Annual Security Report

Henderson County Campus

Transylvania County Campus

Health Sciences Center

2026

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Introduction

Thank you for taking the time to read the Blue Ridge Community College (Blue Ridge) ***2025 Annual Security Report***. The Blue Ridge Community College Police Department prepares this report in compliance with the ***Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*** (Jeanne Clery Campus Safety Act). Information about the Jeanne Clery Campus Safety 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 is patrolled by the Blue Ridge Community College 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 applicable college policies. You will also see deputies from the Transylvania County Sheriff's Office patrolling our Transylvania County Campus who are also fully certified law enforcement officers and are contracted with Blue Ridge Community College to provide additional law enforcement services.

We hope you find this report informative and helpful, and that your time at Blue Ridge will be enjoyable and safe. If you have questions or would like further information about safety and security at Blue Ridge, please visit www.blueridge.edu.

About Blue Ridge Community College

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

The creation of Blue Ridge 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 and one center—Henderson County Campus, Transylvania County Campus, and the Health Sciences Center.

Mission

Blue Ridge Community College empowers individuals with knowledge and skills to enrich our communities and build a competitive workforce.

Location and Facilities

Blue Ridge Community College has two campuses and one center, one campus and center located in Henderson County and one campus located in Transylvania County. The Henderson County Campus is located on over 100 acres in Flat Rock, North Carolina with the 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 the 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 the main address of 805 6th Avenue West. This facility is jointly occupied by the College, Wingate University, and Pardee Hospital.

In July 2020, Blue Ridge Community College purchased approximately 18 acres adjacent to the Henderson County Campus located at and near Merry Oaks Lane, Flat Rock, North Carolina. The

Blue Ridge Community College Police Department began recording Clery statistics for the newly purchased property at that time.

Jeanne Clery Campus Safety Act Requirements

The Jeanne Clery Campus Safety 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 Jeanne Clery Campus Safety Act.

The Blue Ridge Community College Police 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.

Blue Ridge Community College Police Department

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 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 all property, buildings, parking lots, public spaces, and venues owned by the College. The main police department headquarters is located on the Henderson County Campus at 625 College Drive, Flat Rock, NC 28731. Officers at the Transylvania County Campus are located at 45 Oak Park Dr., Brevard, NC 28712. 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 and services on our campuses. The Blue Ridge Community College Police Department has jurisdiction on all campuses in Henderson County and Transylvania County. In addition to Blue Ridge Police Officers, the College contracts for additional law enforcement support from the Transylvania County Sheriff's Office.

Blue Ridge Police 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, patrol operations, security checks, crime prevention, investigation of all reported crimes committed on campus, responding to medical and fire emergencies, enforcing parking regulations, investigation of motor vehicle collisions, and maintaining crime reports and statistics.

Blue Ridge 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 applicable college policies.

In cases involving student discipline and violations of the Blue Ridge 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.

Blue Ridge 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 Blue Ridge Police Department has signed Memorandums 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, the Hendersonville Police Department, the Fletcher Police Department, and the Laurel Park Police Department.

Reporting Incidents and Emergencies

Blue Ridge Police should be kept informed of all campus activities and events to provide appropriate assistance. Blue Ridge Police Officers respond to College emergency calls and requests for assistance. A daily crime log is kept in a records management system and is available for review by the general public upon request.

Blue Ridge 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 Blue Ridge Police 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 Incidents

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

Please use the following numbers to contact the Blue Ridge Police Department for non-emergency needs:

Blue Ridge Police Main Number (Day): (828) 694-4777
Henderson County Campus (Evening): (828) 243-9950
Health Sciences Center (Evening): (828) 674-9362
Transylvania County Campus (Day): (828) 556-3969
Transylvania County Campus (Evening): (828) 883-2520

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 an 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 Blue Ridge 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 Blue Ridge, an officer will respond to investigate. The investigation may include a written report, taking witness statements, evidence collection, pursuing warrants, and arrest(s) or school disciplinary referral(s).

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 Blue Ridge 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 Services/Title IX Coordinator.

Investigations

Blue Ridge Police officers investigate all reports of on-campus crimes. The Police 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, event planning services, or the campus information center.

Lighting and Vegetation Management

Blue Ridge Community College is committed to campus safety and security. Exterior lighting and vegetation management are 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 Blue Ridge law enforcement officer at the phone numbers listed. The Blue Ridge Police 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 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 Jeanne Clery Campus Safety 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 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 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 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 Department distributes Blue Ridge Alerts in various ways. Once the College determines that an alert will be issued, the department will send an announcement via e-mail, text message, phone, and/or an audible alert using speakers. Blue Ridge 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 Blue Ridge Police Chief, or his designee, will determine the content of the notification and initiate the notification process along with members 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 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, and audible alert tones and messages delivered by our mass notification system, or any combination of the four. Participation is completely voluntary, but strongly encouraged. Blue Ridge also has the capability to send alerts through email to everyone who has a Blue Ridge 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. Blue Ridge 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. Blue Ridge 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	Associate VP, Transylvania County Campus
VP for General Administration	Director, Marketing and Communications
VP for Economic and Workforce Development/Continuing Education	Vice President for Advancement
VP for Student Services	Principal, Early College High School
VP for Instruction	Associate VP, Finance/CFO
Chief of Police/Director of Public Safety	Director, Facilities

Daily Crime Log

The Blue Ridge Police 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 Protection 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 (Jeanne Clery Campus Safety 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:

1. A member of the educational institution's police department or campus security department;
2. 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);
3. 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;
4. 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 Blue Ridge 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.

Confidential Reporting

Blue Ridge also offers a confidential crime and safety tip form under the Police and Public Safety webpage at www.blueridge.edu. Tips submitted using this form will be kept confidential and will go directly to the Blue Ridge Police 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 Blue Ridge Police 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, or other licensed medical professional, 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 federal agencies are posted campus-wide.
B. Online resources containing agency directories for Henderson and Transylvania Counties are used by counselors and other appropriate personnel in referring clients to community resources.
C. 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 outlined in the College Catalog and Student Handbook. It is available on our catalog webpage and in Student Services. 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 during orientation sessions scheduled prior to the beginning of each semester.
F. Materials concerning drug abuse prevention will be made available to students through the Division of Student Services.
G. Drug abuse prevention information is sent to all curriculum students, both new and returning at the beginning of each semester in the form of an email. In addition, all employees of the College receive the same information, distributed through the campus email 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 of North Carolina, 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 Blue Ridge Police and 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 Blue Ridge Police 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.

Unlawful Discrimination and Harassment

The College strives to make its campuses inclusive and a safe and welcoming learning environment for all members of the College community. Pursuant to multiple federal and state laws and administrative regulations and pursuant to College policy, the College prohibits discrimination in its activities, services and programs based on race, religion, color, national origin, sex, sexual orientation, gender, gender identity or expression, pregnancy, age, disability, genetic information, political affiliation, veteran's status, or other protected class in accordance with all applicable federal, state and local laws. (Please see Policy 3.19.1 for complaints related to allegations of sexual harassment, sexual assault or sexual violence.

I. **DEFINITIONS**

The following definitions shall apply to this Procedure and shall be collectively referred to herein as "Unlawful Discrimination". The definitions are not intended to operate as speech codes, promote content and viewpoint discrimination or suppress minority viewpoints in the academic setting. Indeed, just because a student's speech or expression is deemed offensive by others does not mean it constitutes discrimination or harassment.| In applying these definitions, College administrators shall view the speech or expression in its context and totality and shall apply the following standard: the alleged victim subjectively views the conduct as discrimination or harassment and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that the conduct is discriminatory or harassing.

A. Discrimination: any act or failure to act that unreasonably differentiates treatment of others based solely on their Protected Status and is sufficiently serious, based on the perspective of a reasonable person, to unreasonably interfere with or limit the ability of that individual to participate in, access or benefit from the College's programs and activities. Discrimination may be intentional or unintentional.

B. Harassment: a type of Discrimination that happens when verbal, physical, electronic or other behavior based on a person's Protected Status interferes with a person's participation in the College's programs and activities and it either creates an environment that a reasonable person would find hostile, intimidated or abusive or where submitting to or rejecting the conduct is used as the basis for decisions that affect the person's participation in the College's programs and activities. Harassment may include but is not limited to: threatening or intimidating conduct directed at another because of the individual's Protected Status; ethnic slurs, negative stereotypes and hostile acts based on an individual's Protected Status.

C. Protected Status: race, color, national origin, sex, religion, pregnancy, disability, genetic information, age, political affiliation, or veterans' status.

D. Standard of Evidence - the College uses clear and convincing as the standard for proof of whether a violation occurred. In the student due process hearing and employee grievance process, legal terms like "guilt, "innocence" and "burden of proof" are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The College will find the alleged Perpetrator either "responsible" or "not responsible" for violating these Procedures.

II. STATEMENTS OF PROHIBITION

A. Prohibition of Retaliation

The College strictly prohibits punishing students or employees for asserting their rights to be free from Unlawful Discrimination. Retaliation against any person participating in connection with a complaint of Unlawful Discrimination is strictly prohibited. Reports of retaliation will be addressed through this procedure and/or other applicable College procedures. Retaliation includes, but is not limited to, any form of intimidation, punitive actions from authority figures or peers, reprisal (acts of vengeance) or harassment. Retaliation is a serious violation and should be

reported immediately. The College will take appropriate disciplinary action against any employee or student found to have retaliated against another.

B. **Prohibition of Providing False Information**

Any individual who knowingly files a false report or complaint, who knowingly provides false information to College officials, or who intentionally misleads College officials involved in the investigation or resolution of a complaint may be subject to disciplinary action including, but not limited to expulsion or employment termination. The College recognizes that an allegation made in good faith will not be considered false when the evidence does not confirm the allegation(s) of Unlawful Discrimination.

III. REQUESTING ACCOMMODATIONS

A. **Students**

Students with disabilities wishing to make a request for reasonable accommodations, auxiliary communication aids or services, or materials in alternative accessible formats should contact the College's Division for Student Services. Information provided by students is voluntary and strict confidentiality is maintained. All requests for accommodations will be considered following the appropriate federal and state laws. The College will also provide reasonable accommodation of a student's religious beliefs/ practices provided such expression/practice does not create a hostile environment for other students and employees and/or the accommodation does not cause an undue hardship for the College.

B. **Employees**

Employees with disabilities wishing to make a request for reasonable accommodations, auxiliary communication aids or services, or materials in alternative accessible formats should contact the College's Office of Human Resources. Information provided by employees is voluntary and strict confidentiality is maintained. The College will also provide reasonable accommodation of an employee's religious beliefs/ practices provided such expression/practice does not create a hostile environment for other employees and students and/or the accommodation does not cause an undue hardship for the College.

IV. REPORTING OPTIONS

A. **Student Complaints**

Any student wishing to make a report relating to Unlawful Discrimination may do so by reporting the concern to the College's Division for Student Services. For Unlawful Discrimination incidents between students and employees, the Vice President for Student Services will work in partnership with the Director of Human Resources to investigate and resolve the allegations.

B. **Employee Complaints**

Any employee wishing to make a report related to Unlawful Discrimination may do so by reporting the concern to the College's Director of Human Resources.

V. **INITIAL INVESTIGATION**

As these Procedures apply to both students and employees as either the Complainant or the Respondent, the administrator receiving the incident report will determine if the case should be handled by: 1) the Vice President for Student Services, or designee (student/student); 2) the Director of Human Resources, or designee (employee/employee); or 3) both (student/employee). For incidents involving students and employees, the College will utilize the process for both the student investigation and the employee investigation sections as applicable.

A. **Student Investigation**

1. Students 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 Vice President 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 Vice President may consult with other relevant College administrators and the College Attorney.

2. During the investigation, and if applicable to the complaint1 , the Vice President shall meet with the Complainant and the alleged Perpetrator ("Respondent") separately and give each party an equal opportunity to provide evidence, including informing the Vice President of any potential

witnesses. Both parties will be given access to any information provided by the other in accordance with any federal or state confidentiality laws.

3. During the investigation process, the Vice President 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 complete coursework); or the directives that include no contact between the involved parties.

4. A confidential file regarding the complaint shall be maintained by the Vice President. 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 proceedings under these Procedures.

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

6. Complainants will be notified of available counseling services and their options of changing academic situations and other interim protective measures.

7. If the Vice President of Student Services is named as a Respondent in the Complaint, the President may assign another College administrator to investigate the Complaint.

B. **Employee Investigations**

1. Employees 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 Director of Human Resources shall fully investigate any

complaints. During the course of the investigation, the Director of Human Resources may consult with other relevant College administrators and the College Attorney.

2. During the investigation, and if applicable to the complaint, the Director of Human Resources shall meet with the Complainant and the alleged Perpetrator ("Respondent") separately and give each party an equal opportunity to provide evidence, including informing the Director of Human Resources of any potential witnesses. Both parties will be given access to any information provided by the other in accordance with any federal or state confidentiality laws.

3. During the investigation process, the Director of Human Resources 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 Director of Human Resources may suspend an employee with pay pending an investigation if such action is in the College's best interest.

4. A confidential file regarding the complaint shall be maintained by the Director of Human Resources. 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 proceedings under this Procedures.

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

6. Complainants will be notified of available counseling services and other interim protective measures.

7. If the Director of Human Resources is named as a Respondent in the Complaint, the President may assign another College administrator to investigate the Complaint. If the President is named as a Respondent in the Complaint, the Chair of the Board of Trustees may appoint a third-party to investigate the Complaint.

VI. **RECOMMENDATION AND APPEAL**

A. **Students**

1. After the investigation is complete, the Vice President will put forward a recommendation of finding, based on the Standard of Evidence, and sanction(s) to both the Complainant and Respondent. If the recommendation is accepted by both parties involved, the recommendation and sanction(s) will become effective. The Vice President will submit to each party a final outcome letter that will include, but not limited to, the following:

    a. Determination if the Respondent is responsible or not responsible for violating these Procedures;

    b. Sanction;

    c. Whether monitoring of academic schedules is needed between the parties to ensure that the individuals involved are not in classes together (the Vice President will assist in this process).

    d. Short-term College counseling services available to each party.

2. If the Vice President's recommendations are not accepted by either the Complainant or the Respondent, both may appeal and request a formal hearing. If the Vice President recommends sanctions that s/he cannot impose (i.e., expulsion), the matter shall automatically be set for a hearing. The President will preside over the hearing as the Presiding Officer. The process for the hearing is outlined below:

    a. Prior to the hearing, the Complainant and the Respondent have the right to review all evidence, including written statements by the Respondent, the Complainant, or witnesses. Strict rules of evidence do not apply. The Standard of Evidence shall apply for the hearing.

    b. Written notice including the date, time, and location of the hearing will be sent to all parties within 10 College business days of receipt of the written appeal .

    c. At the hearing, all pertinent parties have a right to speak and be questioned by the Presiding Officer. Cross-examination between parties is not permitted. The College will provide options for

questioning without confrontation. Each phase of the hearing will be heard by both parties in separate rooms by use of a speaker phone.

d. The Complainant and the Respondent are allowed to be accompanied by an advocate. The advocate may not present on behalf of either party unless otherwise instructed to do so by the Presiding Officer. If the Complainant or the Respondent chooses to have an advocate who is an attorney, notification must be provided to the Presiding Officer at least three (3) College business days prior to the hearing date. In this case, the College Attorney will also be present.

e. Both parties have a right to a written notice of the hearing outcome.

B. **Employees**

1. After the investigation is complete, the Director of Human Resources will put forward a recommendation of finding, based on the Standard of Evidence, and sanctions to both the Complainant and Respondent. If the recommendation is accepted by both parties involved, the recommendation and sanctions will become effective. A final outcome letter will be submitted to the Complainant and Respondent that may include, but not limited to, the following:

    a. Determination if the Respondent is responsible, not responsible, or if the decision is deemed inconclusive, or shared responsibility.

    b. Sanction, if appropriate.

    c. Monitoring of academic schedules or workplace schedule if needed.

    d. Short-term counseling services will be offered to each party.

2. If the Director of Human Resources' recommendations are not accepted by either the Complainant or the Respondent, either or both may appeal to the President. If the Director of Human Resources recommends sanctions that s/he cannot impose (i.e., termination) the matter will

automatically be forwarded to the President for consideration. The process for the appeal is outlined below:

a. Appeals must be submitted in writing to the President within 10 College business days of the action taken.

b. Each party shall have the right to meet with the President separately. Prior to the meeting with the President, the Complainant and the Respondent have the right to review all evidence, including written statements by the Respondent, the Complainant, or witnesses.

c. Written notice including the date, time, and location of the meeting will be sent to each party within 10 College business days of receipt of the written appeal.

d. At the meeting with the President each party shall have a right to speak and be questioned by the President and present any written evidence to the President.

e. The Complainant and the Respondent are allowed to be accompanied by an advocate. The advocate may not present on behalf of either party unless otherwise instructed to do so by the President. If the Complainant or the Respondent chooses to have an advocate who is an attorney, notification must be provided to the President at least three (3) College business days prior to the hearing date. In this case, the College Attorney will also be present.

f. The President will review the evidence provided by each party, including the statements of the parties, and shall make a determination. The President's determination will be based on the Standard of Evidence. Both parties have a right to a written notice of the President's decision. The President's written decision will be made within 10 College business days of the appeal meeting. The President's decision is final.

g. If the President is named as a Respondent in the original Complaint, the Director of Human Resources will inform the Chair of the Board of Trustees who will assign another person to consider the appeal.

C. **Sanctioning**

The following sanctions may be imposed for those who have violated these Procedures.

1. **Students**

    a. Verbal or Written Warning

    b. Probation

    c. Administrative withdrawal from a course without refund

    d. Required Counseling

    e. No Contact Directive

    f. Suspension

    g. Expulsion (President must impose)

    h. Other consequences deemed appropriate

2. **Employees**

    a. Verbal or Written Warning

    b. Performance Improvement Plan

    c. Required Counseling

    d. Required Training or Education

    e. Demotion (President may impose)

    f. Suspend with or without Pay (President must impose)

    g. Termination (President must impose)

    h. Other consequences deemed appropriate to the specific violation

[1]The Complainant's complaint need not necessarily be against a specific individual but could concern an action, policy, procedure or decision by the College that the individual believes constitutes Unlawful Discrimination.

Sexual Harassment

Blue Ridge Community College strives to make its campuses inclusive and a safe and welcoming learning environment for all members of the College community. Pursuant to multiple federal and state laws and administrative regulations and pursuant to College policy, the College prohibits discrimination in its education programs and activities based on sex.

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Under Title IX, discrimination on the basis of sex includes quid pro quo harassment; sexual harassment; and sexual assault, stalking, dating or domestic violence (collectively referred to as "sexual harassment"). The College's Title IX Coordinator has oversight responsibility for handling Sexual Harassment complaints and for identifying and addressing any patterns and/or systemic problems involving sexual discrimination or harassment.

All allegations involving sexual harassment should be directed to the College's Title IX Coordinator and addressed under these procedures. For other complaints of discrimination and harassment not related to sexual harassment, refer to Unlawful Discrimination and Harassment Procedure 3.15.1.

I. **DEFINITIONS**

The following definitions shall apply to this Procedure. The definitions are not intended to operate as speech codes, promote content and viewpoint discrimination or suppress minority viewpoints in the academic setting. Indeed, just because a student's speech or expression is deemed offensive by others does not mean it constitutes discrimination or harassment. In applying these definitions, College administrators shall view the speech or expression in its context and totality and shall apply the following standard: the alleged victim subjectively views the conduct as discrimination or harassment and that the conduct is objectively severe or pervasive enough that a reasonable person would agree that the conduct is discriminatory or harassing

A. **Actual Knowledge** - notice of sexual harassment or allegations of sexual harassment by the Title IX Coordinator or any College official who has authority to institute corrective measures on behalf of the College. Actual knowledge is not met when the only College official with actual knowledge is a Respondent.
B. **Complainant** - an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
C. **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.

D. **Dating Violence** – crimes of violence against a person with whom the person has or had a social relationship or a romantic or intimate relationship.
E. **Domestic Violence** – crimes of violence against a current or former spouse or intimate partner; a person with whom the student shares a child in common; a person with whom the student cohabitates or has cohabitated as a spouse or intimate partner; a person similarly situated to the student as a spouse under local domestic laws; or any person who is protected under local domestic laws of the jurisdiction.
F. **Education Program or Activity** – for purposes of these Procedures, this means any locations, events, or circumstances over which the College exercised substantial control over both the Respondent(s) and the context in which the alleged sexual harassment occurs. It also means any building owned or controlled by a student organization that is officially recognized by the College.
G. **Formal Complaint** – a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting the College investigate the allegation(s). A Formal Complaint initiates a formal grievance process in which parties are entitled to due process protections.
H. **Informal Resolution** – a resolution reached regarding an allegation of sexual harassment without the filing of a Formal Complaint. Informal Resolution may include mediation, facilitated dialogue, conflict coaching, restorative justice, or other models of alternative dispute resolution. Informal Resolution cannot be used for a student's allegation of sexual harassment against a College employee.
I. **Respondent** – an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
J. **Retaliation** – to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.

K. **Sexual Assault** – an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system.

L. **Sexual Harassment** – quid pro quo harassment; unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity, including conduct based on sex stereotyping; or any instance of sexual assault, dating violence, domestic violence, or stalking.

Quid pro quo harassment is a person having power or authority over another and conditioning an educational or employment benefit or service or access to receiving the educational or employment benefit or service upon a person's participation in unwelcome sexual conduct.

M. **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.

N. **Standard of Evidence** – the College uses clear and convincing as the standard for proof of whether a violation occurred. In the student due process hearing and employee grievance process, legal terms like "guilt, "innocence" and "burden of proof" are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The College will find the Respondent either "responsible" or "not responsible" for violating these Procedures.

O. **Supportive Measures** – individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party that are designed to ensure equal educational access, protect safety, or deter sexual harassment. Examples of support measures are counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, leaves of absences, increased security and monitoring of certain areas of the College, and other similar measures.

P. **Title IX Coordinator** – for purposes of these Procedures, the Title IX Coordinator refers to the Vice President for Student Services. The Title IX Coordinator's office is in the Sink Building. The phone number is 828-694-1804 and the email is kirstenb@blueridge.edu.

II. SCOPE AND APPLICABILITY

A. **These Procedures apply to the conduct of and protect:**

1. College students and applicants for admission into the College
2. College employees and applicants for employment
3. College student organizations

4. Third parties participating in a College education program or activity

B. These Procedures apply to conduct that occurs in a College Education Program or Activity located within the United States and of which the College has actual knowledge.

III. REPORTING

A. Reporting to Local Law Enforcement

Individuals may report sexual harassment directly to local law enforcement agencies by dialing 911. Individuals who make a criminal allegation may also choose to pursue College grievance procedure simultaneously. A criminal investigation into the matter does not release the College from its obligation to conduct its own investigation (nor is a criminal investigation determinative of whether sexual harassment has occurred). However, the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the College must make available supportive measures when necessary to protect the alleged Complainant and/or the College community. Individuals may choose not to report alleged sexual harassment to law enforcement authorities. The College respects and supports individuals' decisions regarding reporting; nevertheless, the College may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations.

B. Reporting to College Officials

The College's Title IX Coordinator oversees compliance with these Procedures and Title IX regulations. Questions about these Procedures should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to Sexual Harassment may do so by reporting the concern to the College's Title IX Coordinator in person, by mail, by telephone, by email, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report of alleged sexual harassment.

IV. GRIEVANCE PROCEDURES

A. Scope

1. Use of these grievance procedures applies to reports alleging sexual harassment carried out by employees, students, or third parties.
2. All reports of sexual harassment are taken seriously. At the same time, those accused of sexual harassment are presumed "not responsible" throughout this grievance procedure.

B. Initial College Response and Assessment

1. After receiving a report of sexual harassment, the Title IX Coordinator takes immediate and appropriate steps to:
    a. Communicate with the individual who reported the alleged conduct;

b. Implement supportive measures to eliminate and prevent the recurrence of sex harassment, deter retaliation, remedy the effects of sex harassment, and provide due process rights during a College investigation;
c. Provide the individual with a copy of this Policy and Procedure; and
d. Determine whether the alleged conduct, as described by the reporting party, falls within the scope of this policy and if so, initiate the investigation and resolution procedures outlined below.
e. The Title IX Coordinator may delegate the authority to take some or all of these steps to a Deputy Title IX Coordinator.

2. The Title IX Coordinator must administratively close a report or complaint of sexual harassment if after an initial assessment:
    a. The allegations as stated do not constitute a violation of this Policy and Procedure, even if proven; or
    b. The alleged sexual harassment did not occur in the College's Education Program or Activity or did not occur in the United States.
    c. The Title IX Coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate College office or department to resolve the report or complaint. All parties may appeal the Title IX Coordinator's dismissal of a Formal Complaint under this section by using the appeal procedures in Section VI, below.
3. The Title IX Coordinator may administratively close a report or complaint of sexual harassment if:
    a. The Complainant, at any time, requests withdrawal of the report or complaint;
    b. The Respondent is no longer enrolled or employed by the College; or
    c. The College is prevented from gathering evidence sufficient to reach a determination of responsibility.
    d. The Title IX Coordinator will notify the parties if a report or complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate College office or department to resolve the report or complaint. All parties may appeal the Title IX Coordinator's dismissal of a Formal Complaint under this section by using the appeal procedures in Section VI, below.

4. Regardless of when alleged sexual harassment is reported, a Complainant must be participating in or attempting to participate in the College's education program or activity for a Formal Complaint to be filed.

C. **Informal Resolution**

1. Any party may request the College facilitate an informal resolution to a sexual harassment complaint at any time after the filing of a Formal Complaint. The Title IX Coordinator may offer the parties the opportunity for informal resolution, too.
    a. Upon a request for informal resolution, the Title IX Coordinator determines whether informal resolution is appropriate based on the facts and circumstances of the case. The Title IX Coordinator ensures that any proposed informal resolution is consistent with the College's obligations to prevent and redress sexual harassment.
    b. A student's allegations of sexual harassment against a College employee are not eligible for informal resolution.
    c. The Title IX Coordinator provides the parties with written notice of proceeding with an informal resolution, including the allegations of sexual harassment, the requirements of the informal resolution process, and potential outcomes resulting from participating in the informal resolution process.
    d. The Title IX Coordinator also designates an independent, neutral person to facilitate the informal resolution.
2. Informal resolution is voluntary.
    a. The Complainant and Respondent must provide written consent for informal resolution to take place.
    b. Any party has a right to end the informal resolution process at any time prior to agreeing to a resolution and begin or continue the formal investigation and grievance process.
3. Informal resolution concludes the matter only when all parties have signed a written agreement that confirms resolution of the allegations.
    a. The resolution agreement must include a waiver of the parties' right to have a formal hearing on the allegations that have been informally resolved.
    b. Parties are prohibited from revoking or appealing a resolution agreement. Should the Respondent violate the terms of an informal resolution agreement, such violation will subject the Respondent to an investigation and the formal grievance process contained in this procedure.

4. If a resolution agreement is not reached, the College will continue with a formal investigation.

D. **Investigations**

1. The goal of a formal investigation is to reach a determination as to whether a Respondent has violated one or more College policies prohibiting sexual harassment and if so, remedy the effects of a violation.
    a. The Title IX Coordinator may include possible violations of other College policies that contributed to, arose from, or are otherwise related to alleged violations of this Policy and Procedure in the scope of an investigation.
    b. The Title IX Coordinator gives written notice to the Complainant and Respondent of the investigation, providing sufficient details to allow the parties to respond and prepare for initial interviews, including the identity of the parties involved (if known), the conduct alleged to be sexual harassment, the date and location of alleged incidents (if known), a statement that the Respondent is presumed not responsible and a determination of responsibility is made at the conclusion of the process, information regarding the parties' right to an advisor and the right to review evidence, and notice that the College prohibits knowingly making false statements or submitting false information during the grievance process.
    c. The Title IX Coordinator designates an investigator to investigate the allegations of sexual harassment.
2. Parties to an investigation can expect a prompt, thorough, and equitable investigation of complaints, including the opportunity for parties to ask questions, present witnesses and provide information regarding the allegations.
3. Parties and witnesses should cooperate in the investigation process to the extent required by law and this policy.
4. The standard of proof used in investigations is clear and convincing. It is the College's responsibility to establish the standard of proof and gather evidence during investigations.
5. The College aims to bring all investigations to a resolution within thirty (30) business days from the date the Title IX Coordinator determines an investigation will commence.

a. Extensions of timeframe for good cause are allowed, so long as written notice and the reason for the delay is provided to the parties. Good cause includes:

i. The complexity and/or number of the allegations;
ii. The severity and extent of the alleged misconduct;
iii. The number of parties, witnesses, and other types of evidence involved;
iv. The availability of the parties, witnesses, and evidence;
v. A request by a party to delay an investigation;
vi. The effect of a concurrent criminal investigation or proceeding;
vii. Intervening holidays, College breaks, or other closures;
viii. Good faith efforts to reach a resolution; or
ix. Other unforeseen circumstances.

b. Investigations typically include interviews with the Complainant, the Respondent, and any witnesses, and the objective evaluation of any physical, documentary, or other evidence as appropriate and available. The College will give the Complainant and the Respondent written notice of any interview, meeting, or hearing at which a party is invited or expected to participate.
c. The Title IX Coordinator will inform the Complainant and Respondent at regular intervals of the status of its investigation.
d. The College may suspend or place on administrative leave a student or employee, pending the completion of an investigation and resolution, when the College performs an individualized safety and risk analysis and determines the person poses an immediate threat to the physical health or safety of any member(s) of the College community.
    i. The Title IX Coordinator may recommend to the appropriate College official to implement or stay an interim suspension of a student or employee and the conditions and duration of such suspension or leave.
    ii. In all cases in which an interim suspension or administrative leave is imposed, the student or employee shall be given notice and an opportunity to challenge the removal decision immediately following the removal.
    iii. Violation of an interim suspension under this Procedure is grounds for expulsion or termination.

6. Interviews conducted as part of an investigation under this Procedure may be recorded by the College. Recordings not authorized by the College are prohibited.
7. The Complainant and Respondent have the right to be accompanied by an advisor of their choosing during all stages of an investigation.
    a. A party may elect to change advisors during the process
    b. All advisors are subject to the same rules:
        i. During the investigation, the advisor's role is limited to providing advice, guidance, and support to the Complainant or Respondent. An advisor is not permitted to act as a participant or advocate during the investigative process.
        ii. Advisors are expected to maintain the privacy of the records shared with them.
        iii. Advisors are expected to refrain from interfering with investigations.
        iv. Any advisor who oversteps their role or interferes during an investigation process will be warned once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave. The Title IX Coordinator determines whether the advisor may return or should be replaced by a different advisor.
8. Prior to finalizing a report, the investigator provides all parties an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the College does not intend to rely.
    a. The Complainant and Respondent may submit a written response to the evidence within ten days after receipt of the evidence.
        i. Responses must be submitted to the investigator via email, mail, or hand delivery by 5:00 p.m. eastern standard time on the date responses are due.
        ii. Responses may not exceed 10 double-spaced pages on 8.5x11 paper with one-inch margins and 12-point font.
    b. The investigator considers any responses received from the parties and conducts any further investigation necessary or appropriate.
9. Following an investigation and at least 10 days prior to a grievance hearing, the investigator submits an investigative report to the parties that fairly summarizes relevant evidence. The report includes a summary of the

allegations; a summary of the response; a summary of the investigative steps taken to verify the allegations and response; and a summary of the evidence relevant to a determination of responsibility.

V. GRIEVANCE HEARINGS

At least 10 days after the issuance of an investigation report, the College must hold a live hearing in front of a decision-maker to determine responsibility of a Respondent. The decision-maker may not be the Title IX Coordinator or the investigator(s). A "live hearing" means either in person or virtually. The following hearing rules apply:

A. All parties must be able to see and hear the questioning of parties and witnesses
B. Any party may request a virtual hearing. If requested, the College will provide a virtual hearing.
C. All parties have an equal opportunity to present witnesses, including fact and expert witnesses.
D. The parties' advisors are permitted to cross-examine the parties and any witnesses.
    1. The parties are prohibited from directly conducting cross-examination. Crossexamination must be conducted by a party's advisor.
    2. The decision-maker determines whether questions asked during cross-examination are relevant to the determination of responsibility. If the decision-maker disallows a question, they will explain the basis for their decision at the hearing. Parties and advisors may not challenge a decision-maker's relevancy determinations during the hearing.
    3. Evidence or questions that inquire about the Complainant's sexual predisposition or prior sexual history are prohibited (i.e. rape-shield protections) unless such questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
    4. The decision-maker may not consider statements of individuals who do not submit to cross-examination in reaching a determination of responsibility.
    5. Records with a legally recognized privilege, such as medical treatment records, may not be used unless the individual or entity who holds the privilege waives the privilege. Any waiver must be written and made in advance of a hearing.

6. If a party does not have an advisor, the College will provide an advisor at no cost to the party. The advisor may, or may not, be an attorney.
7. Other standard Rules of Evidence do not apply in grievance hearings under these Procedures.

E. The College will provide either an audio recording, audiovisual recording, or transcript of the hearing to all parties.

F. The decision-maker evaluates all relevant evidence and reaches a determination regarding responsibility. The decision-maker issues their final written determination to all parties within ten (10) days of the hearing. The final written determination includes a summary of the allegations; a description of the procedural steps taken by the College to investigate and reach a determination of responsibility; findings of fact supporting the determination; conclusions regarding the application of College policies to the facts; a statement of and rationale for the result as to each allegation, including a determination of responsibility; any disciplinary sanctions the College recommends or imposes; whether remedies designed to restore or preserve equal access to an education program or activity will be provided to the Complainant; and the College's appeal procedures.

G. The following sanctions may be imposed for those who have violated these Procedures:
    1. Students
        a. Verbal or Written Warning
        b. Probation
        c. Administrative withdrawal from a course without refund
        d. Required Counseling
        e. No Contact Directive
        f. Suspension
        g. Recommendation of Expulsion
        h. Other consequences deemed appropriate
    2. Employees
        a. Verbal or Written Warning
        b. Performance Improvement Plan
        c. Required Counseling
        d. Required Training or Education
        e. Recommendation of Demotion
        f. Recommendation to Suspend with or without Pay
        g. Recommendation of Dismissal
        h. Other consequences deemed appropriate to the specific violation

If the decision-maker is required to make a recommendation for student expulsion or employee suspension, demotion or dismissal, such recommendation will be made to the appropriate College official after the time for appeal has expired. If the decision-maker recommends the Respondent be expelled, suspended, demoted, or dismissed, during the time in which either party has to appeal, the Respondent shall remain on suspension unless otherwise determined by the decision-maker.

VI. APPEALS

After the decision-maker submits their determination of responsibility to the Complainant and Respondent, all parties are given an equal opportunity to appeal the determination. Appeals may be based only on these grounds:

A. Procedural irregularity that affected the outcome;
B. New evidence that was not reasonably available at the time of the hearing that could affect the outcome; and/or
C. The Title IX Coordinator, investigator, or decision-maker had a bias or conflict of interest that affected the outcome.

Parties must submit any appeal to the President of the College by 5:00 p.m. eastern standard time via email or mail, within ten (10) days of receiving the decision-maker's written determination of responsibility. Appeals may not exceed ten (10) double-spaced pages on 8.5x11 paper with one-inch margins and 12-point font.

The College notifies all parties when an appeal is filed and provides all parties a copy of the appeal and a chance to submit a written statement supporting or challenging the outcome. Parties must submit written statements supporting or challenging the outcome to the President of the College by 5:00 p.m. eastern standard time via email or mail, within two (2) days of receiving a copy of an appeal.

The President shall conduct a review of the record, including the appeal(s) received, any written statements supporting or challenging the outcome, the investigation report, the decision-maker's written determination of responsibility, and any accompanying evidence prior to issuing a written decision to the Complainant and Respondent that describes the result of the appeal and the rationale for the result.

The President's written decision is final.

VII. PROTECTION AGAINST RETALIATION

The College will not in any way retaliate against an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has

made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures. Retaliation is a violation of College policy regardless of whether the underlying allegations are ultimately found to have merit. Reports of retaliation are treated separately from reports or complaints of sexual harassment.

VIII. PROVIDING FALSE INFORMATION

Any individual who knowingly files a false report or complaint, who knowingly provides false information to College officials or who intentionally misleads College officials involved in the investigation or resolution of a complaint may be subject to disciplinary action including, but not limited to expulsion or employment termination. The College recognizes a determination regarding responsibility alone is not sufficient to conclude a false report or complaint was made.

IX. LIMITED IMMUNITY

The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in resolution processes because they fear that they themselves may be accused of various policy violations. It is in the best interest of this College that as many Complainants as possible choose to report to College officials and that witnesses come forward to share what they know. To encourage reporting, the College offers Sexual Harassment Complainants and witnesses amnesty from minor policy violations.

X. FERPA (Family Educational Rights and Privacy Act)

A student's personally identifiable information found in a student's education records will be shared only with College employees who need to know to assist with the College's response to sexual harassment.

A student's personally identifiable information found in a student's education records will not be disclosed to third parties unaffiliated with the College unless:

A. The student gives consent;
B. The College must respond to a lawfully issued subpoena or court order; or
C. The College is otherwise required by law to disclose.

XI. 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.

XII. STUDENT AND EMPLOYEE EDUCATION AND ANNUAL TRAINING

The Title IX Coordinator, investigators, decision-makers, and those involved in any informal resolution process shall receive annual trainings on topics including:

A. The definition of sexual harassment for Title IX purposes;
B. The scope of the College's education programs and activities under Title IX;
C. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes;
D. How to serve impartially, including avoiding prejudgment of facts at issue, conflicts of interest, and bias;
E. Technology to be used at live hearings;
F. Issues of relevance of questions and evidence, including rape-shield limitations; and
G. Issues of relevance to create an investigative report that fairly summarizes relevant evidence.

All training materials are posted on the College's website.

All new students and all employees shall be required to participate in a primary prevention and awareness program that promotes awareness of sexual harassment. 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:

A. Information about safe and positive options for bystander intervention skills;
B. What "consent" means with reference to sexual activities;
C. Risk reduction programs so students recognize and can avoid abusive behaviors or potential attacks;
D. How and to whom to report an incident regarding discrimination, harassment and sex-based violence;
E. The importance of preserving physical evidence in a sex-based violent crime; and
F. Options about the involvement of law enforcement and campus authorities, including the alleged victim's option to: i) notify law enforcement; ii) be assisted by campus authorities in notifying law enforcement; iii) decline to notify law enforcement; and iv) obtain "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 Title IX Coordinator's office. Other translations will be made available upon request.

XIII. RECORDKEEPING

The College maintains all records of Title IX proceedings and all materials used to train Title IX personnel for seven years.

Anti-Hazing

The purpose of this procedure is to provide a comprehensive framework for preventing, addressing, and eradicating hazing incidents involving College students, faculty, and staff. This procedure applies to all individuals and organizations associated with the College, including but not limited to students, employees, volunteers, and affiliated organizations, both on and off campus. Per NC G.S. 14-35 It is unlawful for any student in attendance at any university, college, or school in this State to engage in hazing, or to aid or abet any other student in the commission of this offense. For the purposes of this section hazing is defined as follows: "to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group." Any violation of this section shall constitute a Class 2 misdemeanor. (1913, c. 169, ss. 1, 2, 3, 4; C.S., s. 4217; 1969, c. 1224, s. 1; 1993, c. 539, s. 19; 1994, Ex. Sess., c. 24, s. 14(c); 2003-299, s. 1.)

I. **DEFINITIONS**

A. **Hazing**: Any intentional, knowing, or reckless act, occurring on or off campus, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are, or include, students at an institution of higher education. This includes but is not limited to:

1. Physical brutality or abuse
2. Forced or coerced consumption of any food, liquid, drug, or other substance
3. Forced or coerced physical activity
4. Sleep deprivation
5. Exclusion from social contact
6. Conduct that could result in extreme embarrassment or humiliation
7. Any activity that would unreasonably interfere with academic pursuits

B. **Organization**: Any association, corporation, society, corps, club, service, social or similar group, in which two or more enrolled students of the College are members, regardless of whether the organization is officially recognized by the College.

C. **Student**: Any person who is enrolled at the College, regardless of their age or student status (e.g., full-time, part-time, or online), or who has been accepted for admission or readmission to the college.

II. PROHIBITED CONDUCT

The College strictly prohibits hazing in any form. This includes but is not limited to any activity that:

1. Causes or is likely to cause bodily harm, serious mental or emotional harm, substantial emotional distress, or personal degradation or disgrace resulting in physical or mental harm to a student.
2. Interferes with a student's academic pursuits, including grades, academic assignments, or scheduled curricular activities.
3. Occurs on or off campus and involves the forced consumption of any food, liquid, drug, or other substance.
4. Involves sleep deprivation, excessive physical exertion, or exposure to the elements.
5. Requires a student to engage in any illegal activity or violate college policies or codes of conduct.
6. Creates a power imbalance between individuals or groups, or exploits a student's known physical, psychological, or social vulnerabilities.
7. Involves the use of social media, electronic communications, or other technology to facilitate hazing activities.

III. REPORTING AND INVESTIGATION

A. Reporting Hazing Incidents

1. Mandatory Reporting: Any person who witnesses, experiences, or has knowledge of hazing activity must promptly report the incident to the appropriate College official. (See Section IX) Failure to report known hazing incidents may result in disciplinary action.
2. Reporting Methods: Reports may be made in person, by phone, via email, or through the college's online reporting system. Anonymous reports will be accepted and investigated to the extent possible.
3. Confidentiality: The College will protect the confidentiality of all parties involved to the extent possible, consistent with the need to conduct a thorough investigation and comply with applicable laws.
4. Amnesty: Students who report hazing incidents or who cooperate in hazing investigations may be granted amnesty for minor policy violations discovered during the course of the investigation, at the discretion of the Vice President of Student Services.
5. Retaliation: Retaliation against any person who reports hazing or participates in an investigation is strictly prohibited and will result in

disciplinary action.

B. Investigation of Hazing Allegations

1. Prompt and Thorough Investigation: The College will promptly investigate all reports of hazing in a fair, impartial, and thorough manner.
2. Investigation Process:
    a. Initial assessment of the report to determine appropriate interim measures and investigation scope.
    b. Interviews with the reporting party, alleged victims, witnesses, and accused individuals.
    c. Collection and review of relevant evidence, including documents, electronic communications, and physical evidence.
    d. Consultation with law enforcement or other authorities as needed.
    e. Preparation of an investigation report.
3. Timelines: Investigations will be completed within 30 calendar days of the initial report, unless extenuating circumstances require an extension. All involved parties will be promptly notified of any timeline extensions.
4. Interim Measures: The College will take appropriate interim measures to protect the safety and well-being of students during the investigation, which may include no-contact orders, temporary suspension of individuals or organizations, or changes in academic or living arrangements.
5. Standard of Evidence: The College will use a preponderance of evidence standard (more likely than not) in determining whether a violation of this procedure has occurred.

IV. DISCIPLINARY ACTIONS AND SANCTIONS

A. Students found responsible for hazing will face disciplinary action up to and including suspension or expulsion from the College. Sanctions may include but are not limited to:

1. Disciplinary probation
2. Loss of privileges or college recognition
3. Mandatory educational programs or counseling

4. Community service
5. Suspension
6. Expulsion
7. Withholding or revocation of degree

B. Employees found responsible for hazing or for failing to report known hazing incidents will face disciplinary action up to and including termination of employment. Sanctions may include but are not limited to:

1. Written reprimand
2. Suspension without pay
3. Demotion
4. Termination of employment

C. Organizations found responsible for hazing may face sanctions including but not limited to:

1. Probation or suspension of organizational activities
2. Loss of college recognition or registration
3. Revocation of charter or affiliation agreements
4. Prohibition from hosting or participating in college-sponsored events
5. Loss of access to college facilities, funding, or other resources
6. Mandatory reorganization or leadership changes
7. Permanent dissolution of the organization

D. Aggravating Factors: The following factors may result in more severe sanctions:

1. Prior hazing violations
2. Multiple violations in a single incident
3. Use of force, violence, or weapons
4. Intentional or reckless disregard for health and safety
5. Retaliation against reporters or witnesses
6. Interference with the investigation process

E. Mitigating Factors: The following factors may be considered in determining appropriate sanctions:

1. Self-reporting of the violation
2. Acceptance of responsibility and demonstration of remorse
3. Cooperation with the investigation process
4. Implementation of corrective measures to prevent future violations

V. PREVENTION AND EDUCATION

A. During onboarding for employees and annually for students, the College will provide education and training on hazing prevention and the College's anti-hazing procedure to all students, faculty, and staff. The training may include:

1. Defining hazing and outlining prohibited conduct.
2. Explaining reporting procedures and the College's investigation and disciplinary processes.
3. Highlighting the negative physical and mental health consequences of hazing.
4. Promoting a culture of respect, inclusion, and student well-being.
5. Providing bystander intervention strategies.
6. Ethical leadership.
7. Discussing legal and disciplinary consequences of hazing.
8. Positive strategies for building group cohesion.

B. **New Student and Employee Orientation:** All new students and employees will receive information about this procedure and hazing prevention during their orientation programs.

C. **Student Organization Training:** All student organizations must complete annual anti-hazing training as a condition of maintaining college recognition or registration.

D. **Online Resources:** The College will maintain an online resource center with information about this regulation, reporting procedures, and a link to the College's Clery Act Annual Security Report.

E. **Hazing Transparency Report:** The College will publish on its public website, and update at least two times each year, a report that summarizes any incident concerning a student organization recognized by the College found to be in violation of this regulation. The report will include the following information:

1. The name of the student organization;
2. A general description of the violation that resulted in a finding that a violation of this policy occurred, including whether or not the violation involved the abuse or illegal use of alcohol or drugs;
3. Any sanctions imposed on the student organization; and

4. Related dates (the date of the alleged incident, the date of the initiation of the investigation, the date the investigation ended with a finding, and the date the institution provided notice to the organization of the finding).

   The report will not include any personally identifiable student information.

VII. PREVENTIVE MEASURES AND EARLY INTERVENTION

A. **Risk Assessment**: The College will conduct periodic risk assessments to identify potential hazing risks within student organizations.

B. **Early Warning System**: The College will implement an early warning system to identify and address potential hazing risks, including:

1. Regular check-ins with student organization leaders and advisors
2. Anonymous tip lines for reporting concerns

C. Student Organizations must maintain detailed records of all new member activities, if any, and submit them for review upon request.

D**. Advisor Training and Oversight:**

1. All faculty and staff advisors to student organizations must complete specialized anti-hazing training.
2. Advisors are required to attend and monitor new member activities and report any concerns promptly.

E. **Collaborative Partnerships**: The College will establish partnerships with national organizations, local law enforcement, and other institutions to share best practices and resources for hazing prevention.

VIII. RESOURCES AND SUPPORT SERVICES

A. Reporting and Information:

Vice President for Student Services
Phone: 828-694-1804
Email: kirstenb@blueridge.edu
Online Reporting: https://www.blueridge.edu/about-blue-ridge/campus-safety-and-police/

B. Confidential Counseling and Support:

Student Services
Phone: 828-694-1800
Location: David W Sink Building, One Stop

D. Campus Safety:

Chief of Police
Emergency: 828-243-9950
Non-Emergency: 828-694-1752

IX. LIMITATION OF LIABILITY

While the College is committed to preventing and addressing hazing, the College cannot guarantee that hazing incidents will not occur. The College's liability is limited to its good faith efforts to implement and enforce this procedure. Nothing in this procedure shall be construed as creating any additional rights or causes of action against the College beyond those provided by applicable law.

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 Department is notified by various agencies of any sex offenders taking classes on our campuses.

Members of the Blue Ridge 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 provides 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 the Blue Ridge Police 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 122 College Transfer Success 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. The 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, Jeanne Clery Campus Safety 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 Blue Ridge Police Department is responsible for preparing and distributing this report with assistance from other Blue Ridge 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 Blue Ridge 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 Department, 180 West Campus Dr., Flat Rock, NC 28731.

Unlawful 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. In 2018, the Blue Ridge Police Department began providing Rape Aggression Defense (RAD) classes

in an effort to improve campus safety and reduce the probability of sexual based violence, or assaults, through awareness and education.

Blue Ridge Community College prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as defined by the Clery Act. The following are the Blue Ridge Community College policy statements regarding student conduct, unlawful 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. These standards apply to the College campus, College activities including public service functions and other duly authorized or College sponsored activities, either on or off the College premises. When these standards are violated, penalties may be incurred. Consequences for violations include, but are not limited to: warnings, fines, restitution, 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. The following regulation sets forth offenses for which disciplinary proceedings may be initiated. Violation of one or more of the following code provisions may result in one of the sanctions described in Procedure 4.15.1.1 – Discipline and Appeal Procedures for Academic Violations and/or Procedure 4.15.1.2 – Discipline and Appeal Procedures for Non-Academic Violations.

1. **Academic Honesty Violations**

A student who violates the academic honesty policy, either directly or indirectly, is immediately responsible to the instructor of the course. The following terms are defined:

1. **Cheating:**

   To practice or attempt to practice dishonesty or deception in the taking of tests or in the preparation or submission of academic work purporting to be one's own; or to do any of the following without instructor permission; to copy or attempt to copy from another person's test, paper, online file, or other graded work in a course; to allow someone to copy one's test, paper, online file, or other graded work; to use during a testing period, or bring into a testing area with the intent to use, any notes or other materials which a student is not permitted to consult. Cheating also includes creating, falsifying or misrepresenting any data in connection with a seated (traditional) class, lab or online class or the act of giving any unauthorized assistance or collaboration in a learning environment.

2. **Plagiarism:**

   The act of copying a sentence, several sentences, or a significant part of a sentence that has been written by someone other than the person submitting the paper, and then neglecting to indicate through the use of quotation marks or blocking that the material has been copied; also, copying from another writer in such a way as to change one or two words in the sentence, or to rearrange the order of the wording, or to paraphrase, or to summarize information and then neglect to furnish documentation. Failure to cite sources, when appropriate, is a form of dishonesty.

3. **Online identity:**

   Any student registered in an online/hybrid course(s) will be the same student who participates in and completes the course or program and receives the credit for the online/hybrid course. Further, any student who allows his/her unique username and password to be used by another individual to complete an assignment or participation within the course will be in violation of this policy.

4. **Aiding Acts of Academic Dishonesty:**

   Providing information to another student and knowing, or reasonably should have known, that the student intends to use the information for cheating or other deceptive purposes. The acts of cheating and/or plagiarism shall encompass, but shall not be limited to the examples or context cited above.

2. **Non-Academic Violations**

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

1. **Disruption of College** - 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 College. 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 illustrates the kinds of offenses encompassed here:

    1. occupying any College building, grounds, or part thereof, with intent to deprive others of its use;

    2. blocking the entrance or exit of any College 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;

    3. setting fire to or damaging any College building or property;

    4. firing, displaying, or threatening use of firearms, explosives, or other weapons on the College premises for any unlawful purpose;

    5. prevention of or attempting to prevent by physical act the convening or continued functioning of any College class, or activity, or of any lawful meeting or assembly on the campus;

    6. preventing students from attending a class or College activity;

    7. except under the direct instruction of an administrator, blocking normal pedestrian or vehicular traffic on campus;

    8. making noise or acting in any manner so as to interfere seriously with the instructor's ability to conduct the class; and

    9. unruly conduct at a College activity, function or event.

2. **Damage or Destruction of College Property** - A student shall not intentionally cause or attempt to cause damage to College property or steal College property. Students who are caught stealing or damaging said property will be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline.

3. **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 on the College

grounds. Repeated damage, theft, or fraud involving private property shall be a basis for long-term suspension or expulsion.

4. **Trespass to Property** - Students are trespassing if in an unauthorized area of the College campus; present on the College campus after closing hours (without permission); or remaining on the College campus after having been directed to leave by a College official.

5. **Mental/Physical Abuse** - Students shall not mentally or physically abuse any person on the College premises or at a College-supervised function, including verbal or physical actions that threaten or endanger the health or safety of any such persons.

6. **Weapons and Dangerous Instruments** - A student shall not knowingly possess, handle, or transmit any object that can reasonably be considered a weapon. Weapons and dangerous instruments are defined in Procedure 9.5.1.

7. **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 (including, but not limited to, bath salts, inhalants, or synthetic herbs). Use of a legal drug authorized by a medical prescription from a registered health care provider shall not be considered a violation of this rule; however, possession, use or transmittal of legal drugs that have been obtained illegally or without a prescription by a registered healthcare provider is prohibited.

8. **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. See Procedure 2.15.1.

9. **Campus Parking and Traffic Regulations** - A student shall not violate campus parking and traffic regulations. See Procedure 9.13.1.

10. **Unlawful Discrimination, Harassment and Sexual-Based Offenses** – for all issues related to this topic, see Procedure 3.15.1 and Procedure 3.19.1.

11. **Computer Use** - For all issues related to violations of the College Computer Use policy, see Procedure 8.1.3.

12. **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.

13. **Classroom Conduct** - In addition to the other provisions contained herein, students will not engage in physical or verbal behavior that a reasonable person would view as interfering with the instructor's teaching and/or learning in a classroom, whether online, hybrid or seated, or in the ability of other students to access information. Students may not defy reasonable directives by instructors pertaining to classroom behavior and rules. Students shall abide by instructor's classroom rules. Students are expected to conduct themselves in accordance with generally accepted standards of scholarship and professionalism and behavior for a reasonably prudent community college student. While students are free to agree or disagree with their instructor and classmates, students will demonstrate their agreement or disagreement through reasonable and respectful behavior. This provision is not intended to operate as speech codes, promote content and viewpoint discrimination or suppress minority viewpoints in the academic setting.

14. **Field trips, Work Based Learning (WBL), Job Shadowing, Events or any Academic-Related Off Campus Activity** – Students shall abide by both the College's Student Code of Conduct and any host facility rules. For Example, a host facility might dictate dress code, proof of US citizenship, drug screen, behavior and safety expectations, wearing of protective clothing or equipment, and/or prohibit the use of cell phones. This is not an exhaustive list. The instructor arranging the academic-related off-campus activity is responsible for obtaining and sharing as much of this information as possible prior to the actual event.

15. **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.

16. **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. For sexual assault, see Procedures 3.19.1.

17. **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.

18. **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. Hostile environment means that the victim subjectively views the conduct as bullying and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying. A hostile

environment may be created through pervasive or persistent misbehavior or a single incident if sufficiently severe.

19. **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.

20. **Tampering with Fire Alarms** -Setting off a fire alarm or using or tampering with any fire safety equipment, except with the reasonable belief there is a need for such alarm or equipment.

21. **Gambling** – Students may not gamble on campus or at any College-affiliated activities or events.

22. **Providing False Information** – Students shall not present to the College or its employees false information as part of an investigation, inquiry, hearing or in other matters related to College activities; neither may a student knowingly withhold information which may have an effect on their enrollment or their status with the College.

23. **Financial Impropriety** – Financial impropriety such as failure to pay College-levied fines, failure to repay College-funded loans, misuse or failure to properly account for club or student organization funds, or the passing of worthless checks, drafts or orders to College officials.

24. **Failure to Report Criminal Activity** - Failure to inform the College, in writing, within five (5) days after he or she is convicted for violation of any federal, state, or local criminal drug statue or alcoholic beverage control statute where such violation occurred while on College property.

25. **Unauthorized Access to College Records** – Students may not access, view, copy or change official College records without expressed authority to do so.

26. **Violation of Policies and Procedures** – Students are expected to be familiar with the College's policies and procedures. Students may be disciplined for failure to follow the College's policies and procedures.

27. **Behavioral Assessment Team** – Not complying with a recommendation or directive by the Behavioral Assessment Team.

Student Grievance Procedure and Due Process

The following procedures shall apply for student grievances.

1. **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.

2. **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.

3. **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	2025	2025	2024	2024	2023	2023
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	1	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0

Burglary	0	0	1	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

Health Sciences Center: Crimes Reported

Year	2025	2025	2024	2024	2023	2023
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	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

Transylvania County Campus: Crimes Reported

Year	2025	2025	2024	2024	2023	2023
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	1	0	0	0	0	0
Arson	0	0	0	0	0	0

Henderson County Campus: Arrests

Year	2025	2025	2024	2024	2023	2023
Property Type	Campus Property	Public Property	Campus Property	Public Property	Campus Property	Public Property
INCIDENT						
Weapons: Carrying, Possessing	0	0	0	0	1	0
Drug Abuse Violations	0	0	0	0	2	0
Liquor Law Violations	0	0	0	0	1	0

Health Sciences Center: Arrests

Year	2025	2025	2024	2024	2023	2023
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 County Campus: Arrests

Year	2025	2025	2024	2024	2023	2023
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	2025	2025	2024	2024	2023	2023
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

Health Sciences Center: Disciplinary Actions

Year	2025	2025	2024	2024	2023	2023
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	2025	2025	2024	2024	2023	2023
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	1	0	0	0

Henderson County Campus: Hate Crimes Reported on Campus Property

Year 2025	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
Larceny-theft	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 2025	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
Larceny-theft	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 2024	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
Larceny-theft	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 2024	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
Larceny-theft	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 2023	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
Larceny-theft	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 2023	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
Larceny-theft	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

Health Sciences Center: Hate Crimes Reported on Campus Property

Year 2025	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
Larceny-theft	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

Health Sciences Center: Hate Crimes Reported on Public Property

Year 2025	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
Larceny-theft	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

Health Sciences Center: Hate Crimes Reported on Campus Property

Year 2024	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
Larceny-theft	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

Health Sciences Center: Hate Crimes Reported on Public Property

Year 2024	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
Larceny-theft	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

Health Sciences Center: Hate Crimes Reported on Campus Property

Year 2023	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
Larceny-theft	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

Health Sciences Center: Hate Crimes Reported on Public Property

Year 2023	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
Larceny-theft	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 2025	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
Larceny-theft	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 2025	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
Larceny-theft	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 2024	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
Larceny-theft	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 2024	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
Larceny-theft	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 2023	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
Larceny-theft	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 2023	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
Larceny-theft	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: VAWA Offenses

Year	2025	2025	2024	2024	2023	2023
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

Health Sciences Center: VAWA Offenses

Year	2025	2025	2024	2024	2023	2023
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

Transylvania County Campus: VAWA Offenses

Year	2025	2025	2024	2024	2023	2023
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

Blue Ridge Police Department

Email: police@blueridge.edu

(828) 694-4777 (Day)

(828) 243-9950 (Evening)

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

AdventHealth

Adventhealth.com

(828) 684-8501

SAFE, Inc.

safebrevard.com

(828) 885-7233

Transylvania Regional Hospital

trhospital.org

(828) 883-5254

Transylvania County Health Dept.

transylvaniahealth.org

(828) 884-3135

Transylvania County Sheriff's Office

transylvaniasheriff.org

9-1-1

District Attorney's Office Prosecutorial District 42

ncdistrictattorney.org

(828) 694-4200