

2020 Annual Security and Fire Safety



Report

Information for 2020-2021 Academic Year

Includes Crime Statistics for Calendar Years

2018, 2019, 2020



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Important Numbers

| | |
|----------------------------------|---------------------------|
| Campus Police EMERGENCY Line | (304) 367-4357 (HELP) |
| Campus Police NON EMERGENCY Line | (304) 367-4157 |
| Police/Fire/EMS | 911 |
| Student Counseling | (304) 333-3661 |
| Information Technology Services | (304) 367-4810 (option 3) |
| Disability Services | (304) 333-3661 |
| Health Services | (304) 367-4155 |
| Housing | (304) 367-4216 |
| Fairmont Medical Center | (304) 534-7810 |



Hardway Hall

Overview of the Campus Police Department

Purpose

The Campus Police Department was created to maintain law and order on the campuses of Fairmont State University and Pierpont Community & Technical College by working to prevent crime and apprehending violators when crimes do occur. The department serves a diverse population of students, faculty and staff with an emphasis on the philosophy of community oriented policing. In addition to Law Enforcement and Parking control, the department is also responsible for Emergency Management preparedness efforts and is tasked with the university's Emergency Operations Plan that would be activated should a natural or man-made incident occur on campus. Coordination of the institutions' Clery program is also provided by the Public Safety Department.

Enforcement & Staff

The campus police section provides law enforcement and a variety of community and benevolent services, as well as, enforces university policies, in addition to state and local laws. The department is staffed with fully sworn officers. All sworn police personnel are certified by the State of West Virginia as law enforcement officers and exercise full arrest powers. Graduation from the West Virginia State Police Academy or equivalent recruit training are required as well as the completion of annual in-service training to maintain certification and competencies. The Campus Police Officers have jurisdiction to operate on Fairmont State University owned or controlled property.

The patrol jurisdiction of campus police officers is limited to any buildings or properties owned or controlled by Fairmont State University.

Mutual Aid

The Campus Police Department maintains a strong working relationship with state and local police agencies, including the City of Fairmont Police Department and the West Virginia State Police. The campus is within the city limits of Fairmont, which allows the Campus Police to work closely with the City of Fairmont Police Department through a Mutual Aid agreement that enables both departments to work together in one another's jurisdictions upon request. There is a memorandum of understanding (MOU) between Fairmont State University and Fairmont City Police Department. This agreement states that both law enforcement agencies agree to share law enforcement resources and provide mutual aid assistance to each other in situations including: emergencies manpower shortages, DUI Task Force and Sobriety Check Points, and Drug Task Force Interdiction.

Services

The Campus Police Department also provides various other services to the campus community including:

- unlocking and jump starting vehicles
- security escorts
- traffic enforcement
- locking and unlocking of buildings
- event security
- security patrols throughout the campus.

Student Employment

The department provides students with the opportunity for employment. The office generally staffs a number of student security officers who may work as much as 20 hours per week. While many are Criminal Justice Majors, students in any course of study are welcome to apply for the program. Uniformed student officers work in pairs and/or with police officers, are radio equipped, and are routinely dispatched to provide escorts, help lock and unlock doors, enforce parking regulations, patrol the campus, and assist in parking details and event security.

Programs and Projects

The Campus Police Department employs five full-time dispatchers and a full-time Deputy Clerical Officer for the daily maintenance of the office. These employees are also responsible for processing parking tickets, taking payments, processing appeals, parking decals and dispatching of officers to calls. All of the employees of the Campus Police Department are professional and highly motivated individuals dedicated to promoting a safe, secure, and orderly learning environment for our students, employees, and visitors.

Mission

The Mission of the Campus Police Department is to protect, serve, and create a secure, safe, and academically sound learning environment, free of crime and disorder for the students, faculty, and staff of Fairmont State University and Pierpont Community & Technical College. We will provide high quality, community-based police, security, and parking services while creating and maintaining the level of emergency preparedness necessary to meet the needs of today and the challenges of tomorrow. The department serves with integrity, discretion, and expediency in a fair, proper, and thorough manner. Our greatest asset is our personnel; our greatest strength is our partnership with the campus community.

The Procedures for preparing the annual disclosure of crime statistics include reporting statistics to the institution's community, obtained from the following sources: The City of Fairmont Police Department, and Campus Security Authorities (as defined in the **Procedures for Reporting Crimes**). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law) and to all the Institution's Deans, Directors, and Department Heads. Statistical information is requested and provided to the Campus Police by the employees at the Institution's Counseling Center and Student Health Center, even though they are not required by law to provide statistics for the compliance document.

All of the statistics are gathered, compiled, and reported to the Institution's community via this report, which is published by the Campus Police. Campus Police submits the annual crime statistics published in this document to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the Department of Education website.

Campus Police Department Staff

- Chief Matthew A. Swain
 - Chief of Police/Firearms Instructor/Clery Coordinator
 - Phone (304)367-4157
 - mswain1@fairmontstate.edu
- Jennifer L. Stackpole
 - Deputy Clery Compliance Coordinator/Communications
 - Phone (304)367-4157
 - Jstackpole@fairmontstate.edu
- Beth A. Martin
 - Communications
 - Phone (304)367-4157
 - Beth.Martin@fairmontstate.edu



Chief of Police, Matthew A. Swain

Full Time Police Officers

- Lead Officer, Corporal Douglas Yost
- Lead Officer James McGahan III
- Patrolman, Marshall L. Arnett
- Patrolman Andrew Mills
- Patrolman Steven Bohon
- Patrolman A. Jason Beafore
- Patrolman Bryon Knight

Part Time Police Officers

- Commander, Jack C. Clayton

Campus Police Dispatchers

- Scotland Sabatos
- Kacey Holladay
- Chad Clayton
- Tanner Lane

Procedures for Reporting Crimes

Students, faculty, staff, witnesses of crime, visitors and community members are encouraged to accurately and promptly report all potential criminal incidents, suspicious behavior, any emergencies or circumstances that threaten the safety and security of the campus community or property to Campus Police by calling 304-367-4157. Students, faculty and staff handbooks address safety and security, and members of the community are helpful when they immediately report crimes or emergencies to Campus Police and/or the Resident Directors of Housing, Assistant Director of Residence Life, and the Director of Resident/Student Life for purposes of assessing the incident for issuing Timely Warning Notices when deemed necessary and for including the incident in the annual statistical disclosure.

Any person in the campus community may report emergency and criminal complaints to Campus Police 24 hours a day, 7 days a week. To contact the Campus Police Department dial (304) 367-4157. In an emergency, dial 911 or (304) 367-HELP (4357).

Campus Security Authorities (CSAs) are informed in trainings to report crimes to the Campus Police Department in a timely manner so those crimes can be assessed for timely warning purposes. The term Campus Security Authority is a Clery term that incorporates four groups of individuals within the institution. These four groups include:

- The members of the Campus Police Department
- Any individual responsible for security but who do not constitute a Campus Police Department employee. An example of this individual is an access monitor, controlling access into buildings, or any contracted security official.
- Any Official of the institution with significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.
- Any individual or organization specified in the institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

The Primary Campus Security Authorities include the entire Campus Police Department, Residence life staff, Title IX staff, General Counsel, and Judicial Conduct.

Additionally, there are twenty-four auto-dial emergency phones on outdoor pedestals located throughout the main campus including on every floor of the parking garage that automatically dial 911, when the button is pushed. Pierpont Community and Technical College Advanced Technology Center campus has three auto-dial emergency phones located in the parking lot areas. A 911 dispatcher from Marion County Central Communications will answer the phone and assist the caller. They will then contact Campus Police and notify them of the situation. In addition, the 911 Center monitors all Campus Police Radio Traffic and may be asked to answer the main office phone number (304) 367-4157 in limited situations. In response to a call, Campus Police will take the required action, either dispatching an officer or asking the victim to report to Campus Police Department to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record.

Reports involving students are forwarded to Judicial Affairs for review and potential action, with exception to confidential reports and those reports alleging Title IX incidents. All reported crimes are

investigated by the Institution and may become a matter of public record. Campus Police will investigate a report when it is deemed appropriate. If assistance is required from the City of Fairmont Police Department or the City of Fairmont Fire Department, Campus Police will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including Campus Police, will offer the victim a wide variety of services.

Crimes should be accurately and promptly reported to the Campus Police Department or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

Voluntary Confidential Reporting

Fairmont State University Campus Police encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. Campus Police does not have a voluntary confidential reporting process because police reports are public records under state law, thus Campus Police cannot hold reports of crime in confidence.

The Student Conduct website has a student conduct complaint form in which complaints about Covid-19 violations, Title IX violations, criminal violations and other student conduct violations can be reported anonymously. The respondent does not need to fill out the portion of the report with a name in order to submit the form. This form can be found at the following address:

https://fsubehsci.sjc1.qualtrics.com/jfe/form/SV_1AH6rDEFhvSpskR

Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can be made to any campus security authorities (the primary CSAs are identified in the Reporting and Disclosure Procedures above). However, some of the CSAs are also Responsible Employees under Title IX, and they are obligated to share reported information involving sexual misconduct, domestic/dating violence and stalking, including information about the identity of the victim and accused, with the Title IX Coordinator. Reports to professional and pastoral counselors can be kept confidential. Professional and pastoral counselors are encouraged to inform their clients, if and when they deem it appropriate, of the procedures to confidentially report crimes to primary CSAs, when they deem it appropriate.

Pastoral and Professional Counselors

As a result, of the negotiated rulemaking process, which followed the signing into law, the 1998 amendments to the 20 U.S.C. Section 1092(f), clarification was given to those considered campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered a campus security authority, and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to Campus Police Advocate for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

- Pastoral Counselor
 - Is an employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who

provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

- Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Monitoring and Recording Criminal Activity – Non-Campus Locations of Recognized Student Organizations

Fairmont State University does not have officially recognized student organizations that own or control housing facilities outside of Fairmont State University core campus. Therefore, the City of Fairmont Police Department is not used to monitor and record criminal activity since Fairmont State University does not have any Non-campus locations of student organizations.

When a Fairmont State University or Pierpont Community and Technical College student is involved in an off-campus offense, police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. The City of Fairmont Police Department routinely works and communicates with campus officers on any serious incidents occurring on campus or in the immediate neighborhood and business areas.

Fairmont State University Student Code of Conduct Article 2 states the following:

The Student Code of Conduct shall apply to conduct that occurs on University premises, at university sponsored activities, and to off campus conduct that adversely affect the University communities and/or the pursuit of their objectives.

Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded).

The Student Code of Conduct shall apply to conduct while a student as defined in this code, even if the student withdraws from school while a disciplinary matter is pending.

The Campus Judicial Officer or his/her designee shall decide whether the Student Code shall be applied to conduct occurring off campus, on a case by case basis.

Security Awareness and Crime Prevention Programs

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of Fairmont State University to inform students of good crime prevention and security awareness practices. Campus Police personnel assist in programs for student, parent, faculty, and new employee orientations, student organizations, community organizations, in addition to programs for Housing Resident Advisers and residents, providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes. If you would like to contact an officer about obtaining trainings you may call the Campus Police Department at 304-367-4157. If you would

like to contact Residents Life about assisting in trainings, you may call 304-367-4216. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

- Informative programs on substance abuse and sexual assault
 - Fairmont State University make every effort to educate our campus communities about issues pertaining to alcohol and illicit drug abuse, as well as sexual assault. Our goal is to inform students, faculty, and staff about the impact of alcohol and drugs on their lives, their families, and the community. Similarly, sexual awareness type programs are designed to foster a culture where inappropriate sexual behavior (date rape, sexual harassment, etc.) is not tolerated and or condoned, to inform victims of their rights and proper procedures if such an act occurs, and to promote an atmosphere of sexual awareness.
 - The residence halls conduct regular programs and activities designed to promote security awareness and education around issues such as substance abuse and sexual assault. During early October, Student Affairs host a week of activities focused on events that are specifically geared toward promoting student, faculty, and staff's awareness of alcohol, illicit drugs, and sexuality. Through the REACH program, coordinated by Human Resources, the institutions offer special assistance for employees on a variety of concerns including substance abuse and sexual assault.

Participants in these programs are asked to be alert, security-conscious and involved and advised to call Campus Police to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at (304) 367-4157.

As part of the department's community-oriented policing philosophy, Campus Police offers crime prevention presentations to classrooms, campus clubs and student groups as requested. Topics of these presentations include: personal safety awareness, Rape Aggression Defense, and property protection strategies. Anyone interested in having a Campus Police Officer speak to his or her classroom or group should contact the department at (304) 367-4157.

Daily Crime Log

The Campus Police Department is required to maintain a public log of all crimes reported to them, or those of which they are informed. The log is required to have the most recent, 60 days, information. Each entry in the log must contain the nature, date, time and general location of each crime and disposition of the complaint, if known. Information in the log older than 60 days must be made available within two business days. Crime logs are retained for seven years, three years following the publication of the last annual security report. The Daily Crime Log can be viewed in the Campus Police Department, 1st floor Pence Hall from 8 a.m.- 3:30p.m. Monday through Friday, excluding holidays.

Timely Warning General Order

In the event a crime is reported or a situation arises, within the Fairmont State University and Pierpont Community & Technical College Clery Geography (On Campus, Public Property and Non-campus property), that, in the judgement of the Chief of Police or designee and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide "timely warning" notice will be issued.

The Campus Police Department Chief or a designee will develop Timely Warning Notices for both institutions communities. These warnings will be distributed if the incident is reported either to the Campus Police Department directly or to any other Law Enforcement Agency indirectly through a campus security authority.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder / Non-Negligent Manslaughter
- Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be a serious or on-going threat to the larger institution community).
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a timely warning, but will be assessed on a case by case basis).
- Sexual Assault (considered on a case by case bases depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Campus Police Department). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidence of arson
- Other crimes as determined necessary by the Chief of Police, or his/her designee in their absence

Timely Warning notices may also be issued for other crime classifications and locations, even though that is not required by the law, at the sole discretion of Campus Police.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

A Timely Warning Notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts.

- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips)
- Suspect description(s) when deemed appropriate and if there is sufficient detail
- Police agency contact information
- Other information as deemed appropriate by the Chief of Police or his/her designee
- Date and time or timeframe of the incident

The description of suspects in a case will only be included in the notice if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the notice.

Campus Police will draft an email containing the proposed Timely Warning and forward it to the Communications Department. The Communication Department will review and revise the text as needed, and then transmit the email containing the Timely Warning to the institution's community as a blast email to all Fairmont State University assigned email accounts. Pierpont Community & Technical College will be notified about sending communication to their students. Updates to the institutions community about any particular case resulting in a timely warning also may be distributed electronically via blast email or posted on the institutions web site.

Timely warnings may also be disseminated using some or all of the following methods of communication: to those individuals who chose to sign up for our "Emergency Text Message Program" as a secondary method of communication, or building posting by Building Administrators.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

Emergency Operations Plan

Fairmont State University's Emergency Operations Plan (EOP) considers all phases of emergency management operations in order to minimize the impacts of natural and man-made disasters. The EOP includes response guidelines, operational procedures, building emergency plans, and notification procedures among other measures. The EOP is intended to ensure that Fairmont State University is prepared to react to emergencies on their campuses. University units are responsible for developing emergency response and continuity of operations plans for their areas and staff.

The EOP is located on the web site of Fairmont State University under the Campus Police icon at <https://www.fairmontstate.edu/campuspolice/emergency-response-guide>

We must all prepare for the "unexpected" and be ready if disaster strikes our campus.

The Institutions conduct numerous emergency response drills and exercises each year such as table top exercises, field exercises, and test of the emergency notification system, and the Emergency Text Messaging System (immediate notification), on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institutions. These tests may be announced or unannounced. Campus Police officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Campus Police, City of Fairmont Police Department, local fire responders, and emergency medical services. All departments typically respond and work together to manage the incident. Depending on the nature of the incident, other departments and other local or federal agencies could also be involved in responding to the incident. Each test is documented and includes a description of the exercise, the date and the time of the exercise, and whether it was announced or unannounced. General information about the emergency response and evacuation procedures for Fairmont State University are publicized via email at least once

each year in conjunction with a test as part of the institution's Clery Act compliance efforts, and that information is available on the web sites of both Institutions.

Individuals can report emergencies occurring at Fairmont State University by calling (304) 367-4157 or (304) 367-4357.

Emergency Evacuation Procedures

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Campus Police does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Campus Police staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Fairmont State University evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

Shelter in Place: What it means to shelter in place

Sheltering provides protection from external hazards, minimizes the chance of injury and or provides the time necessary to allow for a safe evacuation. This should be done by selecting a small, interior room if possible, with no or as few windows as possible. When authorities issue directive to shelter-in-place, do not walk outdoors, take refuge indoors immediately.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, Housing Staff members, other University employees, Local PD, or other authorities utilizing the University's emergency communications tools.

How to "Shelter-in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - An interior room;
 - Above ground level; and

- Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- 3. Shut and lock all windows (tighter seal) and close exterior doors.
- 4. Turn off air conditioners, heaters, and fans.
- 5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
- 6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to [CPSA] so they know where you are sheltering. If only students are present, one of the students should call in the list.
- 7. Turn on a radio or TV and listen for further instructions.
- 8. Make yourself comfortable.

A shelter-in-place order may be issued for several reasons:

- a. Severe weather
- b. Hazardous materials
- c. Civil Unrest
- d. Hostage situation
- e. Or any situation where it is best for you to stay where you are to avoid any outside threat.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Campus Police at (304)367-4357 (HELP) or (304) 367-4157.

- Remain calm
- Do NOT use elevators, use the stairs
- Assist the physically impaired. If he/she are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Campus Police or the responding Fire Department of the individual's location
- Proceed to a clear area at least 150 feet from the building. Keep walkways clear for emergency vehicles
- Make sure all personnel are out of the building
- Do not re-enter the building

Emergency/Immediate Notification

Fairmont State University has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples of emergencies that would warrant such notification include but are not limited to: an active shooter on campus, hostage/barricade situation, riot, bomb threat, tornado, fire/explosion, suspicious death, structural damage to a university-owned or controlled facility, biological threat, significant flooding, gas leak, or a significant hazardous material release.

In the event of an emergency, Fairmont State University will initiate and provide, without delay, immediate notification to the appropriate segment(s) of the campus community, upon confirmation of significant emergency or dangerous situations on campus involving an immediate threat to health or safety of students, staff and visitors.

The Campus Police staff is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center.

If the Chief of Police, or designee, in conjunction with other University administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Fairmont State University Community, the Campus Police and Media Relations will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Fairmont State University and Pierpont Community and Technical College Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The individuals responsible for initiating the notification system are University Marketing Relations, Chief of Police, Deputy Clery Compliance Coordinator and the Campus Police Dispatchers. The Chief of Police and the Deputy Clery Compliance Coordinator are responsible for making the determinations of the contents of the notification and what segment of the campus community will receive the notification.

Fairmont State University will, without delay, and taking into account the safety of the community, determine the content of notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, (including, but not limited to: Campus Police, City of Fairmont Police Department, and/or the City of Fairmont Fire Department and Emergency Medical Services) compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Notification will be made by using some or all of the following methods depending on the type of emergency: University Alert System (which contains email, cell phone text, voice message alert); fire alarm (where available), public address systems (where available), social media, digital signage (where available), local media, webpage and/or in person communication. If any these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency.

Emergency Notification Messaging Systems and Department Responsibilities

| System to Use | Primary Message Creator | Backup Message Creator | Authority for Approving & Sending | Primary Message Sender | Backup Sender |
|--|--------------------------------|-------------------------------|--|-------------------------------|----------------------|
| Primary | | | | | |
| 911 Cellular (text & e-mail) | CPD | UC | CPD/UC | UC | CPD/IT |
| Mass e-mail | CPD | UC | CPD/UC | UC | CPD/IT |
| Secondary | | | | | |
| IP Phone Connected in Classrooms/office | CPD | UC | CPD/UC | UC | CPD/IT |
| Public Address System (in limited Facilities) | CPD | UC | CPD/UC | UC | CPD/IT |
| Website | CPD | UC | CPD/U | IT | N/A |
| Local Radio | CPD | UC | CPD/UC | UC | N/A |
| Digital Displays | CPD | UC | CPD/UC | AV | IT |

UC- University Communications

IT- Information Technology

CPD- Campus Police Department

AV- Audio Visual

A combination of some or all of the methods listed above may be used to notify the campus community of an emergency situation.

To opt-in for emergency text and voice messaging, students, faculty, and staff can do so by logging on to the my.fairmontstate.edu website. Then, select the Emergency Notifications icon under Quick Links, and update and enter the new or existing contact information, and save the information.

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community and will direct them to where they can receive additional information.

Follow-up information will be distributed using email and the text system for providing updates on immediate threats to the health and safety of the campus community (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Fairmont State University homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the institution will follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution will provide adequate follow-up information to the community as needed.

Security & Access to Campus Facilities

During normal business hours the administrative and academic facilities at Fairmont State University are open and accessible to students, staff, faculty and visitors. Campus facilities are secured at the end of each day's activities. Only those with proper authorization are permitted in facilities after they are secured. Professors may submit a list of names to Campus Police giving students permission to be in the buildings for those who need access to labs after hours.

Police Officers, Student Security, and Building Service Workers maintain surveillance over all buildings (including residential facilities) during these hours to monitor security and safety measures.

For all others that need entry into a building after hours, contact Campus Police at (304) 367-4157.



Falcon Center (Student Activities Center)

Security Considerations Used in the Maintenance of the Campus Facilities

The campus environment is maintained in a manner that minimizes hazardous or unsafe conditions. Campus Police staff communicates with Facilities Management to address burned out lights or malfunctioning door locks to address and repair those matters promptly. Other members of the community are helpful when they report equipment problems to the Campus Police or Facilities Management.

Residence Hall Access, Safety and Security

For security reasons, residents and visitors must enter and exit the buildings through the main entrance. Morrow, Pence, Prichard Hall, and University Terrace residents are required to show their Fairmont State University or Pierpont Community & Technical College Student ID to the desk monitor to gain access to the residence hall. Students are provided with metal keys to enter their rooms. Bryant Place and University Terrace will require the resident to swipe his/her Student ID card to be permitted access to the building, wing (hallway), and suite. Metal keys are provided to access individual rooms.

Emergency exit doors are secured and are only intended for use during an emergency. Residence hall entrances are secured between 12 A.M. and 5 A.M., daily. The desk monitor in each building will admit residents after the doors have been locked. All residence hall visitors must be registered guests of a resident and checked in at the main lobby desk in each building. ANYONE failing to register, or who violates Residence Life policies, is subject to disciplinary measures.

Security alarms are installed on the emergency doors of each residence hall. Door propping, tampering, or intentionally "setting off" the alarm will be considered a violation and breach of security. Delayed egress panic bars are provided on most exterior residence hall doors to further enhance security. Unauthorized use of emergency doors is considered a violation. Those involved will be subject to disciplinary sanctions. Revisions to security procedures may be implemented if deemed essential for the safety and security of residents.

Living areas should be locked at all times, including when residents are elsewhere in the building, showering, or while sleeping. A locked door is the main deterrent to theft, as well as personal security. Should a theft or other incident occur, report it to a Residence Life staff member and Campus Police, located in Pence Hall 1st floor. The institutions are not responsible for stolen property.



Bryant Place



Morrow Hall

Student Code of Conduct

The Student Code of Conduct is designed to be a resource for you to help make the most of your college experience. Within the Student Code of Conduct, we outline for you our policies, procedures, and expectations. It is our hope that while you are a member of our campus community that you uphold these expectations. The Code of Conduct is founded on principles of fairness and due process.

Any student, faculty, or staff member may report a violation of the Student Code of Conduct. Once the complaint is received, the Office of Student Conduct & Campus Judicial Officer will review the complaint. The Student Code of Conduct is designed to be educational in nature and not punitive. Behavioral plans imposed with students can range anywhere from community service hours to Expulsion. Please take the time to review the Code of Conduct. It is the commitment of this office to ensure the educational development of students are being met while ensuring the campus community is safe. If you have any questions you may contact us at 304-367-4216.

Types of Sanctions

Article IV: Possible Sanctions

Expulsion: Permanent separation of the student from the University. Permanent notification will appear on the student's transcript. The student may be denied access to University premises, provided that such restrictions are stipulated in the Outcome Letter and bear a reasonable relationship to the violation. If a student is expelled, the student will not receive a refund of any tuition or fees that have been paid to the University.

Suspension: Separation of the student from the University for a specified period of time. Permanent notification will appear on the student's transcript. The student may be denied access to University premises and to all other University activities or privileges for which the student might otherwise be eligible, provided that such restrictions are stipulated in the Outcome Letter and bear a reasonable relationship to the violation. Suspended time will not count against any time limits for completion of a degree. If a student is suspended, the student will not receive a refund of any tuition or fees that have been paid to the University. Any student who is serving a suspension may be subject to a review and evaluation meeting prior to re-enrolling to ensure that all conditions of the suspension have been satisfied and that the student is prepared for return.

Deferred Suspension: The student will be given a certain set of expectations, but any suspension will be deferred and does not go into effect as long as the student complies with all requirements during the interim period. In those cases where the student completes all expectations during the interim period, the student's record will show that the sanction was never imposed. In the event that a student fails to comply with a sanction and the Office of Student Conduct or Director of Student Conduct has decided to seek the suspension, the student will be given written notice of the apparent failure to comply and of the intent to suspend, and provided an opportunity to be heard prior to a final decision, consistent with this Student Code of Conduct.

Probation: A written reprimand for prohibited conduct that specifies a designated period of time and includes the probability of more severe disciplinary sanctions if, during the designated probationary period, the student violates any applicable law or fails to comply with the policies of the Fairmont State

University Board of Governors, with institutional or campus rule and regulations or with directives issued by any University Official acting in the course of his or her authorized duties.

Warning: A notice in writing to the student that the student is violating or has violated Board of Governors policies, institutional rules and regulations, or the Student Code of Conduct. Any further prohibited conduct could result in more severe disciplinary action.

Loss of Privileges: Denial of specified privileges for a designated period of time.

Restitution: Students may be required to make monetary payments or material replacements to the University or to other persons, groups, or organizations for loss, damage, or injury incurred as a result of a violation of the Code of Conduct. This may take the form of appropriate service and/or monetary or material replacement. Once restitution is satisfied, the student must provide documentation to the Office of Student Conduct or Director of Student Conduct.

Revocation: Admission to the University may be revoked for a violation of the Student Code of Conduct if the violation was committed before the student arrives on campus. A degree awarded from the University may be revoked for a violation of the Student Code of Conduct if the violation was committed before the student graduates.

Other sanctions: Other sanctions may be imposed instead of or in addition to those specified. For example, students may be subject to dismissal from University housing for disciplinary violations which occur in the residence halls. Likewise, community service, educational classes, fines (if such fines are established by the Office of Student Conduct), and other work or research projects may also be assigned.

No Contact Directives: Students may be issued a permanent No Contact Directive, which is a directive to refrain from any intentional contact, whether direct or indirect, with one or more designated persons or group(s) through any means, including, but not limited to, personal contact, e-mail, telephone, social media or third parties.

Residence Halls have the following sanctions:

Notice of Policy Violation / Written Warning

Given to inform the student that a specific behavior does not meet minimum expectations for residence hall living. It is generally imposed following isolated and less serious incidents of misconduct or contract violations. It is not imposed for a specific length of time, but further misconduct may lead to other consequences.

Residence Hall Probation

A resident is not considered in good standing within the residence hall program. Any further violation may result in additional consequences. Residence hall probation will be imposed, minimally, until the end of the academic year.

Residence Hall Deferred Suspension

Stipulation that subsequent disturbances to the residence hall community will typically result in removal from all institution-supervised housing. Students will not be eligible to return to the residence halls in subsequent academic years. Deferred suspension will be imposed, minimally, until the end of the academic year.

Residence Hall Reassignment

A mandatory change of room assignment within University-supervised residence halls for inappropriate behavior or disruption to the residential community. Further behavior will generally result in more serious action including residence hall removal.

Residence Hall Contract Termination & Removal

Removal from the campus residence hall community for conduct which is a serious violation of residence hall rules or regulations. Removal may also result from less serious, but repeated incidents of misconduct. Serious violations are generally considered those behaviors that are dangerous or highly disruptive. Separation may range from the remainder of a given semester (regardless of the days remaining) to permanent removal. The housing contract states, "Failure to abide by Fairmont State, Pierpont and Residence Life policies, rules and regulations may result in removal from the residence hall/apartment and forfeiture of all residence hall and dining fees for the remainder of the academic year."

Residence Hall Ban

Total separation from any or all residence halls. This includes all property surrounding the residence hall, all porches, all steps, etc. A banned student will not be eligible to reside, visit, or otherwise participate in activities in the residential facilities. Failure to abide by this sanction will often result in the notification of campus and local law enforcement and criminal trespassing charges being filed. Further behavior will generally result in more serious sanctions, including up to expulsion from the institution.

Behavioral Contract

A document that stipulates specific behavioral expectations and consequences for failure to adhere to those expectations. Failure to adhere to the contract will generally result in more serious action including residence hall removal.

Community Service

Mandated service assignments. Failure to complete this sanction will result in a fine of \$20 per hour of service not completed.

Creative Sanction

An exercise designed to allow the student to reflect on residence hall violations and the impact those violations have on oneself and others. Students may be required to research a specific topic, design and/or present community awareness programs, hall presentations, bulletin boards, or make restitution for damages through restorative work. The student conduct meeting administrator will review assignments to determine if the student has successfully met the educational goals of the assignment. Failure to complete this sanction will result in a fine of \$150.

Discretionary Sanctions

Other sanctions may be imposed to achieve specific educational outcomes.

Online Reflection Exercise

An exercise designed to allow the student to reflect on residence hall violations and the impact those violations have on oneself and others.

Parental Notification

Notification of a policy violation, student conduct meeting outcome (i.e., finding of responsibility, sanctions, etc.), to a parent, guardian, or other designated contact in compliance with the Family Educational Rights and Privacy Act (FERPA).

Referral

A consequence which may require coordination with the counseling center (alcohol and drug referrals, online educational activities, assessments, and individual or group sessions), Campus Judicial Officer, other appropriate offices or University resources

Restitution

Compensation for loss, damage, etc., which may include monetary or property replacement.

Suspension of Privileges

A resident may lose residence hall privileges. This includes but is not limited to loss of visitation, computer/network access, etc.

Alcohol and Drug Policies

Policy on Alcohol

- Fairmont State prohibits the sale, possession, use and consumption of alcoholic beverages on the campus. State Law Prohibits the sale of all alcoholic beverages to persons under the age of 21 and the purchase of alcoholic liquors by persons under the age of 21. Campus Police will enforce state and city ordinances for underage drinking laws (WV Code 60-3-22a & 61-8-27a / City Ordinance 521.14b)

Policy on Drugs

- Fairmont State is in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. The possession, use, manufacture, or sale/distribution of an illegal drug is prohibited on property owned or controlled by both Institutions. Members of the campus community are responsible for knowing and complying with the provisions of state and federal laws that prohibit the unlawful possession, sale, delivery, manufacture, or use of those drugs known as controlled substances. Campus Police also enforce all Federal and State drug laws. Fairmont State, in coordination with the community organization and agencies, provide counseling and substance abuse education programs. These programs are available through the Office of Student Affairs and the Human Resources Office.

Alcohol and Drug awareness programs are administered through the SafeColleges program throughout the year.

Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, Fairmont State University publishes information regarding the University's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for Fairmont State University students and employees.

<https://www.fairmontstate.edu/campuspolice/policies-and-procedures/policies-alcohol-drugs-and-firearms>

The following link provided refers to employees.

<https://www.fairmontstate.edu/publications/campushandbooks/employeehandbook.pdf>

Missing Student Policy

In accordance with the Higher Education Opportunity Act, Fairmont State University must develop and implement certain procedures to be followed when residential students are determined to be missing for 24 hours.

Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential missing person contact to be notified by Fairmont State University no later than 24 hours after the time the student is determined to be missing by the designated University officials authorized to make that determination (specifically, the Campus Police) or the local law enforcement agency in which the student went missing.

Fairmont State University will notify any missing student's confidential contact(s), if provided, within 24 hours of the determination that the student is missing. Students are advised that in the event a student under 18 years of age and not emancipated, Fairmont State University must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. Students are advised that for all missing students, Fairmont State University will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

If someone has reason to believe that a student is missing for 24 hours, he or she should immediately notify the Campus Police Department. If members of the Fairmont State University community believe that a student has been missing for 24 hours, it is critical that they report that information to Campus Police by calling (304) 367-4157. Campus Police will generate a missing person report and initiate an investigation. A student is determined to be missing when the Campus Police have verified that reported information is credible and circumstances warrant declaring the person missing. After investigating the report, should Campus Police determine that the student is missing and has been missing for 24 hours, then the following notifications will include:

- Campus Police will notify the Fairmont City Police Department or the agency that has jurisdiction in the area that the student is missing, regardless whether the student has a confidential contact person, is above the age of 18, or is an emancipated minor.
- Contact the student's confidential missing person contact no later than 24 hours after the student is determined to be missing for 24 hours.
- If the missing student is under the age of 18 and is not an emancipated individual, Fairmont State will notify the student's parent or legal guardian immediately after the Campus Police has determined that the student has been missing for more than 24 hours as well as their confidential contact.

Students are advised that the Institutions will maintain registered confidential contact information provided by students in a confidential manner and it will only be available to authorized campus officials or law enforcement and it may not be disclosed outside of a missing person investigation.

Policy on Sexual Misconduct and Sexual Assault

Fairmont State prohibits and will not tolerate, in any manner, any sexual assault, sexual harassment, domestic or dating violence, stalking, hostile environments or other forms of gender discrimination on campus or at any campus-related facility, or in any institution-sponsored activity, program, trip or process and complies fully with all aspect of Title IX, including the Violence against Woman Act (VAWA) and Campus Sexual Violence Elimination Act (Campus SAVE) of VAWA. Violators will be prosecuted to the fullest extent of campus processes and/or the law.

See Board of Governors' policy 9, http://www.fairmontstate.edu/aboutfsu/sites/default/files/bog-policies/fsu_policy_09.pdf , for definitions, contact information for institutional assistance, steps on registering a complaint.

Fairmont State University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, Fairmont State University issues this statement of policy to inform the campus

community of our programs to address domestic violence, dating violence, sexual assault and stalking, as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

- **Domestic Violence**

A felony or misdemeanor crime of violence committed

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

For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is prohibited and considered a crime for the purposes of Clery Act reporting.

- **Dating Violence**

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

- i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- ii. For the purposes of this definition-
 - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting and is prohibited by the institution.

- **Sexual Assault**

An offense meeting the definition of rape, incest, statutory rape, and fondling as defined in the FBI's Uniform Crime Report (UCR). Per the National Incident-Based Reporting System User Manual from the FBI UCR Program defines a sex offense as, "any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent."

- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- **Fondling** is defined as the touching of the private parts of another for the purpose of sexual gratification, without the consent of the victim. This includes instances where the victim is incapable of giving consent because of age or because of mental incapacity.
- **Incest** is defined as sexual intercourse between persons who are related within the degrees where marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking** engaging in conduct directed at a specific individual that would cause a reasonable person to
 - Fear for the individual's safety or the safety of others or
 - Suffer substantial emotional distress.
 For the purposes of this definition-
 - A) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - C) Substantial emotion distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting and is prohibited by the institution.

Fairmont State University Board of Governors Policy #GA-01 4.6.1.1.3 defines "Consent" as agreement, approval, or permission as to some act or purpose that is given knowingly, willingly, and voluntarily by a competent person. Silence, by itself, cannot constitute Consent. Consent to one sexual act does not constitute or imply consent to a different sexual act. Previous consent cannot imply consent to future sexual acts. Consent is required regardless of the parties' relationship status or sexual history together. This document can be found at the following address:

<https://www.fairmontstate.edu/aboutfsu/sites/default/files/bog-policies/FSU%20Policy%20GA-01%20Sexual%20Misconduct.pdf>

This definition of consent will be used in cases of Domestic Violence, Sexual Assault, Rape, and Fondling incidents.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Lack of Consent as defined in WV Code §61-8B-2

- Whether or not specifically stated, it is an element of every offense defined that the sexual act was committed without the consent of the victim.
- Lack of consent results from:
 - Forcible compulsion
 - Incapacity to consent

Domestic Violence WV Code §61-2-28

- **Domestic Battery** as defined in WV Code §61-2-28, “any person who unlawfully and intentionally makes physical contact of an insulting or provoking nature with his or her family or household member, or unlawfully and intentionally causes physical harm to his or her family or household member.”
- **Domestic Assault** as defined in WV Code §61-2-28, “any person who unlawfully attempts to commit a violent injury against his or her family or household member, or unlawfully commits an act that places his or her family or household member in reasonable apprehension of immediately receiving a violent injury.”

Dating Violence

West Virginia does not have a statute specific for Dating Violence, therefore, the definitions for Domestic Violence are used.

Sexual Assault §61-8B-3, §61-8B3, and §61-8B-5

- The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - Inflicts serious bodily injury upon anyone; or
 - Employs a deadly weapon in the commission of the act, or
 - The person, being fourteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than twelve years old and is not married to that person.
 - Such person engages in sexual intercourse or sexual intrusion with another person without the person’s consent and lack of consent results from forcible compulsion or
 - Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless
 - The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated or
 - The person, being sixteen years old and who is at least four years younger than the defendant and is not married to the defendant.

Stalking §61-2-9a

- Any person who repeatedly follows another knowing or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress or
- Any person who repeatedly harasses or repeatedly makes credible threats against another.

Title IX

In accordance with Title IX regulations, the institution has designated Jessica Kropog, as Title IX Coordinator. She is charged with monitoring compliance with these regulations. Questions regarding Title IX, as well as concerns and complaints of non-compliance, may be directed to her.

The Title IX Coordinator oversees the dissemination of information regarding Title IX to students, staff and faculty; coordinates training for employees; maintains Title IX grievance/complaint files; monitors Title IX Deputies in the investigation and disposition of complaints; and answers inquiries.

In addition, both institutions provide counseling to sexual assault victims as well as family and friends of victims. Counseling services are free of charge and appointments are made by phone (304) 333-3661 or in person during regular hours of operation of the Counseling Center in the Turley Student Services Center.

For a complete list of sanctions regarding Title IX and Sexual Misconduct please visit the following link to the Student Handbook.

http://www.fairmontstate.edu/campuspolice/sites/default/files/student_conduct_code.pdf

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it”.¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse & Incest National Network, www.rainn.org)

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792

² Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers,
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault**. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself**. Don't feel obligated to do anything you don't want to do. "I don't want to is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie**. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, ect.
16. **Try to think of an escape route**. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you an/or the other person have been drinking**, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Prevention Programming and Information

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness or outcome' and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students³ and new employees and ongoing awareness and prevention campaigns for students and that:

- A. Fairmont State University prohibits the crimes of Dating Violence, Domestic Violence, Sexual Assault and Stalking as defined by the Clery Act.
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of West Virginia.
- D. Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct and the purposes for which that definition is used;
- E. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- F. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- G. Information regarding:
 - a. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
 - b. How the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);

³ EDITORIAL NOTE – NOT TO BE INCLUDED IN THE ANNUAL SECURITY REPORT: Examples of "primary prevention programs" as they relate to incoming students may be found here: <http://www.ovw.usdoj.gov/docs/campus-minimum-standards-orientation.pdf>

- c. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institutional and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
- d. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);

Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document)

Primary Prevention Programs Offered

| Name of Program | Date Held | Location Held | Which Prohibited Behavior* Covered? |
|---------------------|--|-------------------------|---|
| RA Training | 1/7/2020 | Virtual | Title IX/Sexual Assault/Domestic and Dating Violence/Stalking/Resources |
| SafeColleges | Available from admission to throughout the year. | Online | Title IX/Sexual Assault/Domestic and Dating Violence/Stalking/VAWA/Campus SaVE Act/Alcohol Education/Bystander Intervention |
| Faculty Orientation | 8/4/2020 | Falcon Center & Virtual | Title IX/Sexual Assault/Domestic Violence/Stalking/Retaliation/Mandatory Reporting |

Ongoing Prevention and Awareness Campaigns

The University has developed an annual education campaign consisting of the following programs.

| Name of Program | Date Held | Location Held | Which Prohibited Behavior* Covered? |
|-----------------------------|-------------------------|----------------|-------------------------------------|
| Domestic Violence Awareness | Throughout October 2020 | Residence Life | Domestic Violence Awareness |
| Safe Colleges | | | |

Sexual assault and domestic/dating violence and stalking can happen to anyone, no matter how prepared or cautious the person may be. Victims should not blame themselves or hesitate to report the incident. Whatever the circumstances, victims often fear being blamed, humiliated, or not believed. These feelings of fear, guilt, and helplessness can lead to depression, illness, and trouble with academics and relationships.

Remember, no one deserves or asks to be sexually assaulted or abused through domestic/dating violence and stalking. You are encouraged to report any incident to the Campus Police at (304) 367-4157. Victims of these crimes have the right to notify the Campus Police and we will assist the student in notifying these authorities if the student requests our assistance. Individuals may also report the incident to the institution’s Title IX Coordinator. The Title IX Coordinator, Jessica Kropog, is responsible

for coordinating the institution's compliance with Title IX and is located in 324 Hardway Hall (304-367-4386).

Fairmont State University, upon written request, will disclose to the alleged victim of a crime of violence or non-forcible sexual assault, the report on results of a disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased, as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

(HEOA) Notification to Victims of Crimes of Violence

Fairmont State University, upon written request, will disclose to the alleged victim of a crime of violence or non-forcible sexual assault, the report on results of a disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and or off campus as well as additional remedies to prevent contact between a complainant⁴ and an accused party, such as changes to housing academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Campus Police or local law enforcement. The Office of Title IX and Compliance assists with obtaining these accommodations and initiates contact if requested.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow.

| Incident Being Reported | Procedure Institution Will Follow |
|--------------------------------|---|
| Sexual Assault | <ol style="list-style-type: none">1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care2. Institution will assess immediate safety needs of complainant3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department |

⁴ EDITORIAL NOTE – NOT FOR PUBLICATION IN ASR: This document will use “victim” and “complainant” and “perpetrator” and “accused party” interchangeably. Each institution needs to use language consistent with their institutional policies.

| | |
|--------------------------|--|
| | <ol style="list-style-type: none"> Institution will provide complainant with referrals to on and off campus mental health providers Institution will assess need to implement interim or long-term protective measures, if appropriate. Institution will provide the victim with a written explanation of the victim's rights and options Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate Institution will provide written instructions on how to apply for Protective Order Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation |
| Stalking | <ol style="list-style-type: none"> Institution will assess immediate safety needs of complainant Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department Institution will provide written instructions on how to apply for Protective Order Institution will provide written information to complainant on how to preserve evidence Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate Institution will provide the victim with a written explanation of the victim's rights and options Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate |
| Dating Violence | <ol style="list-style-type: none"> Institution will assess immediate safety needs of complainant Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department Institution will provide written instructions on how to apply for Protective Order Institution will provide written information to complainant on how to preserve evidence Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate Institution will provide the victim with a written explanation of the victim's rights and options Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate |
| Domestic Violence | <ol style="list-style-type: none"> Institution will assess immediate safety needs of complainant Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department Institution will provide written instructions on how to apply for Protective Order |

| | |
|--|--|
| | <ol style="list-style-type: none"> 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate |
|--|--|

Victims of Rape, Sexual Assault, Domestic/Dating Violence, or Stalking

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at United Hospital Center located at 327 Medical Park Drive, Bridgeport, WV 26330. In West Virginia, evidence may be collected even if you choose not to make a report to law enforcement⁵. Pertinent information such as name, date of birth, and address must be given at the hospital. The victim can choose to contact law enforcement or not at that time. There is no statute on felony sex offenses. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/ or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the University Title IX and Compliance Department will assist any victim with notifying law enforcement if the victim so desires. The department will also refer the victim to HOPE, Inc. and by request may accompany the victim to the location. Campus Police may also be

⁵ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

reached directly by calling 304-367-4157, in person Pence Hall 1st Floor. Additional information about the Campus Police Department may be found online at: <https://www.fairmontstate.edu/campuspolice/>

A victim can contact the Campus Police Department by calling (304) 367-4157 or (304) 367-4357 or by visiting the Campus Police Department in

Pence Hall

700 Falconcrest Lane

Fairmont, WV 26554

When a victim of domestic violence, dating violence, sexual assault or stalking makes a report to the Campus Police Department, law enforcement officials ask the victim for a written statement. If there are any visible marks, cuts, bruises, etc. they are photographed and notated in the officer's report. If the victim needs emergency medical assistance, that will be rendered immediately. If there were any witness' to these acts, the officers note all names and ways to communicate with these witnesses. Law enforcement officials will provide safety options to the victims. This may include: help with transportation to the court to file a domestic violence protective order, information to contact the Title IX Coordinator, information to contact student health and counseling services through Fairmont State University, information on shelters, rides to shelters or family or friends homes. The victim is asked if they would like to press charges against the offender. If there is a crime of sexual assault, law enforcement will ask if the victim will consent to providing the hospital with a rape kit. This procedure is preformed at United Hospital Center.

United Hospital Center

327 Medical Park Dr.

Bridgeport, WV 26330

A victim may also report such crimes to Fairmont City Police Department by calling 911 or (304) 366-9280 or by visiting the Police Department at

500 Quincy St.

Fairmont, WV 26554

If the victim reports domestic violence, dating violence, sexual assault or stalking to the Fairmont City Police the role of the officer remains same. The victim will need to give a written statement. If there are visible marks on the victim, those marks will be photographed and noted in the report. If medical assistance is needed, the victim will be transported to the hospital via emergency medical services. Any witnesses to the crime will be notated. Fairmont City Police will also provide information on finding a safe place such as shelters or family and friends. Officers may arrange transportation to shelters or emergency housing as necessary. Officers will help victims with transportation to the court to file domestic violence protective orders. If there is a crime of sexual assault, law enforcement will ask if the victim will consent to providing a rape kit. This procedure is preformed at United Hospital Center located at United Hospital Center at the address above.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault or stalking, you should report the incident promptly to the Title IX Coordinator, Jessica Kropog at 304-367-4689 or in person at 208A Hardway Hall or through email at jkropog@fairmontstate.edu. Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Police will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.⁶

Victims of Rape, Sexual Assault, Domestic/Dating Violence, or Stalking

If you are raped or sexually assaulted, you should take the following steps:

1. Get medical attention immediately.
2. Save your clothing.
3. Report the incident to the police even if you decide not to prosecute.
4. Take advantage of available support systems.
5. Try to preserve all physical evidence. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.

If you are the victim of domestic violence:

1. Assess your immediate safety needs.
2. Call police or 911.
3. Take photographs of abuse and/or property damage.
4. Obtain a copy of your medical reports.
5. Obtain a copy of the police report.

If you are being stalked:

1. Documentation is needed – write down the details.
2. Keep e-mail messages or social media posts, voicemails, texts, etc.
3. Report to the police.
4. Obtain restraining orders through the courts.
5. Monitor your behavior – don't act out against the stalker by committing an illegal act.

Victims of domestic violence and stalking offenses are protected by law and should seek to report these incidents to the authorities, including Campus Police. If you, your family, or a friend is in immediate danger, you should call 911 or go to your nearest police station as soon as possible. If you are suffering from a pattern of violence, you have the right to request a restraining order against the abuser. The police can assist you in this process. When the restraining order comes into effect, the offender will be legally prohibited from coming near you. If you live with the abuser, he or she will be required to move out of the dwelling. The abuser will also be required to stay away from your place of work or your child's/children's school if you have children. Following this process will also introduce you to the networks that can help you recover and take control again. In addition, the resources below are available to victims to obtain a medical examination and take advantage of available support systems.

⁶ EDITORIAL NOTE – NOT FOR PUBLICATION IN ASR: The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information less the victims

Fairmont State University Sexual Assault, Domestic Violence, and Stalking Resources

Fairmont State Campus Police Department

304-367-4157 or 304-367-HELP

Title IX Coordinator

Jessica Kropog
208 A Hardway Hall
304-367-4689

Counseling Services FSU

Andrea Pammer -Turley Student Services Center Room 316
304-333-3661

HOPE, Inc.

304-367-1100

National Sexual Assault Hotline

1-800-656-HOPE

RAINN (Rape, Abuse & Incest National Network)

202-544-3064
www.rainn.org

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Fairmont State University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

| On-Campus | Employees | Students |
|-----------------------------|---|--|
| Counseling | | Turley Center 316 Phone: (304) 333-3661 counseling@fairmontstate.edu |
| Mental Health | | Turley Center 316 Phone: (304) 333-3661 counseling@fairmontstate.edu |
| Health Services | | Fairmont State University Health Services Falcon Center 3rd Floor Phone: (304) 367-4155 |
| Title IX Coordinator | Hardway Building 208 Phone: (304) 367-4689 | Hardway Building 208 Phone: (304) 367-4689 |

| | | |
|---|--|---|
| International Student Support and Services | | Director of Educational Pathways for International Centers and Students Turley Center 311 Phone: (304) 367-4490 |
| Student Financial Aid | | Financial Aid Office Phone: (304) 367-4141 |
| Campus Police | 700 Falconcrest Lane Fairmont, WV 26554, Pence Hall 1st Floor (304)367-4157 or (304)367-4357 | 700 Falconcrest Lane Fairmont, WV 26554, Pence Hall 1st Floor (304)367-4157 or (304)367-4357 |
| Dean of Students | | Provost and Vice President of Academic Affairs Phone: (304) 367-4101 |
| Sexual Misconduct Site | https://www.fairmontstate.edu/title-ix | https://www.fairmontstate.edu/title-ix |
| Victim Advocacy | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Legal Assistance | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Visa and Immigration Assistance | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |

| Off-Campus | Employees | Students |
|----------------------------------|-------------------------|--|
| Counseling/ Mental Health | REACH 800-950-3434 | Fairmont State University will provide information on where an individual can obtain this information. |
| Victim Advocacy | HOPE, Inc. 304-367-1100 | HOPE, Inc. 304-367-1100 |

| | | |
|--|---|---|
| Fairmont City Police | 500 Quincy St, Fairmont, WV 26554 or dial 911 | 500 Quincy St, Fairmont, WV 26554 or dial 911 |
| Counseling | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Health | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Mental Health | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Victim Advocacy | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Legal Assistance | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Visa and Immigration Assistance | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |
| Student Financial Aid | Fairmont State University will provide information on where an individual can obtain this information. | Fairmont State University will provide information on where an individual can obtain this information. |

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Victim's Bill of Rights

As required by law, in cases of sexual assault, other sex offenses, domestic/dating violence, and stalking offenses:

— A victim of sexual assault, domestic/dating violence, or stalking, regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist the victim of sexual assault, domestic violence, dating violence, and stalking and shall be provided a written explanation of his or her rights will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action.

Furthermore, the Institutions shall inform the victim in writing of options and resources available to obtain confidential assistance in changing academic, living, transportation, and working situations after an alleged sexual assault, other sex offenses, and domestic/dating violence and stalking offenses. The victim may contact the Director of Housing and Residence Life. Requested changes will be accommodated when reasonably available.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

Fairmont State University complies with West Virginia law in recognizing orders of protection by: Any person who obtains an order of protection from West Virginia or any reciprocal state should provide a copy to Campus Police and the Office of Title IX. The University cannot apply for a legal order of protection, no contact order or restraining order for the victim, however, the Campus Police Department may assist the victim on how to obtain those services.

| Type of Order | Rights of Victims | Institution's Responsibility |
|---|---|---|
| Domestic Violence Protective Order | Individuals covered under domestic relations in WV may obtain Domestic Violence Protective Orders. If granted, it may be effective for 90 or 180 days, in which the respondent is ordered to have no contact with the petitioner. | Campus Police will provide the information on how to file the order and may provide transportation to file the Domestic Violence Protective Order |
| Personal Safety Order | Individuals not covered under domestic protective orders (no domestic relationship as defined by WV) may obtain Personal Safety Orders. If a temporary Personal Safety Order is granted, a hearing within 10 days is scheduled. At the hearing the Order may be extended. | Campus Police will provide the information on how to file the order and may provide transportation to file the Personal Safety Order. |
| Emergency Protective Order | The petitioner must show an immediate threat or danger to themselves or children. If granted, this protective order will be valid until the full court hearing and may be extended. | Campus Police will provide the information on how to file the order and may provide transportation to file the Emergency Protective Order |

The victim is required to apply directly for these services in conjunction with the Magistrate.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Fairmont State University will provide written notification to students and employees about accommodations available to them, including: academic, living, transportation, protective orders and working situations. The

written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should request such accommodations by contacting the Office of Title IX and Compliance, who then initiates the assistance with other departments. Departments may include Counseling Services, Residence Life, institutional department (for specific class changes), Human Resources, Campus Police and Student Health.

Confidentiality

Victims may request that directory information on file with the University be withheld by request to the Registrar. The office is located in the Turley Center and any questions can be directed to the phone number, (304) 367-4141.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the names of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Student Conduct Procedure

As required by law, in cases of alleged sexual assault, other sex offenses, and domestic/dating violence and stalking offenses handled through on-campus disciplinary hearing, the following apply:

- The accuser and accused are entitled to simultaneous written notice of the charge and the hearing related to these offenses.
- The accuser and accused are entitled to the same opportunities to have others present during the proceedings.
- The accuser and accused are entitled to simultaneous written notification of any change to the result of the proceeding that occur prior to the result becoming final.

Institutional Disciplinary Action

When a complaint is made to Title IX or Student Conduct, typically Title IX and/or Student Conduct will meet with the complainant to assess the nature and egregiousness of the complaint. All proceedings will include a prompt, fair and impartial process from initial investigation to final result. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually, either by in person trainings or through an online web based program, on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and

the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

The policy regarding disciplinary hearing for Domestic Violence, Sexual Assault and Stalking. (West Virginia does not have a specific code for Dating Violence, those incidents will be regarded as Domestic Violence.)

1. How to file a Disciplinary Complaint Under this policy

Reports alleging violations can be made online at
http://fsubehsci.sjc1.qualtrics.com/jfe/form/SV_1AH6rDEFhvSpskR

Complaints may be directed to the Title IX Coordinator, Jessica Kropog, as well as, Student Conduct with Jack Clayton.

2. How the University Determines Whether This Policy will be used

Complaints related to Domestic Violence, Sexual Assault & Stalking received by Student Conduct are immediately referred to the Title IX Office. Incidents determined to be Title IX or VAWA (Violence Against Women's Act) are investigated by that office.

3. Steps in the Disciplinary Process

Once a Title IX or VAWA case is completed by the Title IX Office, the case is forwarded to Student Conduct and may include recommendations for disciplinary actions. An initial hearing is conducted with the respondent and recommended disciplinary action is discussed. If the respondent accepts responsibility, disciplinary action is subsequently taken immediately. If respondent does not accept responsibility, a formal hearing is scheduled. The respondent may be found responsible or not responsible. If responsible, respondent may appeal to the Student Conduct Officer's decision.

4. Anticipated Timelines

Initial hearings are set within five days of receipt of completed Title IX investigation report and findings of fact. Formal hearing are normally scheduled within 30 days. Any appeals must be filed within 5 business days of Student Conduct decision, and an appeal is heard within 30 days of filing.

5. Decision-Making Process

Documentation including written and digital, witness/victim/accused statements, and testimony.

6. Standard of Evidence

Preponderance of the evidence is the standard used.

7. Possible Sanctions

All possible sanctions can be found in the Student Code of Conduct section of this document.

Possible Sanctions for Responsible Student

Possible sanctions for sexual assault, other sex offenses, domestic/dating violence and stalking offenses by the institution following an on-campus disciplinary hearing are as follows:

- Resident Life may issue letters of warning for interim removal or may immediately remove the student from campus housing and refer him or her directly to Student Conduct for further action.
- Office of Student Conduct may take actions ranging from issuing a letter of probationary warning to the expulsion of the student(s).
- The Campus may refer the incident to the Prosecuting Attorney or may obtain arrest warrants and seek prosecution under state statutes.

Fairmont State University Board of Governors Policy GA-01 applies to Employees, as well as Students, Vendors and Visitors, accused of Domestic Violence, Sexual Assault, and Stalking.

<https://www.fairmontstate.edu/aboutfsu/sites/default/files/bog-policies/GA-01%20Revised%20Per%20Emergency%20Rulemaking%20%28Active%20as%20of%208%2014%202020%29.pdf>

1. There are two types of complains, a “Formal Complaint of Sexual Harassment (Quid Pro Quo), Sexual Harassment (Hostile Environment), Sexual Assault, Domestic Misconduct and Stalking and the second type of complaints refer to “All other complaints of Prohibited Conduct” within the University’s jurisdiction. These complaints may be filed with the Office of Title IX.
2. Any member of the University Community who believes they have been subject to any of the Prohibited Conduct may file a complaint and where appropriate, the Title IX Coordinator may also file a complaint. The Title IX Coordinator then investigates the and responds to all complaints regarding alleged misconduct. When an employee, vendor or visitor has been accused of Prohibited Conduct, the complaint will be handled in accordance with the Title IX grievance procedures.
3. The Office of Title IX follows Due Process protocols.
4. After a complete investigation, the Title IX Coordinator will make the final determination on the outcome of the complaint.
5. Results are based on preponderance of the evidence, which means that it is more likely than not, that a violation occurred.
6. Anyone who violates the policy set forth, will be subject to appropriate disciplinary actions, including suspension, termination, or other disciplinary actions that may be appropriate.

7. Victims are provided protective measures in writing. These measures include accommodations available to them, including transportation, protective orders and working situations.

If the complainant wishes to proceed with the Title IX and/or Student Conduct process, No Contact Directives are typically issued (at minimum for the course of the investigation), the respondent and any witnesses will be interviewed. Upon adjudication, if a respondent is found responsible, the institution moves forward with the conduct process in accordance with the Student Code of Conduct. If a respondent is found not responsible, No Contact Directives may remain in place and no further action is taken.

If the complainant does not wish to proceed or participate in the Title IX/Student Conduct process, Title IX officials will make a determination whether or not to proceed with any action. No Contact Directives may still be issued and the institution may move forward with the conduct process, depending on the egregiousness of the complaint.

The decision of responsible or not responsible for DV, SA, Dating Violence and Stalking is determined by Title IX officials. If a finding of responsible is made, the case is forwarded to Student Conduct with a recommendation for sanctioning in accordance with the Student Code of Conduct.

Typically, decisions in the cases involving interpersonal violence are determined within 60 days.

A complaint may be filed by the victim or by third party. The complaint should be made to the Title IX Coordinator. If a complaint is made to another campus entity, the complaint should be forwarded to the Title IX Coordinator.

University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.⁷ Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Fairmont State University.

Sex Offender Registry

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex

⁷ Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In West Virginia, convicted sex offenders must register with the West Virginia State Police. You can link to this information, which appears on website at

<https://apps.wv.gov/StatePolice/SexOffender/Disclaimer?continueToUrl=http%3A%2F%2Fapps.wv.gov%2FStatePolice%2FSexOffender>.

Firearms, Weapons & Explosives Policy

Policy Statement

All members of the Fairmont State University community, including faculty, staff, and students, as well as visitors to any campus, are prohibited from possessing firearms, explosives or weapons (hereafter collectively referred to as "weapons") on the premises of the University and College or in any building under their separate or combined control or at any University or College sponsored event without the explicit authorization of the Campus Chief of Police, whether or not a federal or state license to possess the same has been issued to the possessor.

Reason for Policy/Purpose

Fairmont State University is committed to maintaining a safe and secure environment in which to conduct educational activities and house their students. This policy is one step towards reducing the risk of injury or death associated with intentional or accidental use of weapons

Who Needs to Know This Policy?

Visitors to campus, faculty, staff and students

Policy/Procedures

It is prohibited to possess weapons on property owned or controlled by Fairmont State University or at any University or College sponsored event without the explicit authorization of the Campus Chief of Police, whether or not a federal or state license to possess the same has been issued to the possessor. The only exceptions to this policy are as follows'

- 1 Law enforcement officers to the extent they are legally permitted to possess weapons pursuant to West Virginia State Law,
2. Military personnel in performance of their official duties to the extent they are legally permitted to possess weapons in the State of West Virginia, and
- 3 University or College sanctioned classes, groups or events where a particular weapon(s) is required and regularly used as a part of the curriculum or activity, i.e. various Criminal Justice courses/martial arts classes/clubs, theatrical events, etc. The control, security and safe use of such weapons shall be the

responsibility of the supervising faculty or staff member. The supervising faculty or staff member shall inform the Campus Chief of Police in advance of any unusual or seldom occurring events involving the use of weapons on campus.

Any person carrying or possessing a firearm or other deadly weapon in violation of this policy who, upon being requested to do so, refuses to temporarily relinquish possession of the firearm or other deadly weapon, and/or refuses to leave University or College premises or grounds as previously defined while in possession of the firearm or deadly weapon, shall be charged with a misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars or confined in the regional jail not more than six months, or both. 661-7-14 WV Code).

Exceptions to this policy may be requested in writing to the Campus Chief of Police. Only under very limited circumstances will an exception be granted. Questions regarding the applicability of this policy to specific items must be directed to the Campus Chief of Police.

Any student, faculty or staff member violating this policy shall be subject to the disciplinary policies and procedures applicable to students, faculty or staff in addition to the penalties provided under State law.

Definitions

Firearm: Any device that shoots a bullet, pellet flare, tranquilizer, spear dart, paintball or other projectile, whether loaded or unloaded, including those powered by CO2. This includes, but is not limited to, guns, air guns, dart guns, pistols, revolvers, rifles, cannons, etc, and any ammunition for any such device.

Weapon: Any device that is designed to or traditionally used to inflict harm. This includes, but is not limited to 1) firearms, slingshots, switchblades, daggers, blackjacks, brass knuckles, bows and arrows, hand grenades, hunting knives, nun-chucks, throwing stars, etc.; 2) any object that could be reasonably construed as a weapon; or 3) any object legally controlled as a weapon or treated as a weapon under the laws of the State of West Virginia

Explosives: Any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportion, quantities or packing that an ignition by fire, friction, concussion, percussion, or detonator, or any part of the compound or mixture, may cause a sudden generation of highly heated gases that results in gaseous pressures capable of producing destructive efforts on contiguous objects or of destroying life or limb This includes, but is not limited to, firecrackers, black powder, dynamite, etc. as well as detonating devices such as detonators, blasting caps, timers, incendiary wire and the like.

View policy online:

https://www.fairmontstate.edu/campuspolice/sites/default/files/firearms_policy.pdf

Annual Fire Safety Report

To obtain a copy of the Annual Security and Fire Safety Report, you can access the report online at: <https://www.fairmontstate.edu/campuspolice/jeanne-clery-act>. If you would like to receive a hard copy

of the Annual Security and Fire Safety Report, you can stop by the Department of Public Safety Office at Pence Hall or you can request that a copy be mailed to you by calling (304) 367-4157.

Residence Hall Fire Safety Information

Safety and health regulations prohibit the use of electric devices such as a hot plate, toasters, ovens, popcorn popper, air conditioners, dehumidifiers, electric grills, portable heaters, sandwich makers, crock pots, and microwaves (unless you have rented a Micro-Fridge Unit through our contract). Any open-flame object (e.g., candles or incense) and candle warmers, gasoline, lighter fluid, charcoal grills, or any combustible, explosive, or flammable material, along with extension cords or multi-receptacle outlets are also prohibited.

Fairmont State University is a tobacco-free campus. Smoking inside residence halls, academic halls or outside the premises, is strictly prohibited.

Procedures for Student Housing Evacuation in Case of a Fire

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the Campus Police. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Fire Safety Education and Training Programs

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the University's fire safety policies. Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by local fire authorities

Regulations for Fire Drills and Student Housing Evacuations

- When a fire alarm sounds, each resident will.
 1. Dress appropriately.
 2. Close the windows and leave the light on
 3. Close the door as you leave the room.

4. Walk a safe distance from the building via the nearest available exit.

- a. Residents of BRYANT PLACE should gather on the 3rd floor of the parking garage.
- b. Residents of MORROW HALL should meet in the Falcon Center Quad area.
- c. Residents of PENCE HALL should proceed to the parking lot area nearest the Feaster Center.
- d. Residents of PRICHARD HALL should evacuate to the Falcon Center side walk area
- e. Residents of UNIVERSITY TERRACE should evacuate to the side parking area toward the Folklife Center.

5. Follow the directions provided by the Residence Life Staff.

- Residents not in their rooms when the alarm sounds should leave by the nearest exit.
- Only upon approval from the Public Safety Official, Residence Life Staff, or authorized personnel, you may re-enter the building.
- Failure to vacate the residence halls during a fire drill may result in disciplinary action, such as dismissal from the residence hall or a disciplinary sanction.
- The unauthorized pulling or activation of a fire alarm may result in automatic suspension from the residence hall and/or prosecution by local authorities

Procedures Students and Employees Should Follow in Case of a Fire

In these programs, procedures that students and employees should follow in case of a fire are reviewed and include the following:

Student Housing Evacuation Procedures In Case of a Fire

- If you hear the fire alarm immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
- Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- Resident life staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (Example: there is an emergency in the building leave by the nearest exit) and knock on doors as they make their way to the nearest exit and out the building.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- **DO NOT USE ELEVATORS.** Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.

- Each resident should report to their assigned assembly area. Resident life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

Fire Safety Equipment

Tampering with or the misuse of fire safety equipment is prohibited. This includes removing or disabling the smoke detector or fire extinguisher. If the smoke detector or fire extinguisher needs replaced, students should contact the Residence Director or Public Safety. Fire safety equipment includes, but is not limited to fire alarms, smoke detectors, fire extinguishers, and unit door closures. Anyone apprehended for vandalizing or using fire safety equipment for any purpose other than safety will be reported to Public Safety. Fire extinguishers are checked by Public Safety every quarter.

Fire alarms and smoke detectors are inspected and tested annually by the Physical Plant personnel.

Fire Log

A fire log is available for review at the Campus Police Department in Pence Hall, from 8 a.m.–3:30 p.m. Monday through Friday, excluding holidays. The information in the fire log includes information about fires that occur in residential facilities, including the nature, date, time, and general location.

Description of Residence Hall Fire Safety Systems

| Building Name | Alarm System | Digital Communications | Sprinkler System | Standpipe System | Sprinkler Coverage |
|--|---------------------|-------------------------------|-------------------------|-------------------------|---------------------------|
| Pence Hall 700 Falconcrest Lane Fairmont, WV 26554 | Yes | Yes | No | No | No |
| Prichard Hall 300 Falconcrest Lane Fairmont, WV 26554 | Yes | Yes | No | No | No |
| Morrow Hall 100 Falconcrest Lane Fairmont, WV 26554 | Yes | No | No | No | No |
| Bryant Place 1120 Bryant St. Fairmont, WV 26554 | Yes | No | Yes | Yes | Yes |
| University Terrace 20 Squibb Wilson Blvd. Fairmont, WV 26554 | Yes | Yes | Yes | Yes | Yes |

Fire Statistics 2018

| Residential Facilities | Number of Fires | Cause of Each Fire | Number of Injuries Related to Fire | Number of Deaths Related To Each Fire | Value of Property Damage | # Of Drills |
|--|------------------------|---------------------------|---|--|---------------------------------|--------------------|
| Pence Hall 700 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Prichard Hall 300 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Morrow Hall 100 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Bryant Place 1120 Bryant St. Fairmont, WV 26554 | 1 | Unintentional | N/A | N/A | \$100- \$1000 | 1 |
| University Terrace 20Squibb Wilson Blvd. Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |

Fire Statistics 2019

| Residential Facilities | Number of Fires | Cause of Each Fire | Number of Injuries Related to Fire | Number of Deaths Related To Each Fire | Value of Property Damage | # Of Drills |
|--|------------------------|---------------------------|---|--|---------------------------------|--------------------|
| Pence Hall 700 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Prichard Hall 300 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Morrow Hall 100 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Bryant Place 1120 Bryant St. Fairmont, WV 26554 | 1 | Unintentional | 0 | 0 | \$0-\$99 | 1 |
| University Terrace 20Squibb Wilson Blvd. Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |

Fire Statistics 2020

| Residential Facilities | Number of Fires | Cause of Each Fire | Number of Injuries Related to Fire | Number of Deaths Related To Each Fire | Value of Property Damage | # Of Drills |
|---|------------------------|---------------------------|---|--|---------------------------------|--------------------|
| Pence Hall 700 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Prichard Hall 300 Flaconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Morrow Hall 100 Falconcrest Lane Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |
| Bryant Place 1120 Bryant St. Fairmont, WV 26554 | 0 | N/A | 0 | 0 | N/A | 1 |
| University Terrace 20 Squibb Wilson Blvd. Fairmont, WV 26554 | 0 | N/A | N/A | N/A | N/A | 1 |

Reporting Fires

Per federal law, Fairmont State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911. Once the emergency has passed, you should notify Campus Police at (304) 367-4157 to investigate and document the incident for disclosure in the University's annual fire statistics.

If a member of the Fairmont State University community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Police has already responded, the community member should immediately notify Campus Police at (304) 367-4157 to investigate and document the incident for disclosure in the University's annual fire statistics.

Plans for Improvement to Fire Safety

Fairmont State University is continuing the project of updating the fiber system and network cards on the main campus. The new fire system sends information immediately and directly to a True Site computer that is located in the Campus Police Department.

Primary Crimes for years 2018, 2019, 2020

| Criminal Offenses or Primary Crimes (Crimes Reported by Hierarchy) | Calendar Year | On- Campus | Residential Halls | Non- Campus | Public Property |
|---|--------------------------|-----------------------|------------------------------|------------------------|----------------------------|
| Murder & Non-Negligent Manslaughter | 2020 | 0 | 0 | 0 | 1 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| Rape | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 3 | 3 | 0 | 0 |
| | 2018 | 10 | 10 | 0 | 0 |
| Fondling | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 4 | 3 | 0 | 0 |
| | 2018 | 3 | 1 | 0 | 0 |
| Incest | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| Robbery | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 1 | 1 | 0 | 0 |
| | 2018 | 1 | 0 | 0 | 0 |
| Burglary | 2020 | 2 | 2 | 0 | 0 |
| | 2019 | 5 | 3 | 0 | 0 |
| | 2018 | 9 | 3 | 0 | 0 |
| Motor Vehicle Theft | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 6 | 0 | 0 | 0 |
| Arson | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |

Violence Against Womens Act & Arrest/Referrals 2018, 2019, 2020

| VAWA Offenses and Arrests & Referrals for Disciplinary Action for Weapons, Drug and Liquor Law Violations | Calendar Year | On-Campus | Residential Halls | Non-Campus | Public Property |
|--|----------------------|------------------|--------------------------|-------------------|------------------------|
| Domestic Violence | 2020 | 1 | 1 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 5 | 4 | 0 | 0 |
| Dating Violence* | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| Stalking | 2020 | 3 | 3 | 0 | 0 |
| | 2019 | 18 | 14 | 0 | 0 |
| | 2018 | 17 | 13 | 0 | 0 |
| Liquor Law Arrests | 2020 | 1 | 1 | 0 | 1 |
| | 2019 | 4 | 2 | 0 | 1 |
| | 2018 | 1 | 1 | 0 | 0 |
| Drug Law Arrests | 2020 | 1 | 1 | 0 | 2 |
| | 2019 | 8 | 3 | 0 | 0 |
| | 2018 | 2 | 0 | 0 | 0 |
| Weapons Law Arrests | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 1 | 1 | 0 | 0 |
| | 2018 | 1 | 0 | 0 | 0 |
| Liquor Law Referrals for Disciplinary Action | 2020 | 29 | 29 | 0 | 0 |
| | 2019 | 40 | 36 | 0 | 0 |
| | 2018 | 34 | 34 | 0 | 0 |
| Drug Law Referrals Disciplinary Action | 2020 | 13 | 13 | 0 | 0 |
| | 2019 | 18 | 8 | 0 | 3 |
| | 2018 | 18 | 16 | 0 | 0 |
| Weapon Law Referrals Disciplinary Action | 2020 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 1 | 0 | 0 | 0 |

*West Virginia Code does not have a specific statute for Dating Violence, therefore, the statistics used will be located under Domestic Violence.

Hate Crime Statistics

2018: Zero (0) Hate Crimes, as defined by applicable federal law, were reported.

2019: Zero (0) Hate Crimes, as defined by applicable federal law, were reported.

2020: Zero (0) Hate Crimes, as defined by applicable federal law, were reported.

Unfounded Crimes

2018: There were Zero (0) Unfounded Crimes for this Calendar year.

2019: There were Zero (0) Unfounded Crimes for this Calendar year.

2020: There were Zero (0) Unfounded Crimes for this Calendar year.