FIRE REPORT 2024

Residence Hall	Total Fires	Fire Number	Date	Time	Cause of Fire	Injured	Deaths
Boteler Hall	0	0	N/A	N/A	N/A	0	0
Burkhart Hall off-line	0	0	N/A	N/A	N/A	0	0
Dunlop Hall	0	0	N/A	N/A	N/A	0	0
Lurry Hall	0	0	N/A	N/A	N/A	0	0
Martin Hall	0	0	N/A	N/A	N/A	0	0
Miller Hall	0	0	N/A	N/A	N/A	0	0
Moler Hall	0	0	N/A	N/A	N/A	0	0
Potomac Place	0	0	N/A	N/A	N/A	0	0
Printz Hall	0	0	N/A	N/A	N/A	0	0
Shaw Hall	0	0	N/A	N/A	N/A	0	0
Thacher Hall	0	0	N/A	N/A	N/A	0	0
Yost Hall	0	0	N/A	N/A	N/A	0	0

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FIRE REPORT 2024

Residence Hall	Fire Alarm Supervised	Partial Sprinkler Alarm	Full Sprinkler Alarm	Audible Alarm	Visual Alarm	Evacuation Plans	Detection System	Pull Station	Stand Alone Detectors	System Supervised	Extinguisher	Drills 2024
Boteler Hall	Yes	None	None	Yes	No	Flyer	Yes	At Exit	Yes	Yes	Yes	3
Burkhart Hall (Off-line)	N/A	None	None	Yes	No	Flyer	Yes	At Exit	Yes	Yes	Yes	0
Dunlop Hall	Yes	N/A	Yes	Yes	Yes	Posted	Yes	At Exit	Yes	Yes	Yes	5
Lurry Hall	Yes	None	None	Yes	No	Flyer	Yes	At Exit	Yes	Yes	Yes	3
Martin Hall	Yes	None	None	Yes	No	Flyer	Yes	At Exit	Yes	Yes	Yes	3
Miller Hall	Yes	N/A	Yes	Yes	Yes	Posted	Yes	At Exit	No	Yes	Yes	5
Moler Hall	Yes	None	None	Yes	No	Flyer	Yes	At Exit	Yes	Yes	Yes	3
Potomac Place	Yes	N/A	Yes	Yes	Yes	Posted	Yes	At Exit	Yes	Yes	Yes	5
Printz Hall	Yes	N/A	Yes	Yes	Yes	Posted	Yes	At Exit	Yes	Yes	Yes	5
Shaw Hall	Yes	None	None	Yes	Yes	Posted	Yes	At Exit	No	Yes	Yes	6
Thacher Hall	Yes	None	None	Yes	Yes	Posted	Yes	At Exit	No	Yes	Yes	6
Yost Hall	Yes	None	None	Yes	Yes	Flyer	Yes	At Exit	Yes	Yes	Yes	3

ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT

Criminal Offenses – On Campus

For each of the following criminal offenses, enter the number reported to have occurred On Campus.

Criminal Offense	Total Occurrences on Campus		
	2022	2023	2024
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	3	0	2
Fondling	0	1	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft (Do not include theft from motor vehicle)	0	0	0
Arson	0	0	0

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Criminal Offenses – On Campus Student Housing Facilities

For each of the following criminal offenses, enter the number reported to have occurred in On-Campus Student Housing Facilities

Criminal Offense	Total Occurrences on Campus		
	2022	2023	2024
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	3	0	2
Fondling	0	1	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft (Do not include theft from motor vehicle)	0	0	0
Arson	0	0	0

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Criminal Offenses – Public Property

For each of the following criminal offenses, enter the number reported to have occurred on Public Property.

	Total Occurrences - Public Property		
Criminal Offense	2022	2023	2024
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft (Do not include theft from motor vehicle)	0	0	0
Arson	0	0	0

ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT

Hate Crimes – On Campus

For the criminal offenses listed below first enter the total number of Hate Crimes that were reported to have occurred on campus; then break down each total by category of bias (e.g., race, religion, etc.).

Criminal Offense	Occurrences of Hate Crimes Category of Bias for crimes reported in 2024								
	2024 Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder /Non- negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses-forcible	0	0	0	0	0	0	0	0	0
d. Rape	0	0	0	0	0	0	0	0	0
e. Fondling	0	0	0	0	0	0	0	0	0
f. Sex offense- non-forcible	0	0	0	0	0	0	0	0	0
g. Incest	0	0	0	0	0	0	0	0	0
h. Statutory rape	0	0	0	0	0	0	0	0	0
i. Robbery	0	0	0	0	0	0	0	0	0
j. Aggravated assault	0	0	0	0	0	0	0	0	0
k. Burglary	0	0	0	0	0	0	0	0	0
l. Motor vehicle theft (Do not include theft from motor vehicle)	0	0	0	0	0	0	0	0	0
m. Arson	0	0	0	0	0	0	0	0	0
n. Simple assault	0	0	0	0	0	0	0	0	0
o. Larceny-theft	0	0	0	0	0	0	0	0	0
p. Intimidation	0	0	0	0	0	0	0	0	0
q. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

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VAWA Offenses – On Campus

For each of the following crimes, enter the number reported to have occurred On Campus.

Criminal Offense	Total Occurrences on Campus		
	2022	2023	2024
Domestic Violence	1	0	1
Dating violence	1	1	1
Stalking	2	3	1

VAWA Offenses – On-Campus Student Housing Facilities

For each of the following crimes, enter the number reported to have occurred in On-Campus Housing Facilities

Criminal Offense	Total Occurrences on Campus		
	2022	2023	2024
Domestic Violence	1	0	1
Dating violence	1	1	1
Stalking	0	1	0

VAWA Offenses – Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

Criminal Offense	Total Occurrences on Campus		
	2022	2023	2024
Domestic Violence	0	0	0
Dating violence	0	0	0
Stalking	2	2	1

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Arrests – On Campus

Enter the number of Arrests for each of the following crimes that occurred On Campus.

Do NOT include drunkenness or driving under the influence in Liquor Law violations.

Crime	Number of Arrests		
	2022	2023	2024
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	2	0
c. Liquor law violations	0	0	0

Arrests – On-Campus Student Housing Facilities

Of those Arrests for crimes that occurred On Campus, enter the number of crimes that occurred in On-Campus Student Housing Facilities for each of the following categories.

Do NOT include drunkenness or driving under the influence in Liquor Law violations.

Crime	Number of Arrests		
	2022	2023	2024
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	1	0
c. Liquor law violations	0	0	0

Arrests – Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.

Do NOT include drunkenness or driving under the influence in Liquor Law violations.

Crime	Number of Arrests		
	2022	2023	2024
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	1	0
c. Liquor law violations	0	0	0

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Disciplinary Actions – On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor Law violations.

Crime	Number of Arrests		
	2022	2023	2024
a. Weapons: carrying, possessing, etc.	3	0	0
b. Drug abuse violations	4	15	7
c. Liquor law violations	15	25	19

Disciplinary Actions – On-Campus Student Housing Facilities

Enter the number of persons referred for disciplinary action for crimes that occurred in On-Campus Student Housing Facilities for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor Law violations.

Crime	Number of Arrests		
	2022	2023	2024
a. Weapons: carrying, possessing, etc.	3	0	0
b. Drug abuse violations	4	15	7
c. Liquor law violations	15	25	19

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Disciplinary Actions – Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor Law violations.

Crime	Number of Persons referred for Disciplinary Action		
	2022	2023	2024
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Unfounded Crimes

Of those crimes that occurred On Campus, in On-Campus Student Housing Facilities, on or in Non-Campus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

The total number of unfounded crimes should include all criminal offenses, hate crimes, arrests or disciplinary action referrals for weapons, drug or liquor law violations, and domestic violence, dating violence, or stalking incidents that have been unfounded.

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded.” Only sworn or commissioned law enforcement personnel may unfound a crime.

Count unfounded crimes in the year in which they were originally reported

	Number		
	2022	2023	2024
a. Total Unfounded crimes	0	0	0