



Annual Security Report

**Henderson County Campus
Transylvania County Campus
Health Sciences Center**

2017



Table of Contents

Introduction	5
About Blue Ridge Community College	5
Mission	6
Location and Facilities	6
Clery Act Requirements	6
BRCC Police and Public Safety	7
Contact and Location Information	7
Enforcement Authority	8
Contractors and Partnerships	8
Reporting Incidents and Emergencies	9
Methods for Reporting Crime and Other Serious Incidents	9
Emergency Elevator Phones	9
Voluntary and Confidential Reporting	10
Response to Crime Reports and Emergencies	10
Reporting Violent or Threatening Behavior	10
Investigations	10
Annual Fire Safety Report and Missing Student Policy	10
Campus Facilities	11
Access to Campus Facilities	11
Lighting and Vegetation Management	11
Physical Plant Maintenance	11
Timely Warning Notices	11

Campus Emergency Response and Evacuation	12
Emergency Notification System.....	13
Crisis Management Team	13
Daily Crime Log	14
Civil No-Contact and Domestic Violence Orders	14
Reporting Procedures	15
Federal Statistical Reporting Obligations.....	15
To Report Confidentially	16
Reporting to those who can maintain the privacy of what you share	17
Non-Confidential Reporting Options	17
Federal Timely Warning Reporting Obligations.....	17
Crimestoppers/Confidential Reporting	17
Security-Related Policies.....	18
Campus Security.....	18
Student Organizations and Activities at Off-campus Locations	18
Possession, Use and Sale of Alcoholic Beverages.....	18
Drug Free Schools and Campuses Act of 1989	18
Drug-Free Workplace.....	19
Drug Abuse Prevention and Student Conduct.....	21
Drug Abuse Prevention Program	21
Possession of Weapons or Explosives	22
Weapons on Campus	22
Workplace Violence	23
Workplace Harassment.....	24
Sex Offenders on Campus.....	26
Programs to Inform Students and Employees about Campus Security	26
The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.....	27
Discrimination, Harassment and Sexual Based Violence.....	28
Student Conduct	28

Code of Student Conduct.....	28
Immediate Removal from Campus	31
Student Due Process	31
Discrimination, Harassment and Sexual-Based Violence	33
Reporting Discrimination, Harassment, and Sexual-Based Violence	37
Initial Investigation of Sexual Harassment and Sexual-Based Violence	38
Determination and Appeal of Sexual Harassment and Sexual-Based Violence	39
Protection against Retaliation	41
Employee and Student Relations.....	41
Suspending Procedures.....	42
Student and Employee Education and Annual Training	42
Student Grievance	43
Student Grievance Procedures	43
Crime Statistics.....	45
Henderson County Campus: Crimes Reported	45
Transylvania County Campus: Crimes Reported.....	46
Henderson County Campus: Arrests.....	47
Transylvania County Campus: Arrests	47
Henderson County Campus: Disciplinary Actions.....	48
Transylvania Campus: Disciplinary Actions.....	48
Henderson County Campus: Hate Crimes Reported on Campus Property	49
Henderson County Campus: Hate Crimes Reported on Public Property	50
Henderson County Campus: Hate Crimes Reported on Campus Property	51
Henderson County Campus: Hate Crimes Reported on Public Property	52
Henderson County Campus: Hate Crimes Reported on Campus Property	53
Henderson County Campus: Hate Crimes Reported on Public Property	54
Transylvania County Campus: Hate Crimes Reported on Campus Property.....	55
Transylvania County Campus: Hate Crimes Reported on Public Property	56
Transylvania Campus: Hate Crimes Reported on Campus Property	57

Transylvania County Campus: Hate Crimes Reported on Public Property 58
Transylvania County Campus: Hate Crimes Reported on Campus Property 59
Transylvania County Campus: Hate Crimes Reported on Public Property 60
Henderson County Campus: Violence against Women 61
Transylvania County Campus: Violence against Women 61
Resource Contact Information..... 62

Introduction

Thank you for taking the time to read the Blue Ridge Community College (BRCC) 2016 Annual Security Report. The Blue Ridge Community College Police and Public Safety Department prepares this report in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (The Clery Act). Information about the Clery Act can be found on our website. The Security Report is designed to provide you with important information about your safety and security and contains statistics about crime on campus. The statistical data that is shared in this report details activities of the previous three years on campus. Safety is a shared responsibility and we rely on every community member to contribute to security by reporting suspicious activities when going about their daily activities.

Blue Ridge Community College has its own police department. Blue Ridge Community College Police Officers have full powers of arrest pursuant to North Carolina General Statute 115D-21.1 and enforce federal, state, and local laws along with certain college policies. In addition, you may see deputies from the Transylvania County Sheriff's Office patrolling our Transylvania County Campus. They, as well, are fully certified law enforcement officers. We hope you find this report informative and helpful, and that your time at BRCC will be enjoyable and safe. If you have questions or would like further information about safety and security at BRCC, please visit www.blueridge.edu.

About Blue Ridge Community College

Blue Ridge Community College (BRCC) is one of 58 institutions that operate under the North Carolina State Board of Community Colleges.

The creation of BRCC dates back to 1963, when the North Carolina General Assembly authorized a system of comprehensive community Colleges and technical institutes in areas of the state that had a need for institutions of higher learning. A few years later, the residents of Henderson County approved a bond issue and a special tax levy to provide funds for the construction, operation, and maintenance of a school facility to serve the community. Henderson County Technical Institute opened its doors in December 1969 and the first course was offered on January 8, 1970.

The first full-time curriculum classes began the following semester on September 14, 1970. Shortly after, in October of 1970, the Board of Trustees changed the name from Henderson County Technical Institute to Blue Ridge Technical Institute. Then nine years later they renamed the school Blue Ridge Technical College. The Board of Trustees approved the current name, Blue Ridge Community College, on September 14, 1987.

Blue Ridge Community College offers more than 100 degree, diploma, and certificate programs; customized corporate training; and market-focused continuing education to meet the workforce needs of Henderson and Transylvania Counties. The College serves approximately 2,100 curriculum students each semester and more than 15,000 continuing education students annually at two campuses—Henderson County Campus and Transylvania County Campus.

Mission

Our mission is to provide quality education and training opportunities that support student learning, enhance student advancement and success, and meet the workforce needs of our community.

Location and Facilities

Blue Ridge Community College has two campuses, one located in Henderson County and one located in Transylvania County. The Henderson County Campus is located on over 100 acres in Flat Rock, North Carolina with a main address of 180 West Campus Drive. The 13-building complex provides over 358,000 square feet of floor space. In addition to offices, classrooms, laboratory space and student center areas. Facilities also include a distance learning center, a 66,000-square foot Applied Technology Building, a comprehensive library, an Environmental and Safety Training Center, teaching and performance auditoriums, and a state-of-the-art Technology and Education Development Center that includes virtual training, television and audio recording studios, and a 1,000-seat conference hall.

The Transylvania County Campus is located on nine acres on the corner of Oak Park Drive and Osborne Road in Brevard, North Carolina with a main address of 45 Oak Park Drive. The two-building complex houses instructional and office space, an Applied Technology Building and the Blue Ridge Innovation Network, a 3,500 square-foot facility for small business incubation.

Blue Ridge Community College's health care training programs are housed at the Health Sciences Center in downtown Hendersonville with a main address of 805 6th Avenue West. This facility is jointly occupied by the College, Wingate University, and Pardee Hospital.

Clery Act Requirements

The Clery Act requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements.

- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have “significant responsibility for student and campus activities.”
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing threat to students and employees.
- Disclose in a public crime log “any crime that occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department.”
- Prohibit the institution, or an officer, employee, or agent of the institution, participating in any program under this title from retaliating, intimidating, threatening, coercing, or otherwise discriminating against any individual with respect to the implementation of any provision of the Clery Act.

The Blue Ridge Community College Police and Public Safety Department is responsible for preparing and distributing this report. We work with many other divisions and agencies to compile the information including the Vice President of Student Services and local and state law enforcement agencies. We encourage members of the Blue Ridge Community College Community to use this report as a guide for safe practices on and off campus. It is available on the Blue Ridge Community College website.

BRCC Police and Public Safety

Blue Ridge Community College is committed to maintaining a safe and secure environment for students, employees, and visitors. Information concerning safety matters, parking, campus maps, etc., is disseminated to students and employees on both campuses through our website, student handbook, and various presentations.

Contact and Location Information

The Blue Ridge Community College Police and Public Safety Department typically operates during the College’s normal business hours. Campus law enforcement officers and public safety personnel are located on the Henderson County Campus, the Transylvania County Campus and at the Health Science Centers. They patrol the outside and inside of buildings throughout their

shift. Officers at the Henderson County Campus are located at 180 West Campus Drive, Flat Rock, NC 28731, Officers at the Transylvania County Campus are located at 45 Oak Park Dr., Brevard, NC 28712 and Officers at the Health Science Center are located at 805 6th Avenue West, Hendersonville, NC 28739.

Enforcement Authority

Blue Ridge Community College utilizes numerous methods of providing law enforcement personnel on our campuses. The Blue Ridge Community College Police Department has jurisdiction on all campuses in Henderson County and Transylvania County. In addition to BRCC Police Officers, the College contracts for additional law enforcement support from the Transylvania County Sheriff's Office.

BRCC Police and Public Safety is a department of the College charged with the responsibility of providing faculty, staff, students and visitors with the safest educational environment possible. They are responsible for a full range of public safety services including, but not limited to, investigation of all reported crimes committed on campus, responding to medical and fire emergencies, parking regulations, crime reports and motor vehicle collisions.

BRCC Police Officers have full powers of arrest pursuant to North Carolina General Statute §115D-21.1 and can enforce federal, state and local laws, along with college policies.

In cases involving student discipline and violations of the BRCC policy on student misconduct, the law enforcement officers coordinate their handling of specific situations with the Chief of Police and the Vice President for Student Services.

Contractors and Partnerships

Deputies with the Transylvania County Sheriff's Office have full powers of arrest and jurisdiction in Transylvania County.

BRCC Police recognize that it is vital to maintain a close working relationship with all local and state law enforcement agencies, as well as, other emergency response agencies. The BRCC Police and Public Safety Department has signed Memorandum of Understanding, Mutual Aid Agreements and Joint Jurisdictional Agreements with several surrounding agencies to provide additional support. Currently, those agencies include the Henderson County Sheriff's Office, the Transylvania County Sheriff's Office and the Hendersonville Police Department and the Laurel Park Police Department.

Reporting Incidents and Emergencies

BRCC Police should be kept informed of all campus activities and events in order to provide appropriate assistance. BRCC Police and Public Safety Officers respond to College emergency calls and requests for assistance. A daily crime log is kept in the law enforcement office on each campus for review by the general public upon request.

BRCC law enforcement officers also provide additional services to the College community including, but not limited to personal assistance and escorts upon request for individuals going between locations or to their vehicles.

Crimes should be reported to the BRCC Police and Public Safety Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Methods for Reporting Crime and Other Serious Incidents

If there is an emergency dial: **9-1-1**

Criminal actions should also be reported as they occur and after they occur to the law enforcement officer on duty:

Henderson County Campus: (828) 243-9950

Transylvania County Campus: (828) 708-9293

Health Sciences Center: (828) 674-5954

Prompt reporting of all incidents or occurrences is encouraged to allow officers to respond as soon as possible. In addition to completing a College Incident Report, the College may contact additional law enforcement agencies, if necessary, to ensure an appropriate response for all reports received.

In the event of emergency, danger, injury or criminal activity, the victim/witness is advised to also call 9-1-1.

Be prepared to tell your name, location, nature and location of the incident. If you are in a safe location, stay there. Do not attempt to interfere with the situation except for self-protection. Try to note distinguishing characteristics of any suspects involved. Also note a description of any vehicles involved (i.e. license plate number, model, make, color, number of occupants, etc.)

Emergency Elevator Phones

All of the elevators at BRCC are equipped with an emergency phone that will ring directly to the 9-1-1 communications center in whichever jurisdiction they are in when the button is pressed.

Voluntary and Confidential Reporting

Crimes and other serious incidents can be reported on a voluntary and confidential basis, such as an anonymous report of sexual assault or domestic abuse. Victims or witnesses may anonymously report an incident by contacting any of the Campus Security Authorities listed in this document or by filling out the anonymous tip form on our Campus Police and Public Safety webpage.

Response to Crime Reports and Emergencies

Upon receiving the report of a crime or an emergency at BRCC, an officer will respond to investigate. The investigation may include a written report, taking witness statements, pursuing warrants, arrests or school disciplinary referral.

Reporting Violent or Threatening Behavior

Any person who becomes aware of, or believes that he or she has witnessed an incident of violent or threatening behavior, or who is the recipient of threatening and/or violent behavior, should immediately report such incident(s) to BRCC Police and the following:

Violations by employees: Report all incidents to the employee's supervisor, the supervisor's manager, or the Human Resources office

Violations by students: Report all incidents to the Vice President for Student Service/Title IX Coordinator

Investigations

BRCC Police and Public Safety officers investigate all reports of on-campus crimes. The Police and Public Safety Department reviews all incident reports and forwards them to the Chief of Police and/or Vice President for Student Services, as appropriate. If additional assistance is required, the appropriate local law enforcement agency will be contacted to assist.

Annual Fire Safety Report and Missing Student Policy

Blue Ridge Community College is a non-residential institution of higher education. Therefore, the college is not required by the Campus Safety and Security Reporting Act to maintain a fire report or to have a missing student policy.

Campus Facilities

Access to Campus Facilities

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized guests. The College encourages an open environment with limited constraints to ensure the reasonable protection of all members of the community. Most campus facilities are normally open during business hours. During non-business hours, access to all College facilities is by authorization only, or by admittance via the Facilities Department or the Police Department. Individuals who wish to access College buildings or property during non-business hours or for special events should contact the appropriate department administrator, events planning services, or the switchboard.

Lighting and Vegetation Management

Blue Ridge Community College is committed to campus safety and security. Exterior lighting and vegetation management is a critical part of that commitment. Police Officers and Facility Services personnel continually conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately controlled. Police Officers conduct routine inspections of lighting on campus during regularly assigned patrol duties. If lights are out or dim, officers will initiate a work order, which is acted upon by a representative of Facility Services.

Physical Plant Maintenance

Any community member who has a concern about physical security should contact the on-duty BRCC law enforcement officer at the phone numbers listed above. The Campus Police and Public Safety Department and Facility Services work together to identify inoperative locking mechanisms. We encourage community members to promptly report any locking mechanism deficiency by contacting the on-duty officer. Officers also conduct inspections of all elevator phones to ensure they are working properly. Any inoperable phones are immediately reported for repair. Officers and Facility Services maintenance staff are available to respond to calls for service regarding unsafe facility conditions or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

Timely Warning Notices

To help prevent crimes or serious incidents, the Blue Ridge Community College Police and Public Safety Department, in collaboration with other departments on campus, will issue a Blue Ridge Alert in a timely manner to notify the campus community about certain crimes in and

around our community that potentially constitute an ongoing or continuing threat. Timely manner generally means 48 hours after an incident has been brought to the attention of a “campus security authority” as defined in the Clery Act.

Members of the community who know of a crime or other serious incident should report that incident as soon as possible to the Police and Public Safety Department so the Department can make a determination regarding issuing an alert.

If community members report crimes or serious incidents to other College Administrators, those administrators will notify the Police and Public Safety Department. Representatives of this office will promptly notify and collaborate with the appropriate college officials to issue a Blue Ridge Alert, if one is appropriate.

Upon receiving notice of a crime requiring the issuance of an alert and without divulging the identity of the victim or any student, an administrator within the Police and Public Safety Department will consult with other key departments to assist in the dissemination of such information.

Depending on the particular circumstances of the crime or other incident, specifically in those situations that could pose an immediate threat to members of the campus community, a Blue Ridge Alert will be issued.

The Police and Public Safety Department distributes Blue Ridge Alerts in various ways. Once the College determines that an alert will be issued, the department e-mails the announcement and may send out a message using the Blue Ridge Alert system, which may send SMS text messages or phone calls. BRCC may also post alerts on the College Web Site (www.blueridge.edu) or, depending on the situation, may post alerts on bulletin boards throughout the campus.

Campus Emergency Response and Evacuation

Blue Ridge Community College will immediately without delay, and taking into account the safety of the community, determine the content of the notification, and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The Campus Police Chief or his designee will determine the content of notification and initiate the notification process along with member of the Crisis Management Team. All available methods of emergency communication will be utilized, should such an event arise. The Blue Ridge Community College Police and Public Safety Department will send emergency text messages, telephone notification, and emails to all individuals signed up to receive messages or who have a College account.

Emergency Notification System

Blue Ridge Community College offers an emergency messaging alert system as part of its comprehensive emergency preparedness plan to quickly notify students, faculty and staff of campus emergencies or campus closures via SMS text message, e-mail, voice message or any combination of the three. Participation is completely voluntary, but strongly encouraged. BRCC also has the capability to send alerts through email to everyone who has a BRCC email account.

In the event of a campus emergency, it is vital that Blue Ridge Community College is able to contact you as quickly as possible with critical information regarding campus emergencies or closures. Students are strongly encouraged to sign-up online at alert.blueridge.edu. BRCC Police will utilize Blue Ridge Alert to notify students, faculty and staff in the event of emergencies. Blue Ridge Alert has the technology to rapidly notify individuals via email, text and voice messages. All students, staff and faculty are encouraged to set up a Blue Ridge Alert account through the link above. All students, faculty and staff will receive Blue Ridge Alert emails at their blueridge.edu email address automatically.

Crisis Management Team

Blue Ridge Community College has a Crisis Management Team comprised of members of the College to facilitate activation of the College Business Continuity Plan in the event of an emergency affecting the health and safety of the college community. The Business Continuity Plan contains the College's Emergency Response Plan. Evacuation procedures are included in the Emergency Response Plan. Emergency procedures are posted in most classrooms and office suites throughout each campus. BRCC may conduct various drills which may include active threats, fire, bomb threats, earthquake, gas leak, shelter in place and tornado drills on all campuses. Tests may be announced or unannounced and will document a description of the exercise, the date, time and whether it was announced or unannounced.

The Blue Ridge Community College Crisis Management Team will, without delay, and taking into account the safety of the community, determine the appropriate segment or segments of the campus community to receive a notification, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The members of the Blue Ridge Community College Crisis Management Team consist of:

President	
VP for General Administration	Associate VP, Transylvania County Campus
VP for Economic and Workforce Development/Continuing Education	Director, Marketing and Communications
VP for Student Services	Dean of Applied Technologies
VP for Instruction	Dean for Arts and Sciences
Chief of Police/Director of Public Safety	Principal, Early College High School
Director, Facilities	Associate VP, Finance/CFO

Daily Crime Log

The BRCC Police and Public Safety Department maintains a Crime Log that records incidents, by the date and includes all crimes and other serious incidents that occur on campus, in a non-campus building or property, on public property around the campus, or within the Department’s patrol jurisdiction. The Crime Log is available for public inspection, during normal business hours, at the Henderson County Campus and the Transylvania County Campus, excluding weekends and holidays. The Daily Crime Log includes the nature, date, time, and general location of each crime reported to the department, as well as the disposition of the complaint, if this information is known at the time the log is created. The department posts specific incidents in the Crime Log immediately after receiving the officer’s incident report and reserves the right to exclude reports from the log in certain circumstances.

Civil No-Contact and Domestic Violence Orders

Victims of stalking, sexual harassment, or non-consensual sexual contact, aside from filing a student conduct or criminal complaint, also have the right to seek a Civil No-Contact or Domestic Violence Protection Order under Chapter 50C or 50B of the NC General Statutes as appropriate.

Stalking is generally when someone repeatedly follows or harasses you with the intent to place you in reasonable fear for your safety or your immediate family's safety or to cause you emotional distress or harm.

Nonconsensual sexual conduct is generally any intentional touching, fondling, or sexual act (either directly or through your clothing), for the purpose of sexual gratification or arousal that you did not consent to.

Domestic violence in North Carolina is when someone you have had a "personal relationship" with does any of the following to you or your minor child:

- attempts to cause bodily injury, or intentionally causes bodily injury; or
- places you or a member of your family or household in fear of imminent serious bodily injury;
- or conducts continued harassment, that rises to such a level as to inflict substantial emotional distress; or
- commits any rape or sexual offense

Reporting Procedures

In order to make informed decisions, all parties should be aware of confidentiality, privacy, and mandatory reporting when consulting campus resources.

On campus, some resources can offer you confidentiality, sharing options, and advice without any obligation to tell anyone unless you want them to do so. Other resources are expressly there for you to report crimes and policy violations and they will take action when you report your victimization to them. A victim may seek assistance from these College officials without starting a formal process that is beyond the victim's control, or violates her/his privacy.

Blue Ridge Community College will, upon written request, disclose to the alleged victim of a crime of violence or non-forcible sex offense (or next of kin, if the victim is deceased), the results of any disciplinary proceeding conducted by Blue Ridge Community College against a student who is the alleged perpetrator.

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information can be kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

Mandated Campus Security Authority (“CSA”) encompasses four groups of individuals and organizations associated with an educational institution:

- a. A member of the educational institution’s police department or campus security department;
- b. Any individual(s) who has responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into the College’s property);
- c. Any individual or organization specified in an institution or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. For purposes of this College, these people include: a Vice President, the Human Resources Director, The Chief of Police, Campus Law Enforcement Officer, or anyone specifically designated by the college to act in this role;
- d. An official or who has significant responsibility for student and campus activities, including, but not limited to: student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on the College’s behalf.

To Report Confidentially

If one desires that details of the incident be kept confidential, they should speak with a licensed counselor or off-campus health service provider with rape crisis resources who can maintain confidentiality. Personal and crisis counseling is available through Student Services for any student who is the victim of a crime on BRCC campuses. Campus counselors are available to help you free of charge, and can be seen on an emergency basis but may be required to report some limited information regarding the event.

In addition, you may speak on and off-campus with members of the clergy and chaplains, who will also keep reports made to them confidential.

Reporting to those who can maintain the privacy of what you share

You can seek advice from certain resources that are not required to tell anyone else your private, personally identifiable information unless there is cause for fear for your safety, or the safety of others. These are individuals who the College has not specifically designated as a “CSA” for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances. If you are unsure of someone’s duties and ability to maintain your privacy, ask them before you talk to them. They will be able to tell you, and help you make decisions about who can help you best.

Some of these resources should be instructed to share incident reports with their supervisors, but they will not share any personally identifiable information about your report unless you give permission, except in the rare event that the incident reveals a need to protect you or other members of the community. If your personally identifiable information is shared, it will only be shared as necessary with as few people as possible, and all efforts will be made to protect your privacy.

Non-Confidential Reporting Options

You are encouraged to speak to officials of the institution to make formal reports of incidents (deans, vice presidents, or other administrators with supervisory responsibilities, campus law enforcement, and human resources). Notice to them is official notice to the institution. You have the right and can expect to have incidents of sexual misconduct to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the accused individual.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that College administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Crimestoppers/Confidential Reporting

Reports of crimes may also be made anonymously to Crimestoppers at (828) 697-7867 in Henderson County and (828) 862-7463 in Transylvania County.

Crime Stoppers will keep the caller's identity confidential and will refer crimes that occur on campus to BRCC Police and Public Safety personnel. All reports are thoroughly investigated.

BRCC also offers a confidential crime and safety tip form under the Safety and Security webpage at www.blueridge.edu. Tips submitted using this form will be kept confidential and will go directly to the BRCC Police and Public Safety Department.

Security-Related Policies

Campus Security

Blue Ridge Community College is committed to providing a safe and secure environment for all members of the College's community and visitors. The College shall comply with the Crime Awareness and Security Act of 1990, as amended by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The College encourages all members of the College community to report suspicious or criminal activity to law enforcement as soon as possible. Crimes may be reported anonymously. In the event of a crime in progress or at any time there is a risk of harm to persons or property, call 9-1-1.

Student Organizations and Activities at Off-campus Locations

Any Blue Ridge Community College sponsored student activity held off-campus will follow the same rules and regulations as if the event were held on College grounds. Any off-campus activities including, but not limited to, student organization actions, classes that engage in off-campus activities, or employees participating in College sponsored off-campus events should report crime incidents to the local law enforcement agency where the incident occurred and to the BRCC Police and Public Safety Department.

Possession, Use and Sale of Alcoholic Beverages

Use of alcoholic beverages or having alcoholic beverages in one's possession, either on campus or at College-sponsored functions, is strictly prohibited unless authorized by the College. Any student, regardless of age, who has or uses alcoholic beverages on campus or at a College-sponsored event, may be punished by expulsion or suspension.

Drug Free Schools and Campuses Act of 1989

The Drug Free Schools and Campuses Act of 1989 requires that all students and employees be notified annually of Blue Ridge's Drug Abuse Prevention Program Policy and Drug Free Workplace Policy.

Drug-Free Workplace

Blue Ridge Community College prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the College's workplace or while on official College business. Any employee violating this policy will be subject to disciplinary action up to and including dismissal.

I. Definitions

- A. Alcohol means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor and mixed beverages.
- B. *Controlled Substance* means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and include, but are not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption.
- C. *Substance* means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.
- D. *Conviction* means the entry in a court of law or military tribunal of (1) a plea of guilty, nolo contendere, no contest or the equivalent; (2) a verdict of guilty; or (3) a prayer for judgment continued or a deferred prosecution.
- E. *Reasonable Suspicion* is the legal standard required before the College can require an employee to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug or alcohol use or possession; b) direct observation of the physical symptoms of being under the influence of drugs or alcohol; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

II. Process

- A. Blue Ridge Community College does not differentiate between drug users and drug pushers or sellers. Any employee who possesses, uses, gives, in any way transfers to another person, sells or manufactures a controlled substance while on the job, on College premises, or on official College business, will be subject to disciplinary action, up to and including dismissal.

- B. Each employee is required by law to inform the College within five days after he or she is convicted for violation of any federal or state criminal drug statute where such violations occurred on the College's premises.
- C. The President of the College must notify the federal government agencies granting funds to the College within ten days after receiving actual notice of such a conviction.
- D. If an employee is convicted of violating any criminal drug statute while at the workplace, he or she will be subject to disciplinary action, up to and including termination. Alternatively, the College may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution as a precondition for continued employment.
- E. As a condition of further employment, the law and the College requires all employees to abide by Board of Trustees Policy 3.14 titled "Drug-free Workplace."
- F. Employees may be required to be tested for substances, including controlled substances, or alcohol based on individualized, reasonable suspicion. The required observations for reasonable suspicion testing shall be made by a supervisor or other trained official. This section does not apply to law enforcement officers serving the College. Law enforcement officers must adhere to their normal standards when conducting a search.

All substances, including controlled substances, and alcohol testing shall be administered by a non-College, third party laboratory chosen by the President. The testing shall be performed at the laboratory. A representative from Human Resources and the employee's immediate supervisor will accompany the employee to the testing site utilizing a College vehicle (if available). The chosen laboratory shall use standard testing protocols that will maintain the confidentiality of the employee. All tests shall be reviewed by a medical review officer not affiliated with the College. Employees will have the opportunity to provide any information to the medical center which the employee considers relevant to the test, including identification of currently or recently used prescription or non-prescription drugs. The College shall pay for the initial test. If the employee wishes to dispute the results with a subsequent re-test, the employee shall be responsible for the cost of the re-test.

Pending the results of the testing, (if not instant), the President can suspend the employee on leave with pay. The College must give the employee written notice of positive results and notice of the right to a re-test (at the employee's expense) pursuant to G.S. 95-232(f). If the results are positive, the supervisor may recommend disciplinary action.

Drug Abuse Prevention and Student Conduct

A student shall not knowingly possess, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind (1) on the school grounds during and immediately before or immediately after school hours or (2) on the school grounds at any other time when the school is being used by any school group. Use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule.

Drug Abuse Prevention Program

The President or a designee shall establish an ongoing information program designed to educate the entire College community about the dangers of drug abuse. This program shall be applicable to students and employees.

- A. An ongoing informational program describing the dangers of narcotics, alcoholic beverages, and stimulant drugs is conducted by the Division of Student Services. Posters and other printed materials obtained either commercially or from agencies such as the National Clearinghouse for Alcohol and Drug Information are posted campus-wide.
- B. Copies of the publication "Agency Directory for Henderson County" have been purchased by the Division of Student Services for use by counselors and other appropriate personnel in referring clients to community resources. A copy of this publication will be maintained as a reference item in the College Library.
- C. In addition to the "Agency Directory for Henderson County," a list of clinics or other institutions which provide services to people who abuse substances will be posted on campus. Individual referrals to outside agencies will be made during counseling sessions by trained personnel in the Division of Student Services.
- D. Use of narcotics, alcoholic beverages, and stimulant drugs is listed as a specific major offense in the Blue Ridge Community College Policy Governing Student Misconduct. This policy is published in the College Catalog. This publication is distributed to prospective and new students and is available from the Division of Student Services. Professional assistance may be required as a part of any disciplinary process enacted as a result of the commission of this offense.
- E. Each new student will be provided drug abuse prevention information verbally during orientation sessions scheduled prior to the beginning of each semester. These sessions are conducted by the Vice President for Student Services.
- F. Materials concerning drug abuse prevention will be purchased and made available to students through the Division of Student Services.
- G. Drug abuse prevention information in the form of a brochure is direct mailed annually to all curriculum students, both new and continuing. In addition, all employees of the College receive the same information, distributed through the campus mail system.
- H. Blue Ridge Community College will cooperate fully with local, state, and federal law enforcement agencies in cases of felonious acts involving narcotics, alcoholic beverages, and stimulant drugs.

- I. Where employees of Blue Ridge Community College are concerned, professional assistance and referral services will be provided the same as for students.

Possession of Weapons or Explosives

Blue Ridge Community College prohibits the possession of weapons on its grounds, in its facilities or in its buildings. The president shall develop procedures for defining unlawful weapons. Any employee violating this policy will be subject to disciplinary action up to and including dismissal.

Weapons on Campus

It is unlawful for any person to possess, or carry, whether openly or concealed any gun, rifle, pistol, dynamite cartridge, bomb, grenade, mine, powerful explosive, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles or any other weapon of like kind, in any College building or vehicle or otherwise on any College property.

The aforementioned prohibition will not apply to the following limited circumstances:

1. The firearm is a handgun;
 - a. the individual has a valid concealed handgun permit or is exempt from the law requiring a permit;
 - b. the handgun remains in either a closed compartment or container within the individual with the permit's locked vehicle or a locked container securely affixed to the individual with the permit's locked vehicle;
 - c. the vehicle is only unlocked when the individual with the permit is entering or exiting the vehicle; and
 - d. the firearm remains in the closed compartment at all times.
2. The weapon is used solely for educational or College sanctioned ceremonial purposes, or used in a College approved program conducted under the supervision of an adult, whose supervision has been approved by the College.
3. Fire fighters, emergency service personnel, North Carolina Forest Service personnel, and any private police employed by the College, when acting in the discharge of their official duties.
4. Those persons exempted by N.C.G.S. § 14-269(b) including, but not limited to
 - a. civil and law enforcement officers of the United States

- b. officers of the State, or of any county, city, or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties
- c. any person who is a qualified retired law enforcement officer as defined in G.S. § 14-415.10
- d. sworn off duty law enforcement officers

As a safety and security measure, individuals who are statutorily exempt, if not in uniform, should make all reasonable efforts to carry their firearm inconspicuously on their person out of public view or have their badge clearly visible so that the officer is immediately identifiable as a sworn law enforcement officer.

Information regarding any individual who may be in violation of this procedure should be immediately reported to a Supervisor, a Vice President, or to Campus Law Enforcement.

Workplace Violence

Pursuant to the Federal Occupational Safety and Health Act of 1970 and the Crime Awareness and Campus Security Act of 1990, it is the policy of Blue Ridge Community College to promote a working and learning environment that is safe for all employees, students, and visitors.

The Board of Trustees authorizes the President to establish procedures that address possible workplace violence, including the development and implementation of a campus emergency response plan. Such a plan may contain information regarding the potential for violence in the workplace, how one may recognize early warning signs of a potentially violent person or situation, and how to record incidents indicative of potential problems.

Workplace violence includes, but is not limited to, intimidation, bullying, threats, physical attack, property damage, or conduct which interferes with an employee's or student's safety in the workplace or in the College learning environment, either in person, in writing, by telephone or electronic format. Intimidation includes, but is not limited to, stalking or engaging in actions intended to frighten, coerce, or induce duress or fear. Bullying is unwanted offensive and malicious behavior which undermines an individual or group through persistently negative attacks. There is typically an element of vindictiveness and the behavior is calculated to undermine, patronize, humiliate, intimidate or demean the recipient. Threat is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional, or future. Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, or throwing

objects. Property Damage is intentional damage to property owned by the State, College, employees, students, visitors, or vendors.

Acts of violence, as defined herein, may be grounds for disciplinary actions, up to and including dismissal.

Incidents of workplace violence should be reported immediately to an employee's supervisor, a Vice President, the Human Resources Director, or to the BRCC Police and Public Safety Department, depending on the severity of the incident. Incidents involving students should be reported to the student's instructor, the Vice President for Student Services and the BRCC Police and Public Safety Department.

Any report of workplace violence is to be handled in a confidential manner, with information released only on a need-to-know basis. Employees who act in good faith by reporting real or implied violent behavior or violations of this policy will not be retaliated against or subjected to harassment.

It is intended that all useful tools such as mediation, Employee Assistance Program, and use of the disciplinary action, suspension, or dismissal policy to correct behavior be employed to secure the workplace from violence and reasonably protect employees from its effects.

Employees and students will be provided with information and training regarding the potential for violence in the workplace. The purpose of such training is to increase the ability to recognize early warning signs of a potentially violent person or situation and to provide information on how to record incidents indicative of potential problems.

Workplace Harassment

Blue Ridge Community College does not presume to exercise moral judgment concerning the behavior of its students or staff; however, it recognizes as a matter of policy an obligation to maintain a climate of learning and working which is free of workplace harassment.

All members of the College community are expected and instructed to conduct themselves so as to contribute to an atmosphere free of workplace harassment. Harassment of any student or employee by any other student or employee is a violation of the policy of this College and will not be tolerated. Any such person violating this policy will be disciplined in accordance with policy.

Blue Ridge Community College does not presume to exercise moral judgment concerning the behavior of its students or staff; however, it recognizes as a matter of policy an obligation to maintain a climate of learning and working which is free of workplace harassment.

All members of the College community are expected and instructed to conduct themselves so as to contribute to an atmosphere free of workplace harassment. Harassment of any student or employee by any other student or employee is a violation of the policy of this College and will not be tolerated. Any such person violating this policy will be disciplined in accordance with the policies and procedures of Blue Ridge Community College.

The President shall develop procedures that define workplace harassment and provide for disciplinary actions.

All employees are guaranteed the right to work in an environment free from unlawful workplace harassment and retaliation. No employee may engage in conduct that falls under the definition of unlawful workplace harassment indicated below.

- Workplace harassment is defined as unwelcomed or unsolicited speech or conduct based upon race, color, religion, gender, national origin, age, disability or sexual orientation that creates a hostile work environment or circumstances involving quid pro quo.
- Hostile work environment is defined as one that both a reasonable person would find hostile or abusive and one that the particular person who is the object of the harassment perceives to be hostile or abusive. Hostile work environment is determined by looking at all of the circumstances, including the frequency of the allegedly harassing conduct, its severity, whether it is physically threatening or humiliating, and whether it unreasonably interferes with an employee's work performance.
- Quid pro quo harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or when submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- Retaliation is adverse treatment which occurs because of opposition to unlawful workplace harassment.
- Workplace harassment does not include personal compliments welcomed by the recipient, or social interaction or relationships freely entered into by employees or prospective employees, nor does it exclude claims where the grievant and the alleged harasser are of the same sex.

An employee who believes he or she has been subjected to workplace harassment should promptly report the circumstances to his supervisor, or when the supervisor is the alleged harasser, to the employee's Vice President or the President. The employee should otherwise follow the procedures for employee grievances listed in the Blue Ridge Community College policies and procedures.

Sex Offenders on Campus

The Federal Campus Sex Crimes Prevention Act requires registered sex offenders/predators to provide to the Henderson County or Transylvania County Sheriff's Office notice of each institution of higher education in the state at which the offender/predator is employed, carries on a vocation, or is a student. Blue Ridge Community College Police and Public Safety Department are notified by various agencies of any sex offenders taking classes on our campuses.

Members of the BRCC community can find information about possible sexual offenders/predators in their area by calling (919) 856-6900, or visiting at the following websites: <http://sexoffender.ncsbi.gov/> or <https://www.nsopw.gov/en>.

Blue Ridge Community College has partnered with Safelight to provide training and education to employees and students about awareness and prevention of rape, acquaintance rape and other forcible and non-forcible sex offenses. If a sex offense occurs, students should preserve evidence for proof of a criminal offense and report the incident to BRCC Police and Public Safety Department or to a Campus Security Authority (CSA) as soon as possible. Blue Ridge Community College CSA's will assist any student in reporting a crime to either campus law enforcement or local law enforcement.

Blue Ridge Community College will change the victim's academic situation after an alleged sex offense if requested by the victim and reasonably available.

Blue Ridge Community College strives to make its campuses safe and welcoming learning environments. Pursuant to federal law, the College shall afford all sexual assault victims certain basic rights:

1. Accuser and accused must have the same opportunity to have others present during disciplinary hearings;
2. Both parties shall be informed of the outcome of any disciplinary proceeding;
3. Sexual assault victims shall be informed of their options to notify law enforcement;
4. Sexual assault victims shall be notified of counseling services; and
5. Sexual assault victims shall be notified of options for changing academic and living situations.

Programs to Inform Students and Employees about Campus Security

Blue Ridge Community College includes information about campus security in both "New Student Orientation" sessions and Student Services orientation sessions conducted in ACA 115 Success & Study Skills classes. Information concerning campus security is provided to

employees through orientation sessions for new employees and, on occasion, through faculty/staff campus information sessions.

The College encourages its students, employees and visitors to be proactive in promoting their own security and that of others on campus by always being aware of their surroundings, staying away from unlit areas at night, walking in pairs to and from the parking lots, being prudent and vigilant in protecting their valuables, and reporting any suspicious persons or activities to campus authorities.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

In November 1990, the Crime Awareness and Campus Security Act (Title II, Public Law 101-542) was signed into law. This law requires Colleges and universities to produce and make available certain policy statements and statistics about campus crime. In November 1999, this Act was renamed The Jeanne Clery Disclosure of Campus Crime Statistics Act or simply, The Clery Act.

It is the policy of Blue Ridge Community College to publish, by October 1 of each year, an annual security report that informs current students and employees of its safety and security policies, procedures, and practices. This annual report will also disclose statistics from the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property either owned or controlled by the College and owned or controlled by student organizations recognized by the College, and on public property within or immediately adjacent to and accessible from the campus.

A Campus Crime Statistics Report shall be generated from data for the most recent calendar year, as well as the two preceding years. The following criminal offenses are reported: criminal homicide, murder, negligent and non-negligent manslaughter; sex offenses, forcible (rape, sodomy, fondling, and sexual assault with an object) and non-forcible (incest and statutory rape); robbery; aggravated assault; burglary; motor vehicle theft; arson; arrest or persons referred for campus disciplinary actions for liquor law violations, drug abuse violations, and weapons violations; and hate crimes. Commission of all crimes previously listed as well as larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and of other crimes involving bodily injury to any person that manifests evidence that the victim was intentionally selected because of the perpetrator's bias of race, gender, religion, sexual orientation, ethnicity/national origin, or disability. This report is updated annually and reported to the U.S. Department of Education, in accordance with the law, in October of each year.

The BRCC Police and Public Safety Department is responsible for preparing and distributing this report with assistance from other BRCC departments, such as student services staff, as well as

local law enforcement agencies, to compile the information. It is available on the web at www.blueridge.edu. Members of the BRCC community are encouraged to use this report as a guide for safe practices on and off campus. Each member of the College community receives notification that describes the report and provides its web address. Anyone wishing to obtain a paper copy of the report can contact Blue Ridge Community College Police and Public Safety Department, 180 West Campus Dr., Flat Rock, NC 28731.

Discrimination, Harassment and Sexual Based Violence

Blue Ridge Community College provides various training and awareness campaigns about dating violence, domestic violence, sexual assault, and stalking. This training includes presentations about each of these subjects and is offered to all new and current employees and students. Blue Ridge Community College prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as defined by the Clery Act. Following, are the Blue Ridge Community College policy statements regarding student conduct, discrimination, harassment, sexual based violence and student grievance:

Student Conduct

The College makes every effort to maintain a safe and orderly educational environment for students and staff. Therefore, when, in the judgment of College officials, a student's conduct disrupts or threatens to disrupt the College community, appropriate disciplinary action will be taken to restore and protect the sanctity of the community.

Students are expected to conduct themselves in accordance with generally accepted standards of scholarship and morality. The purpose of these standards is not to restrict student rights but to protect the rights of individuals in their academic pursuits.

Code of Student Conduct

Blue Ridge Community College ("College") students assume an obligation to conduct themselves in a manner compatible with the College's function as an educational institution. The College has adopted basic standards of student conduct and when these standards are violated, penalties may be incurred. Consequences for violations include, but are not limited to: warnings, fines, restitution, and loss of privileges or access to campus resources, probation, suspension or expulsion. The College reserves the right to withhold academic records or to deny registration for subsequent semesters.

If a student's behavior simultaneously violates both College regulation and federal, state and/or local laws, the College may take disciplinary action independent of that taken by legal authorities.

Types of student conduct for which disciplinary proceeding may be initiated include but are not limited to the following:

Disruption of School - A student shall not by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or any other conduct intentionally cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the school. Neither shall a student engage in such conduct for the purpose of causing the substantial and material disruption if obstruction is reasonably certain to result.

The following illustrate the kinds of offenses encompassed here: (a) occupying any school building, school grounds, or part thereof, with intent to deprive others of its use; (b) blocking the entrance or exit of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of, the building or corridor or room; (c) setting fire to or damaging any school building or property; (d) firing, displaying, or threatening use of firearms, explosives, or other weapons on the school premises for any unlawful purpose; (e) prevention of or attempting to prevent by physical act the convening or continued functioning of any school class, or activity, or of any lawful meeting or assembly on the school campus; (f) preventing students from attending a class or school activity; (g) except under the direct instruction of an administrator, blocking normal pedestrian or vehicular traffic on a school campus; (h) making noise or acting in any manner so as to interfere seriously with the instructor's ability to conduct the class; and (i) unruly conduct at a school activity, function or event.

Damage or Destruction of School Property - A student shall not intentionally cause or attempt to cause damage to school property or steal school property.

Damage or Destruction of Private Property - A student shall not intentionally cause or attempt to cause damage to private property or steal or attempt to steal private property either on the school grounds or during a school activity, function, or event off school grounds. Repeated damage, theft, or fraud involving private property shall be a basis for long-term suspension or expulsion from school.

Physical Abuse of a School Employee, Student or other Person not Employed by the School - A student shall not intentionally do bodily injury to any person (1) on the school grounds during and immediately before or immediately after school hours, (2) on the school grounds at any other time when the school is being used by a school group, or (3) off the school grounds at a school activity, function, event, or on a College-owned vehicle. Neither self-defense nor action undertaken on the reasonable belief that it was necessary to protect some other person is to be considered an intentional act under this rule.

Weapons and Dangerous Instruments - A student shall not knowingly possess, handle, or transmit any object that can reasonably be considered a weapon: (a) on the school grounds during and immediately before or immediately after school hours; (b) on the school grounds at

any other time when the school is being used by a school group; or (c) off the school grounds at any school activity, function, event, or on a school-owned vehicle. Weapons and dangerous instruments are defined in Section 2.18.1 of this Manual.

Narcotics, Alcoholic Beverages and Stimulant Drugs - A student shall not knowingly possess, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind (a) on the school grounds during and immediately before or immediately after school hours or (b) on the school grounds at any other time when the school is being used by any school group. Use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule.

Tobacco Use - A student shall not violate the College Tobacco-Free Campus regulations. Smoking and the use of smokeless tobacco products are prohibited on all College properties including inside any building or facility and on College grounds. Exceptions are limited only to smoking or the use of tobacco products inside the confines of a motor vehicle on College grounds.

Campus Parking and Traffic Regulations - A student shall not violate campus parking and traffic regulations.

Disruptive Communications - A student shall not intentionally send electronic communications which disrupt the learning environment. In addition to items listed specifically in the College Computer Use procedures, this may include but is not limited to the use of profanity, insulting or harassing remarks in e-mail, discussions, chat, electronic text, or telephone communications. Violations may be grounds for the student to receive a failing grade, suspension, or expulsion.

Classroom Conduct - A student shall not engage in any conduct that endangers the success of the student or others in the classroom. Examples of this type of conduct include, but are not limited to: stealing, cheating, gambling of any type, personal combat; loud, profane, or boisterous language; or any other conditions on the campus which would be considered unbecoming to a member of the student body.

Public Laws/College Policy - Violations of any federal, state, or local laws occurring while on campus may lead to legal actions as well as campus discipline. Violations of federal, state, or local laws occurring off campus may result in disciplinary action if the student's continued presence on campus constitutes a threat to the safety and order of the campus. Violations of College policies and procedures may result in disciplinary action.

Assault – Students shall not assault or threaten to assault another person for any reason whatsoever. Assault includes a demonstration of force, unlawful physical touching or striking.

Communicating Threats – Students shall not verbally, in writing, through a third party or by any other means threaten to physically injure another person or that person’s child, sibling, spouse or dependent or willfully threaten to damage the property of another.

Bullying – Students shall not intimidate or threaten with harm any other individual. Bullying is defined as any pattern of gestures or written, electronic or verbal communications or any physical act or any threatening communication that takes place on the College premises or at any College sponsored function that: (a) places a person in actual and reasonable fear of harm to his or her property; or (b) creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits or a College employees ability to perform the essential functions of his/her job.

Threats – Students shall not engage in any behavior that constitutes a clear and present danger to the physical and/or emotional well-being of the student and/or other students, faculty, and staff.

Immediate Removal from Campus

If an act of student misconduct threatens the health, safety or well-being of any member of the academic community and/or seriously disrupts the function and good order of the College, an instructor will immediately notify the Vice President for Students who will direct student involved to cease and desist such conduct and advise them that failing to cease and desist will result in immediate dismissal from the class or campus. If the student fails to cease and desist, or if the behavior is such that the student needs to immediately be removed from campus, the Vice President for Student Services may then immediately have the student temporarily moved from campus.

The Vice President shall notify the President in writing of the student involved and the nature of the infraction as soon as possible but no more than one (1) working day following the incident. Upon receipt of the Vice President’s written notice, the President shall meet with the student as soon as possible to allow the student to present his or her side. Depending and the nature of the allegations and the demonstrated behavior, the President may temporarily suspend the student pending the result of the disciplinary process.

Student Due Process

The following due process procedures shall apply in student disciplinary matters.

- A. Upon concluding an investigation into the matter, the Vice President for Student Services shall present the student with a written notice of charges that provide a description of the alleged violations and short factual summary. The notice shall also include recommended disciplinary action. If the student accepts the recommended

disciplinary action, the matter will be closed. If the student is not satisfied with the Vice President's recommendation, with five business days' receipt of the recommendation, the student may request, in writing to the President, a Judicial Board hearing.

- B. Upon receipt of the student's request, the President shall convene a Judicial Board to hear the matter. The Judicial Board shall consist of three members: a Vice President (but not the Vice President for Student Services) who shall serve as the Chair; one faculty member appointed by the President who is not an interested party in the issue to be heard; and the President of the Student Government Association (SGA) or his/her designee who is also a member of the SGA.
- C. The hearing shall be scheduled within ten business days of receipt of the student's written request for a hearing.
- D. Within five business days, the student must inform the President whether s/he will have legal counsel present. If the student does not provide timely notice, the Chair may continue the hearing until the College's attorney can be present. The student is allowed to have legal counsel present but only in an advisory capacity. Legal counsel will not be allowed to address the Judicial Board. The College's attorney will serve as procedural officer.
- E. The Judicial Board hearing procedure shall be as follows:
 - 1. The Chair shall introduce all present.
 - 2. The student shall have the opportunity to present evidence and witnesses in support of his or her case. The Judicial Board shall have the opportunity to question the student and, if applicable, his or her witnesses.
 - 3. The College administrator and/or other College representatives will present their evidence and witnesses in support of their case. The Judicial Board shall have the opportunity to question the administrator and/or other College representatives and, if applicable, their witnesses.
 - 4. Both sides will have the opportunity to make a closing statement.
 - 5. The Judicial Board shall deliberate in closed session. The College attorney may sit with the Judicial Board and provide legal advice should such advice be necessary. The North Carolina Rules of Evidence do not apply and all relevant evidence shall be included in the official record; however, in reaching its decision, the Judicial Board shall weigh and consider the credibility of the presented evidence.
 - 6. The Judicial Board hearing shall be audio recorded and that recording shall serve as the official hearing minutes.
 - 7. Within five business days of the hearing, the Chair shall, in writing, summarize the Judicial Board decision and send a copy to the parties and to the President.

- F. If any of the parties are not satisfied with the Judicial Board’s decision, they may, within ten business days of the date of the decision, appeal, in writing, to the President. The Vice President for Students Services shall accept the appeal on behalf of the President. The President shall review the official record and the hearing minutes. If, after his or her initial review, the President needs additional information, he or she may ask the parties to supplement the official record by responding to his or her additional questions. Within ten business days of receipt of the party’s appeal, or an additional five business days after the official record has been supplemented, the President shall issue his or her final decision to affirm, reject, or modify the Judicial Board’s decision. A written copy of the President’s decision shall be sent to both parties. The President’s decision shall be final, subject only to the student’s right of appeal to the Board of Trustees. Any appeal of the President’s decision must be submitted, in writing, to the Board of Trustees, within ten business days of the date of that decision.
- G. For an appeal to the Board of Trustees, a panel of the Board, as designated by the Chair, shall conduct an “on the record review” of the evidence presented at the Judicial Hearing. Within ten (10) business after receipt of the student’s appeal, unless the parties agree to a continuance, the Board panel shall meet and the President shall be granted an opportunity to address the Board panel in closed session. The student will also be given the same opportunity to address the Board panel. No new evidence shall be presented to the Board panel. The Board Attorney shall serve as the procedural officer. The Board panel will make a determination and inform the student in writing within five (5) business days.

Discrimination, Harassment and Sexual-Based Violence

Blue Ridge Community College (“College”) strives to make its campuses safe and welcoming learning environments. Pursuant to the Clery Act, the Violence Against Women Act, the Campus SaVE Act and other applicable federal and state laws and regulations, the College hereby adopts these procedures when investigating, disciplining and educating the College community about sexual harassment and sexual-based violence.

Also, pursuant to the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 and other applicable federal and state laws and regulations, the College prohibits discrimination in its services and programs based on race, religion, ethnicity, national origin, gender, gender identity, sex, age, disability, genetic information and veteran status.

DEFINITIONS: The following definitions shall apply to these Procedures and shall be collectively referred to herein as “discrimination, harassment and sexual-based

violence”.

Confidential Employee – is not a Responsible Employee and is not required to report incidents of sexual misconduct to the College’s Title IX Coordinator if confidentiality is requested by the student. Campus counselors are considered Confidential Employees. If a student is unsure of someone’s duties and ability to maintain one’s privacy, the student should ask the person before he/she speaks to him/her.

Consent – explicit approval to engage in sexual activity demonstrated by clear actions or words. This decision must be made freely and actively by all participants. Non-verbal communication, silence, passivity or lack of active resistance does not imply consent. In addition, previous participation in sexual activity does not indicate current consent to participate and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent has not been obtained in situations where the individual: i) is forced, pressured, manipulated or has reasonable fear that they will be injured if they do not submit to the act; ii) is incapable of giving consent or is prevented from resisting due to physical or mental incapacity (including being under the influence of drugs or alcohol); or iii) has a mental or physical disability which inhibits his/her ability to give consent to sexual activity.

Dating Violence – crimes of violence against a person with whom the person has or had a social relationship or a romantic or intimate relationship.

Discrimination – any act or failure to act that unreasonably and unfavorably differentiates treatment of others based solely on their race, religion, ethnicity, national origin, gender, sex, age, disability, genetic information and veteran status. Discrimination may be intentional or unintentional.

Domestic Violence – crimes of violence against a current or former spouse or intimate partner, a person who whom the student shares a child in common, a person with whom the student cohabitates or has cohabitated as a spouse, a person similarly situated to the student as a spouse, a person who is related to the student as a parent, child or person who is related to the student as a grandparent or grandchild.

Gender Identity Harassment – behavior that targets someone for offensive, hostile, degrading or insulting treatment because of their gender.

The following are examples of conduct that may constitute gender harassment:

- Using derogatory, gender-based terms;
- Making derogatory jokes about gender-specific traits or based on

- negative gender stereotypes;
- Suggesting that students of one gender should not engage in certain activities because of their gender;
- Impeding the educational progress of a person of one gender wither explicitly or implicitly, such as by questioning an individual's ability because of his/her gender or suggesting that it is abnormal for a person of that gender to hold a particular interest;
- Limiting or denying an individual of one gender access to educational opportunities;
- Using sexist humor as a classroom teaching technique;
- Using personal or College electronic communications to convey inappropriate gender-based remarks, pictures, or images; or
- Using verbal, graphic, or physical conduct which threatens, ridicules, or demeans an individual because of gender.

Harassment (for Sexual and Gender Identity Harassment, see specific definition) – verbal or physical conduct that denigrate or shows hostility or aversion toward an individual because of his or her race, religion, ethnicity, national origin, age, disability, genetic information and veteran status, or any other legally protected status not listed herein, or that of his or her relative, friends, or associates, and has the purpose or effect of creating an intimidating, hostile, or offensive work or learning environment; has the purpose or effect of interfering unreasonably with an individual's work or academic performance; or otherwise adversely affects an individual's employment or educational opportunities.

Harassment may include but is not limited to:

- Threatening or intimidating conduct directed at another because of the individual's protected status.
- Jokes, name calling, or rumors based upon an individual's protected status.
- Ethnic slurs, negative stereotypes and hostile acts based on an individual's protected status.

Rape – as stipulated by the Federal Bureau of Investigation's (FBI) updated definition in the UCR Summary Reporting System means 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.

This definition includes any gender of victim or perpetrator. Sexual penetration means 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. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

Responsible Employee – a College employee who has the authority to take action to redress sexual harassment/misconduct; who has been given the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students to the Title IX coordinator or other appropriate designee; or who a student reasonably believes has this authority or duty. The College’s Responsible Employees include all College administrators (Deans, Directors, Coordinators and Vice Presidents). If a student is unsure of someone’s duties and ability to maintain one’s privacy, the student should ask the person before he/she speaks to him/her.

Sexual Assault – subjecting any person to contact or behavior of a sexual nature or for the purposes of sexual gratification without the person’s expressed and explicit consent.

Sexual Harassment – physical contact and/or conduct that creates an unwelcome or hostile environment. It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when submission to the conduct is made a term or condition of an individual’s employment or academic performance (either implicitly or explicitly), when submission to or rejection of the conduct is used as the basis for employment or educational decisions affecting the individual, or when the conduct is sufficiently severe, persistent, or pervasive to interfere with an individual’s work or academic performance or to create an intimidating, hostile, or offensive working or learning environment. Occasional compliments of a socially acceptable nature do not constitute sexual harassment.

Sexual harassment may include but is not limited to:

- Physical assault, including rape, or any coerced sexual relations.
- Subtle pressure for sexual activity or for a relationship that takes on a sexual or romantic coloring, thereby exceeding the limits of healthy relation.
- Any demeaning sexual propositions.
- Unnecessary touching in any form.
- Sexually explicit or suggestive remarks about a person’s physical attributes, clothing, or behavior.
- Sexually stereotyped or sexually charged insults, humor, verbal abuse, or graffiti.

- Any sexually inappropriate behavior that prevents an individual from participating in their employment, academic performance, or in any functions of the college.

Stalking – engaging in a course of conduct directed to a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress by placing that person in fear of death, bodily injury or continued harassment.

Reporting Discrimination, Harassment, and Sexual-Based Violence

All members of the College community are expected to take appropriate action to prevent discrimination, harassment and sexual-based violence. All Responsible Employees are required to report such alleged acts to the appropriate College officials. All Responsible Employees receiving a complaint of discrimination, harassment or sexual based violence shall immediately refer the complaint to the appropriate person. For acts of sexual based violence, Responsible Employees shall inform the Complainant of the right to contact law enforcement.

If a student wishes to keep the details of an alleged incident confidential, he/she should speak with a Confidential Employee, health service provider or off-campus counselors in order to maintain confidentiality. Campus counselors are available to help students free of charge and can be seen on an emergency basis. For information on the College’s counseling services, contact the Vice President for Student Services at (828) 694-1804.

Reports of sexual harassment and sexual-based violence should be made to the College’s Title IX Coordinator:

Vice President Student Services

Sink Building, Henderson County Campus

180 West Campus Drive

Flat Rock, NC 28731

(828) 694-1804

The Coordinator shall receive annual training on issues related discrimination, harassment and sexual-based violence and how to conduct a fair and impartial investigation that protects alleged victims and promotes accountability.

Reports of disability discrimination should be made to the College's Director of Disability Services:

Director of Disability Services

Sink Building, Henderson County Campus

180 West Campus Drive

Flat Rock, NC 28731

(828) 694-1800

All other issues raised hereunder should be reported to the Vice President for Student Services.

For the remainder of these Procedures, the person who receives an initial report shall be referred to the "Coordinator".

Initial Investigation of Sexual Harassment and Sexual-Based Violence

Members of the College community are encouraged, but not required, to resolve issues informally and may attempt to do so directly with the other party or with the assistance of a supervisor or other College official. In circumstances in which informal process fails or is inappropriate, in the cases of sexual harassment and sexual-based violence, or in which the Complainant requests formal procedures, the complaints will be investigated promptly, impartially and thoroughly according to the following procedures:

Individuals filing complaints ("Complainants") are urged to do so in writing as soon as possible but no later than thirty (30) days after disclosure or discovery of the facts giving rise to the complaint. Complaints submitted after the thirty (30) day period will still be investigated; however, Complainants should recognize that delays in reporting may significantly impair the ability of College officials to investigate and respond to such complaints. The Coordinator shall fully investigate any complaints and will, as needed and if the complaint also involves an employee, collaborate with the College's Director of Human Resources. During the course of the investigation, the Coordinator may consult with other relevant College administrators and the College Attorney.

During the investigation, the Coordinator shall meet with the Complainant and the alleged Perpetrator and give each party an equal opportunity to provide evidence, including informing the Coordinator of any potential witnesses. Both parties will be provided access to any information provided by the other in accordance with any federal or state confidentiality laws.

During the investigation process, the Coordinator may implement temporary measures in order to facilitate an efficient and thorough investigation process as well as to protect the rights of all parties involved. The temporary actions include, but are not limited to: reassignment of class schedules; temporary suspension from campus (but be allowed to completed coursework); or the directives that include no contact between the involved parties.

A confidential file regarding the complaint shall be maintained by the Coordinator. To the extent possible, the College will keep all information relating to the complaint and investigations confidential; however, to maintain compliance with the Clery Act, both parties will be informed of the outcome of any institutional proceeding alleging sexual harassment or sexual-based violence.

The Coordinator shall make every effort to conclude the investigation as soon as possible but no later than thirty (30) calendar days. If nature of the investigation requires additional time, the Coordinator may have an additional ten (10) calendar days to complete the investigation. The Coordinator shall notify the parties of this extension.

Upon making the complaint, Complainants alleging sexual harassment and sexual-based violence will be immediately notified that they have to right to seek additional assistance from law enforcement and have the right to seek, among other things, judicial no-contact, restraining and protective orders. Complainants will also be notified of available counseling services and their options of changing academic situations.

Determination and Appeal of Sexual Harassment and Sexual-Based Violence

Coordinator's Report: The Coordinator shall prepare a report of his/her investigation and review the report with both the Complainant and the alleged Perpetrator and, if appropriate, implement any corrective and/or disciplinary action based on the preponderance of the evidence. Appropriate disciplinary action shall depend upon the seriousness of the misconduct and may include: a warning, written reprimand, suspension, expulsion from College property or denial of access to College services or programs. Any disciplinary action will be implemented immediately and shall not be tolled pending an appeal.

Appeal to the President: If the Complainant or alleged Perpetrator is dissatisfied with the Coordinator's determination, s/he may appeal to the President within ten (10) calendar days upon receipt of the Coordinator's report. Upon receipt of the appeal, the President shall convene a Review Committee ("Committee") to hear the matter and provide a non-binding recommendation.

Committee Membership: The Committee shall be composed of the following members: i) one faculty and one staff member; and ii) and one senior administrator who will serve as the Chair.

All Committee members shall be appointed by the President and shall receive training on conducting hearings for this process.

Hearing Procedures: The Committee must meet within ten business days of receipt of the appeal. At least five business day prior to the date set for the hearing, the Chair shall send notification to the Complainant and alleged Perpetrator the time and place of the hearing and the members of the Committee.

At least two days prior to the hearing, the parties will notify the Chair whether or not they will be represented by legal counsel. Failure to notify the Chair regarding legal counsel could result in the hearing being continued until such time that the College can have its legal counsel present. Should the College's legal counsel attend, he/she shall serve as the procedural officer for the hearing.

Also, at least two days prior to the hearing, the Complainant and alleged Perpetrator have the right to request, in writing, that the President disqualify any member of the Committee for prejudice or bias. The request must contain specific reasons. The President shall consider the matter and if such disqualification occurs, the President shall replace the disqualified member with an individual from the same employment category.

The following due process rights shall apply to the hearing:

- i. Each party has a right to have legal counsel and/or an advocate present. The role of the legal counsel or advocate is solely to advise the individual. Except for a closing argument, the legal counsel or advocate shall not have the right to address the Committee.
- ii. Each party has the right to produce witnesses on their behalf.
- iv. Each party has the right to present testimonial and documentary evidence.
- vi. Each party has the right to be present and hear the witnesses presented for both sides.
- vii. Each party has the right to testify or to refuse to testify without such refusal being detrimental.

The following hearing procedures shall apply:

- i. Hearings before the Committee shall be confidential and shall be closed to all persons except the parties; legal counsel and/or advocate; and Committee members and the College attorney. Witnesses shall only be

present in the hearing room when giving their testimony.

- ii. The Complainant shall have an opportunity to make an opening statement and present evidence and witnesses to the Committee. Committee members may ask questions to the witnesses.
- iii. The alleged Perpetrator will then have an opportunity to make a short opening statement and present evidence and witnesses to the Committee. Committee members may ask questions to the witnesses.
- iv. Each side will have an opportunity to make a short, closing argument with the Complainant going first.
- v. The hearing will be recorded.
- vi. Upon completion of a hearing, the Committee shall meet in closed session. The College Attorney may be present to provide the Committee with legal advice. Based on a preponderance of the evidence standard, the Committee shall review the evidence and make a written, non-binding recommendation to the President within five business days. The parties shall also receive a copy of the non-binding recommendation.

Within five business days after receipt of the Committee's non-binding recommendation, the President will render a final written decision. Both parties shall receive a copy of the decision.

Protection against Retaliation

The College will not in any way retaliate against an individual who makes a report of discrimination, harassment or sexual-based violence in good faith or who assists in an investigation. Retaliation includes, but is not limited to: any form of intimidation, disciplinary action, reprisal or harassment. Retaliation is a serious violation and should be reported immediately. The College will take appropriate action against any employee or student found to have retaliated against another in violation of these procedures.

Employee and Student Relations

Romantic or sexual relationships between College employees and students are prohibited if the employee and the student have an academic relationship. Academic relationships include any activities in which the employee is a direct or indirect supervisor or instructor for the student, as in a classroom or lab, or is a sponsor for any College activity involving the student, including work study or organizational/club/sport activities. This prohibition shall continue until the student or the employee is no longer affiliated with the College. Employees engaging in inappropriate relationships will be subject to disciplinary action up to and including termination

of employment. Students engaging in inappropriate relationships may be subject to disciplinary action up to and including expulsion.

Romantic or sexual relationships between College employees and students not in an academic relationship that impairs the College employee's effectiveness, disrupts the workplace/learning environment, and/or impairs the public confidence in the College will be subject to disciplinary action up to and including termination of employment or expulsion from the College.

Suspending Procedures

In cases of emergency or serious misconduct, the College reserves the right to suspend this process and may enact appropriate action for the welfare and safety of the College community.

Student and Employee Education and Annual Training

All new students and all employees shall be required to participate in a primary prevention and awareness program that promotes awareness of discrimination, harassment and sexual-based violence. This program will be held annually at the beginning of each fall semester.

At this annual training, students and employees must receive training in the following areas:

1. Information about safe and positive options for bystander intervention skills;
2. What "consent" means with reference to sexual activities.
3. Risk reduction programs so students recognize and can avoid abusive behaviors or potential attacks;
4. How and to whom to report an incident regarding discrimination, harassment and sexual-based violence;
5. The importance of preserving physical evidence in a sexual-based violent crime; and
6. Options about the involvement of law enforcement and campus authorities, including the alleged victim's option to: i) notify law enforcement; ii) being assisted by campus authorities in notifying law enforcement; iii) declining to notify law enforcement; and iv) obtaining "no-contact" or restraining orders.

Each year, all students and employees will receive an electronic copy of these Procedures sent to their College email address of record. These Procedures will be maintained online in the College's website and a hard copy will be kept on file (in English and Spanish) in the Coordinator's office. Other translations will be made available upon request.

Student Grievance

In order to maintain a harmonious and cooperative environment between and among the College and its students, the College provides for the settlement of problems and differences through an orderly grievance procedure. Every student shall have the right to present his/her problems or grievances free from coercion, restraint, discrimination or reprisal. This Policy provides for prompt and orderly consideration and determination of student problems and grievances by College administrators and ultimately the President.

A grievance is any matter of student concern or dissatisfaction within the College's control except: (a) student grade appeal (see Procedures 4.10.1); (b) student discipline matters (see Procedure 4.15.1 – Student Code of Conduct); (c) discrimination, harassment and sexual-based violence (see Procedure 4.15.2 – Discrimination, Harassment and Sexual-Based Violence); (d) academic honesty issues (see Procedure 4.15.3 – Academic Honesty); and (e) any other matter that has a specific grievance process outlined in College policy.

The President is authorized to develop procedures consistent with this Policy.

Student Grievance Procedures

The following procedures shall apply for student grievances.

I. Informal Grievance – Step One

In the event the alleged grievance lies with an instructor/staff member, the student must first go to that instructor/staff member and attempt to informally resolve the matter. Both the student and instructor/staff member must have an informal conference to discuss the situation and document the attempts taken to resolve the grievance at this level. In the event that the student is unsatisfied with the resolution reached at the informal conference, he/she may proceed to Step Two within ten (10) business days after the informal conference. Not proceeding to Step Two within the time period will result in the grievance not being heard and the matter being closed.

If the grievance concerns issues unrelated to a particular instructor/staff member (for example, an issue with College policy), the student can skip the informal process and proceed to Step Two.

II. Formal Grievance – Step Two

If the grievance is not resolved at Step One (or, given the nature of the grievance, Step Two begins the process) the student may file a written grievance with the Vice President for Student Services (“Vice President”). The written grievance must contain with specificity the facts supporting the grievance and the attempt, if applicable, to resolve

the grievance at the information level.

The Vice President (or, depending on the nature of the grievance, another appropriate Vice President) shall review the written grievance and conduct whatever further investigation, if any, is necessary to determine any additional facts that are needed to resolve the grievance. The Vice President shall provide his/her written decision within ten (10) business days after receipt of the grievance.

In the event that the student is unsatisfied with the resolution reached by the Vice President, he/she may proceed to Step Three within ten (10) business days after receipt of the Vice President's written determination. Not proceeding to Step Three within the time period will result in the grievance not being heard and the matter being closed.

III. Appeal – Step Three

If the student is not satisfied with the Vice President's determination, the student may appeal to the President. The appeal must be in writing and must provide a written summary of the specific facts and must contain any other documentation pertinent to the matter. The President will conduct an "on the record" review and, if necessary, conduct any further investigation that is necessary to ascertain the facts needed to make a determination. The President may, at his/her discretion, establish a committee to further investigate the matter and make a recommendation to the President.

At the conclusion of the investigation and not later than fifteen (15) business days after receipt of the student's appeal (unless a committee is needed then within thirty (30) business days), the President shall provide a written decision to the student.

The President's decision is final.

Crime Statistics

Henderson County Campus: Crimes Reported

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
CRIME						
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	1	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

Transylvania County Campus: Crimes Reported

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

Henderson County Campus: Arrests

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Weapons: Carrying, Possessing,	0	0	0	0	0	0
Drug Abuse Violations	0	0	1	0	0	0
Liquor Law Violations	0	0	0	0	0	0

Transylvania County Campus: Arrests

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Weapons: Carrying, Possessing	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

Henderson County Campus: Disciplinary Actions

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Weapons: Carrying, Possessing	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

Transylvania Campus: Disciplinary Actions

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Weapons: Carrying, Possessing,	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

Henderson County Campus: Hate Crimes Reported on Campus Property

Year 2016	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Henderson County Campus: Hate Crimes Reported on Public Property

Year 2016	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Henderson County Campus: Hate Crimes Reported on Campus Property

Year 2015	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Henderson County Campus: Hate Crimes Reported on Public Property

Year 2015	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Henderson County Campus: Hate Crimes Reported on Campus Property

Year 2014	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Henderson County Campus: Hate Crimes Reported on Public Property

Year 2014	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Transylvania County Campus: Hate Crimes Reported on Campus Property

Year 2016	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Transylvania County Campus: Hate Crimes Reported on Public Property

Year 2016	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Transylvania Campus: Hate Crimes Reported on Campus Property

Year 2015	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Transylvania County Campus: Hate Crimes Reported on Public Property

Year 2015	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Transylvania County Campus: Hate Crimes Reported on Campus Property

Year 2014	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Transylvania County Campus: Hate Crimes Reported on Public Property

Year 2014	Total	Race	Religion	Sexual Orientation	Gender	Disability	National Origin
INCIDENT							
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction of Property	0	0	0	0	0	0	0

Henderson County Campus: Violence against Women

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	2	0	0	0	0	0

Transylvania County Campus: Violence against Women

Year	2016	2016	2015	2015	2014	2014
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

Resource Contact Information

Alcoholics Anonymous WNC

ashevilleaa.org

BRCC Police and Public Safety

Email: police@blueridge.edu

(828) 694-1770

Brevard Police Department

cityofbrevard.com or 9-1-1

Dating Violence Resource Center

dvrc-or.org/domestic/violence/resources/C66/

Drug-Free Workplace Help Line

drugfreeworkplace.gov

(800) 967-5752

Henderson County Health Department

hendersoncountync.org/health

(828) 692-4223

Henderson County Sheriff's Office

hendersoncountync.org

(828) 697-4596

9-1-1

Safelight

www.safelightfamily.org

(828) 693-3840

Narcotics Anonymous

drugstrategies.org

National Institute on Drug Abuse Hotline

800-662-HELP

National Institute of Mental Health

nimh.nih.gov/index.shtml

NC Coalition Against Sexual Assault

nccasa.org/

NC Coalition Against Domestic Violence

nccadv.org

NC State Bureau of Investigation

ncdoj.gov

NC Sexual Offender Registry

<http://sexoffender.ncsbi.gov/disclaimer.aspx>

Pardee Hospital

pardeehospital.org

(828) 696-1000

Park Ridge Health

parkridgehealth.org

(828) 684-8501

SAFE, Inc.

safebrevard.com

(828) 885-7233

Transylvania Community Hospital

trhospital.org

(828) 883-5254

Transylvania County Health Dept.

health.transylvaniacounty.org

(828) 884-3135

Transylvania County Sheriff's Office

transylvaniasheriff.org

9-1-1

29th B District Attorney's Office

ncdistrictattorney.org

(828) 694-4200