

Washington and Lee University

2013 Safety ("Clery Act") Report (as modified June 2014)

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Introduction

This information is presented in accordance with the required reporting under the Student Right-to-Know and Campus Security Act of 1990, as amended, including specifically the Campus Sexual Violence Elimination Act (a 2013 amendment to the Campus Security Act), and the Violence Against Women Reauthorization Act, as amended, the applicable Higher Education Amendments, including the Higher Education Reauthorization Act of 1998, as amended, as well as the Equity in Athletics Disclosure Act, as amended.

Graduation Rates

Washington and Lee University awards the Bachelor of Arts and Bachelor of Science degrees, normally completed in four years. Statistical information on student retention may be obtained from the Office of Institutional Effectiveness in Early-Fielding. W&L offers no athletically-related aid. The six-year completion rate for our cohort of 461 full-time students who entered Washington and Lee University in Fall 2007 is 90%.

Equity in Athletics Disclosure Act Report

In accordance with the requirements of the Equity in Athletics Disclosure Act, Washington and Lee University prepares an annual report on its intercollegiate men's and women's athletic program participation rates and financial support data. The report is on file with and may be obtained by any student, prospective student, or member of the public from the Office of the Athletic Director, the Admissions Office, and the Public Affairs Office.

Crime Awareness and Campus Public Safety Report

This information is presented in accordance with the required reporting under the Student Right-to-Know Act, the Clery Act ("The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act," formerly the Campus Security Act of 1990), as amended, and the applicable Higher Education Amendments, including the Higher Education Reauthorization Act of 1998, as amended.

Washington and Lee University is a private liberal arts institution, comprising a community of nearly 3,000 people (approximately 1,750 undergraduates, 400 law students, and 815 faculty and staff) within the borders of a 325-acre campus. Approximately 1,080 students and 35 faculty and staff members live in university-owned housing. While the Washington and Lee campus and the City of Lexington are relatively safe places, both communities are not immune from incidents of crime.

Public Safety Department

Washington and Lee University Public Safety is staffed by 14 full-time Public Safety officers who have a combined 200 years of security and professional law enforcement experience. Public Safety officers, while responsible for the enforcement of rules and regulations prescribed by the University are not empowered with arrest authority. These officers protect and serve the community 24 hours daily. Public Safety officers present an open and helping attitude that creates a trusting relationship with students and other members of the community. Public Safety personnel are always available to answer questions and deal with the problems young people encounter during their careers at Washington and Lee. The relationship with the Lexington Police Department, Rockbridge County Sheriff's Office, and Virginia State Police is excellent and the departments hold regular meetings to discuss common problems.

Members of Public Safety patrol the campus grounds 24 hours daily and provide various support services for members of the community. Escorts are provided to more distant parking areas, resident halls are patrolled with extra emphasis on major weekends, and the officers maintain a high degree of visibility. A card access system for the exterior doors of the first-year residence halls was installed in 1995, and the system was expanded to the upper-division residence halls in 1996. There are currently 23 emergency phones located at various places on campus to allow contact with public safety personnel at all times.

Individuals are encouraged to report all criminal activity to Public Safety. Public Safety can assist students or employees in reporting criminal activity to appropriate law enforcement authorities, including the Lexington Police, Rockbridge County Sheriff's Office, or Virginia State Police. A Crime

Log is maintained in the Public Safety Office and can be reviewed by contacting the Director of Public Safety during normal business hours.

Public Safety will provide Campus-Wide Alerts to the University community in cases of crimes and other emergency situations that occur in or near the W&L campus, are reported to either Public Safety or local law enforcement, and are considered to represent a serious and continuing threat to students, faculty and staff members or their property. These notices will be posted at various locations on campus and will be sent by campus wide e-mail. Public Safety also meets regularly with members of the student newspaper staffs to discuss and release timely information concerning safety and security.

In accordance with the Campus Sex Crimes Prevention Act, law enforcement agency information concerning registered sex offenders may be obtained from the Virginia State Police on-line at <http://sex-offender.vsp.virginia.gov/sor/>.

Reporting Crimes

Individuals who become victims of crime are encouraged to immediately report to Public Safety at 458-8999. Public Safety officers are on call 24 hours per day, seven days per week. During the academic year, in addition to the 24-hour coverage, the Public Safety Office, in the John W. Elrod University Commons, is staffed from 4:00 p.m. until 8:00 a.m. daily, and 24 hours daily on weekends. Any Public Safety Officer will take a report of crime. The Director of Public Safety or the Associate Director of Public Safety can also be reached for this purpose by calling 458-8400. The Public Safety Department will investigate any criminal activity reported. Reports may also be made to the Lexington Police Department by calling 911 or (540) 462-3705, the Rockbridge County Sheriff's Office by calling (540) 463-7328, or the Virginia State Police by calling (804) 674-2000.

Students and employees who do not wish to contact Public Safety are encouraged to report criminal offenses to any of the following University administrators: Vice President for Student Affairs and Dean of Students, Dean of Student Life, Assistant Dean for the First-Year Experience, Director of Residence and Greek Life, Director or Assistant Director of Student Activities, Director of Athletics, Assistant Dean for Student Affairs at the School of Law, Assistant Dean for Clinic and Externship Administration and Professor of Practice at the School of Law, International Student Advisor, and Executive Director of Human Resources. Criminal offenses reported to the Public Safety Department or to one of the designated administrators will be investigated and those that fall into one of the required reporting classifications will be disclosed as a statistic in the University's annual compliance information.

If you are a victim of a crime and do not want to pursue action within the University conduct system or the criminal justice system, you may still want to consider making a confidential report. Confidential reports of crimes that will not reveal your identity may be made by using the anonymous crime reporting form at go.wlu.edu/reportcrime. Reports filed in this manner will be counted in the annual crime statistics information, but will only be further investigated if the information provided leads Public Safety to believe that someone may be in imminent danger and where the information provided is sufficient to allow for follow up investigation.

Alcohol/Controlled Substances

Students at Washington and Lee University are considered adults. Students and employees are expected to abide by the laws of the Commonwealth of Virginia and federal statutes, as well as University policies, concerning possession and use of alcohol, illegal drugs and other unlawful controlled substances.

Sexual Misconduct

Washington and Lee University prohibits sexual misconduct and related relationship violence offenses constituting crimes under Virginia and/or federal law, specifically including sexual assault, domestic violence, dating violence, and stalking, as well as sexual misconduct prohibited under the University's policy on Prohibited Discrimination, Harassment, Sexual Misconduct and Retaliation (go.wlu.edu/OGC/DiscriminationPolicy) A detailed summary of sexual assault, domestic and dating violence, stalking, and related federal and Virginia laws is set out at the end of this section. For purposes of this section, "sexual misconduct" includes all such misconduct and criminal offenses outlined in the prior sentence.

Washington and Lee University encourages all students and employees to immediately report incidents of sexual misconduct. Designated Student Affairs professionals, clinicians in the Student Health and Counseling Center, Discrimination Policy Advisers (DPAs), and the Title IX Coordinator and Assistant Title IX Coordinator(s) are available as resources for support and to understand policies and procedures related to complaints of sexual misconduct. Designated Public Safety officers and other university investigators, as well as the Sexual Assault Investigator of the Rockbridge County Sheriff's Office, are specially trained to respond to sexual misconduct complaints. **SPECIFIC CONTACT INFORMATION FOR ALL THE ABOVE UNIVERSITY AND LOCAL LAW ENFORCEMENT RESOURCES, AS WELL AS HEALTH CARE RESOURCES, IS AVAILABLE IN THE RESOURCES GUIDE AT: go.wlu.edu/OGC/ResourcesContactInfo, which is reproduced in its entirety within this section.**

If you are raped or sexually assaulted, or are the victim of any other domestic/dating violence or stalking, please follow these steps (as applicable):

1. Get to a safe place as soon as you can.
2. Try to preserve all physical evidence. Don't wash or change clothes if you can avoid it. If you do change clothes, put all of the clothing that you were wearing at the time of the attack in a paper, (not plastic) bag.
3. Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may wish to later take legal action.

Note: You do not have to answer any questions from the police, or otherwise cooperate in any criminal investigation, as a condition for receiving a forensic medical exam. In addition, the cost of this exam is borne by the state.

4. Contact Public Safety (540-458-8999).

5. Contact someone you trust to be with you and support you.
6. Talk with a counselor who will maintain confidentiality, help explain your options, provide information and emotional support. Counseling for victims of sexual misconduct is available through the University Counseling Services (458-8590) [students only] or through Project Horizon in Lexington (24-hour crisis line is 540-463-2594) [students and employees].
7. Consider notifying local law enforcement. At your request, University Public Safety will assist you through the process and help you access the appropriate law enforcement agency. It is your choice whether to report to law enforcement and whether to pursue criminal charges. Even if you decide not to pursue criminal charges, you may seek a protective order. Victims of criminal offenses involving violence, force or threat that result in bodily injury or create reasonable fear of death, sexual assault, or bodily injury may obtain a protective order prohibiting contact and other conditions necessary to prevent further such acts. Law enforcement contact information:
go.wlu.edu/OGC/ResourcesContactInfo, reproduced in its entirety below.

GET HELP NOW: go.wlu.edu/get-help-now

HEALTH AND SAFETY RESOURCE PAGE: <http://www.wlu.edu/student-life/health-and-safety>

**RESOURCES CONTACT INFORMATION FOR
 UNIVERSITY POLICY ON PROHIBITED DISCRIMINATION, HARASSMENT,
 SEXUAL MISCONDUCT AND RETALIATION
 2013-2014**

STUDENT AFFAIRS STAFF AND OTHER STUDENT ADVISERS: *for information concerning procedures and dispute resolution options for complaints by or against students*

Sidney Evans <i>Asst. Title IX Coordinator* (until July 1, 2014)</i>	Vice-President for Student Affairs and Dean of Students	Elrod Commons 242 458-8754	sevans@wlu.edu
Tammy Futrell	Associate Dean of Students	Elrod Commons 243 458-8766	tfutrell@wlu.edu
Dave Leonard	Dean of Student Life	Elrod Commons 244 458-8752	dleonard@wlu.edu
Jason Rodocker	Assistant Dean for 1 st Year Experience	Elrod Commons 245 458-8753	jrodocker@wlu.edu
Amy Perkins	Director of Residence and Greek Life	Elrod Commons 233 458-4070	aperkins@wlu.edu
Megan Schneider	Associate Director of Leadership and Residential Learning Initiatives	Elrod Commons 232 458-4408	mschneider@wlu.edu
Kelsey Goodwin	Assistant Director of Student Activities	Elrod Commons 249 458-5000	kgoodwin@wlu.edu

James Dick	Director of Student Activities and Outdoor Education	Elrod Commons 115 458-4066	jdick@wlu.edu
Lynn Fitch	Manager of Student Affairs Operations	Elrod Commons 246 458-4054	fitchl@wlu.edu
Brett Twitty	Assistant Law Dean for Student Affairs	Sydney Lewis Hall 528 458-8528	twittys@wlu.edu
Lauren Kozak* (assumes position of Title IX Coordinator as of July 1, 2014)	Assistant Director, Career Planning and Professional Development	Sydney Lewis Hall/Powell Suite 458-8536	kozakl@wlu.edu
Amy Richwine	Associate Director for International Education	Center for International Education 458-8144	arichwine@wlu.edu

DISCRIMINATION POLICY ADVISERS: *for information concerning procedures and dispute resolution options for complaints against faculty, staff or other non-students*

Julie Campbell DPA COORDINATOR	Associate Director of Communications & Public Affairs	7 Courthouse Square 202 458-8956	jcampbell@wlu.edu
Marquita Dunn	General Services II, Dining	Elrod University Commons 458-8158	mdunn@wlu.edu
Terry Evans	Law Recruitment Advisor	Sydney Lewis Hall 490 458-8655	evanst@wlu.edu
Mark Fontenot	Fire Safety Systems Inspector/Electrician	Heating/Cooling Plant 458-8968	mfonteno@wlu.edu
Brian Murchison (Fall 2013 term only)	Charles S. Rowe Professor of Law	Sydney Lewis Hall 431 458-8511	murchisonb@wlu.edu
Karla Murdock (on sabbatical 2013-2014)	Professor of Psychology	Parmly Hall 212 458-8248	murdockk@wlu.edu
Elizabeth Oliver	Lewis Whitaker Adams Professor of Accounting	Huntley Hall 211 458-8637	olivere@wlu.edu
Wendy Orrison	Associate Professor of PE/Coach	Doremus/Warner Center 517 458-8675	orrisonw@wlu.edu
Sandy Reiter (on sabbatical 2013-2014)	Associate Professor of Business Administration	Holekamp Hall 308 458-8223	reiters@wlu.edu
Joan (Shaun) Shaughnessy (on sabbatical Fall 2013)	Roger D. Groot Professor of Law	Sydney Lewis Hall 488 458-8512	shaughnessyj@wlu.edu
Larry Stuart	Sr. Sergeant, Public Safety	Elrod Univ. Commons 212 458-4950	lstuart@wlu.edu
Jim Warren (on sabbatical 2013-2014)	S. Blount Mason Jr. Professor of English	Payne Hall 214 458-8761	warrenj@wlu.edu
John Watkins	Assistant Director, Client Services, ITS	Parmly Hall P312 458-8975	jwatkins@wlu.edu
Debbie Weinerth	Assistant Director, Maintenance & Operations, Facilities Management Custodial	Mod Hall B 458-8982	dweinerth@wlu.edu

INVESTIGATION/ REVIEW OFFICERS: *handle formal complaints against non-students*

Daniel A. Wubah CO-CHAIR	Provost <i>Title IX Coordinator*(until July 1, 2014)</i>	Washington Hall 214 458-8418	dwubah@wlu.edu
Steve McAllister CO-CHAIR	Vice-President for Finance/Treasurer	Two South Main 303 458-8942	smcallis@wlu.edu
Amy Diamond Barnes <i>Asst. Title IX. Coordinator</i>	Executive Director of Human Resources	Early-Fielding 458-8920	abarnes@wlu.edu
Samuel W. Calhoun (Sam)	Associate Dean for Academic Affairs, Professor of Law School of Law	Sydney Lewis Hall 4011 458-8527	calhouns@wlu.edu
Nora Demleitner	Dean of the School of Law, Professor of Law	Sydney Lewis Hall 506 458-8502	demleitner@wlu.edu
Sidney S. Evans <i>Asst. Title IX Coordinator*(until July 1, 2014)</i>	Vice President for Student Affairs and Dean of Students	Elrod Commons 242 458-8754	sevans@wlu.edu
Marcia France	Associate Dean of the College and Professor of Chemistry	Lee-Jackson House 458-8746	francem@wlu.edu
Jan Hathorn	Director of Athletics	Doremus/Warner Ctr 430 458-8671	hathornj@wlu.edu
John Hoogakker	Executive Director of University Facilities	Two South Main 109 458-8446	jhoogakker@wlu.edu
Suzanne Keen	Dean of the College, Thomas H. Broadus Professor of English	Lee-Jackson House 458-8746	keens@wlu.edu
Larry Peppers	Crawford Family Dean of the Williams School, Prof. Economics	Huntley Hall 203A 458-8602	peppersl@wlu.edu
Wendy Price	Associate Dean of the College	Lee-Jackson House 458-8746	wprice@wlu.edu
David Saacke	Chief Technology Officer	Tucker Hall 210 458-8848	dsaacke@wlu.edu
Robert Straughan	Associate Dean of the Williams School and Professor	Holekamp Hall 120 458-8609	straughanr@wlu.edu
Stephen (Brett) Twitty	Assistant Dean for Student Affairs (Law)	Sydney Lewis Hall 518 458-8528	twittys@wlu.edu

STUDENT-FACULTY HEARING BOARD (“SFHB”): *handles University judicial complaints against students*

Chair is Shana Levine, Associate Director of Athletics for Compliance458-8687
levines@wlu.edu

HONOR ADVOCATES: *trained support resources for SFHB proceedings*

Stephanie Bollheimer, Head Honor Advocate

bollheimer.s@law.wlu.edu

Kara Redding, Assistant Law Head

redding.k@law.wlu.edu

Grace Lee, Assistant Undergraduate Head

leeg15@mail.wlu.edu

OTHER CAMPUS RESOURCES:

Human Resources Office	8920
Employee Assistance Program (confidential counseling)..... (www.guidanceresources.com)	1-800-311-4327
Ethan Kipnes, Director of Public Safety	8427
ekipnes@wlu.edu	
Steve Tomlinson, Associate Director of Public Safety	8937
stomlins@wlu.edu	
Student Health Center	8401
University Counseling	8590
Leanne Shank, General Counsel	8941, 8940
Jennifer Kirkland, Associate General Counsel.....	8929

LEXINGTON/ROCKBRIDGE/AUGUSTA COUNTY:

Emergency	911
Lexington Police	463-9177
Rockbridge County Sheriff	463-7328
Augusta Health : 78 Medical Center Drive, Fishersville, VA, (540) 332-4423	
This is the closest hospital if a sexual assault evidence collection exam is desired. Public Safety can assist with transportation. Coordinate through the Student Health Center.	
Stonewall Jackson Hospital	458-3300
Project Horizon (Domestic Violence and Sexual Assault)	463-2594
Rockbridge Mental Health Clinic	463-3141

There are University conduct procedures available to all students and employees reporting instances of sexual misconduct, as specified in the documents linked below, which are incorporated into this report. These procedures are designed to provide prompt, fair, and impartial investigation and resolution processes and will be conducted by individuals who have received training on the issues related to sexual misconduct cases (including domestic violence, dating violence, sexual assault, and stalking). The procedures also address interim measures that can include, but not be limited to, changes in academic and living situations and no-contact directives. Students who are involved in alleged sexual misconduct complaints may request special assistance from the office of the Dean of the College or the Assistant Dean for Student Affairs at the School of Law for academic options or the office of the Vice President for Student Affairs and Dean of Students for housing options or other assistance.

The sexual misconduct procedures outline the steps for conducting investigations, charges, hearings, and notification of both the complainant and the respondent throughout the process, as well as the range of potential sanctions for sexual misconduct. . The respondent and the

complainant involved in alleged student sexual misconduct cases are entitled to be accompanied to disciplinary proceedings by an honor advocate or other advisor specified under the above-referenced procedures. The student respondent and the complainant are also entitled to prompt notification of the outcome of these proceedings as specified in the procedures, including contemporaneous written notice of the decision, the appeal process, any change to the decision, and when the decision becomes final.

The University may impose sanctions ranging from a warning to dismissal from the University for individuals found in violation of the University Policy on Prohibited Discrimination, Harassment, Sexual Misconduct, and Retaliation.

The University has, as of June 9, 2014, issued the following Interim Guidelines on Reporting and Resolution Procedures for Complaints of Discrimination Based on Sex, Sexual Harassment, Sexual Assault, Relationship Violence, and Sex-Based Stalking, designed to inform the campus community on process and resources for such complaints while the University awaits final guidance on recent amendments to the Violence Against Women Act.

Interim Guidelines for Filing a Complaint of Discrimination Based on Sex, Sexual Harassment, Sexual Assault, Relationship Violence, and Stalking

Washington and Lee University prohibits discrimination based on sex, including sexual harassment, sexual assault, relationship violence (to include dating and domestic violence), and stalking, and provides institutional procedures for resolving incidents that come to our attention. Although not intended to be a comprehensive explanation of your options and rights, this information will be useful to you until W&L's policies and procedures are updated.

Sexual discrimination, sexual harassment, sexual assault/violence, and other sex-based misconduct occurring in the university setting involves Title IX of the Higher Education Amendments of 1972. Title IX prohibits discrimination on the basis of sex in education programs or activities and mandates certain responsibilities for W&L.

In complying with Title IX, W&L has designated a number of Student Affairs Staff and other Student Advisers to whom individuals may go for information and dispute-resolution options for complaints against students. In addition, W&L has designated a number of faculty and staff as Discrimination Policy Advisors to whom individuals may go for information and dispute-resolution options for complaints against faculty, staff, or third parties, and as Investigation/Review Officers who address formal complaints against non-students (collectively, "Employee Resources"). W&L also has

Title IX Officers who can help individuals understand their options and W&L's responsibilities in these cases.

The following are resources under Title IX:

- Through June 30, 2014, Daniel A. Wubah, Provost, Title IX Coordinator, (540) 458-8418, dwubah@wlu.edu
- Effective July 1, 2014, Lauren Kozak, Title IX Coordinator, (540) 458-8754 (lkozak@wlu.edu)
- Through June 30, 2014, Sidney S. Evans, Vice President for Student Affairs and Dean of Students, Assistant Title IX Coordinator for Students, (540) 458-8754, sevans@wlu.edu
- Amy D. Barnes, Executive Director of Human Resources, Assistant Title IX Coordinator for Employees, (540) 458-8920, abarnes@wlu.edu
- Student Resources (go.wlu.edu/ResourcesContactInfo)
- Employee Resources – Discrimination Policy Advisors and Investigation/Review Officers (go.wlu.edu/ResourcesContactInfo; <http://www.wlu.edu/discrimination-policy-advisors>)

W&L is committed to maintaining a positive learning, working, and living environment. When sexual discrimination, sexual harassment, sexual assault/violence, or other sex-based misconduct has occurred and is brought to the attention of the school, W&L will take steps to redress any such misconduct, prevent its reoccurrence, and address its effects. For more information see the University Policy on Prohibited Discrimination, Harassment, Sexual Misconduct and Retaliation (go.wlu.edu/OGC/DiscriminationPolicy).

Within W&L's processes, the person making the allegations is referred to as the *Complainant*, and the person against whom the allegations have been made is referred to as the *Respondent*. A complainant may report directly to a Student Resource, Employee Resource, or Title IX Officer. A complainant may also report directly to law enforcement. If the incident happened on campus, you may also contact the W&L Public Safety Department and/or the Lexington Police Department. If the incident occurred off campus, you may contact the Lexington Police Department or Rockbridge County Sheriff's Department (see contact information near the end of these guidelines).

University personnel, including Student Resources, Employee Resources, Title IX Officers, and the Director of Public Safety, can assist complainants in making reports to law enforcement and in seeking orders of protection through the courts. In some cases, there may be time-sensitive considerations for reporting, such as the option to have medical or other evidence collected and preserved. There is no time limit on reporting. A student can bring a report, no matter how much time has passed since the incident, and W&L will assist in resolution. However, a delay in reporting could impact the ability to gather relevant evidence. A complainant may pursue both the W&L process and the criminal process simultaneously. In addition, students may file a Title IX complaint with the Office of Civil Rights of the U.S. Department of Education.

The University has authority to address these complaints in a non-criminal context. The W&L process is completely separate from the police and the courts. Within W&L, the identity of the respondent determines which office will oversee the complaint. When the respondent is a W&L student at the time of the incident, the Assistant Title IX Coordinator for Students, or, after July 1, 2014, the Title IX Coordinator, will oversee the investigation and resolution of those cases whether they occur on or off campus. For cases where the respondent is a W&L employee, the Assistant Title IX Coordinator for Employees will oversee investigation and resolution of those cases. When the respondent is both a W&L student and a W&L employee, the two offices may work together to resolve the case. Individuals who are uncertain about which office to contact may call either office. When the respondent is neither a student nor an employee, W&L can still assist with counseling and other support services. Additionally, W&L will investigate and attempt to reach a resolution where possible in such cases.

When a case is brought forward, the allegations will be reviewed and a determination will be made about an appropriate course of action. Some cases can be handled informally and outside of the formal investigative process, although W&L will not mediate cases of sexual assault or sexual/relationship violence even on a voluntary basis. For cases that result in an investigation, those investigations are conducted by individuals who have received specialized training. Typically, investigations will include interviews with the complainant and respondent, interviews with relevant witnesses, and the identification, solicitation, and review of any documentation relevant to the investigation, including available police reports. All investigations will be conducted in a prompt, thorough, and impartial manner.

Procedures for Complaints Against Students can be found online here:
go.wlu.edu/OGC/ComplaintsAgainstStudents.

- And See Student Handbook at [Student-Faculty Hearing Board](#).

Procedures for Complaints Against Faculty, Staff and Other Non-Students can be found online here: go.wlu.edu/complaints_nonstudents.

When W&L becomes aware of sexual assault or sexual/relationship violence, the University may have an obligation to proceed with an investigation, regardless of a complainant's wishes, in order to ensure campus safety. Complainants are not required to participate if they so choose; however, this may limit the University's ability to respond to the incident. If a complainant requests that his/her name or other identifying information not be used in an investigation, such a request will be considered while taking into account the University's responsibility to provide a safe and nondiscriminatory environment. When the University proceeds with a complaint, information (including names) may be shared with the respondent, witnesses, and University officials who have a legitimate need to know. Beyond that, every effort will be made to protect the identities of all individuals involved.

In W&L's process for complaints against students, the complainant and the respondent each have the option to seek support and assistance from an Honor Advocate or Advisor during the course of any disciplinary proceeding. The Advisor may be an attorney in cases of alleged sexual assault, dating or domestic violence, or stalking. Neither the Honor Advocates nor Advisors may be actively involved in any hearing. Moreover, they may not verbally question the other party or witnesses. The Student-Faculty Hearing Board ("SFHB") is the hearing panel that adjudicates cases against students. The SFHB Board Chair may accept written questions from the Honor Advocates/Advisors for consideration by the panel. Both a complainant and a respondent have the right to identify witnesses and provide other information relevant to the investigation. All cases will be decided based on a *preponderance of the evidence* standard— i.e., whether or not it is more likely than not that the conduct occurred. In most cases, W&L will not wait until a criminal case is resolved before proceeding with the case. W&L's fact-finding investigation may be delayed for a short period of time upon a request from law enforcement, but will be resumed as soon as possible. Every effort will be made to resolve these complaints within 60 days of the report. W&L will

keep the parties advised about the status of the case. The complainant and respondent will simultaneously be sent notice of the outcome of the case in writing.

Any student found responsible for violating the provision on nonconsensual sexual intercourse will receive a sanction of dismissal. Any student found responsible for violating the provision on nonconsensual sexual contact, sexual harassment, or any other sex-based misconduct will receive a sanction ranging from a warning to mandated education/counseling to probation and ultimately to dismissal, depending on the severity of the incident and taking into account factors such as any previous conduct violations. Any employee found responsible for violating the provision on nonconsensual sexual contact, sexual harassment, or any other sex-based misconduct will receive a sanction up to and including termination, depending upon the severity of the incident and taking into account factors such as any previous conduct violations. W&L reserves the right to broaden or reduce any range or recommended sanctions in the event of mitigating factors or egregiously offensive behavior involving students and employees.

Because the University's primary concern is student safety, no students involved in an investigation are subject to sanction for being in violation of University policy on consumption of alcohol or other drugs, when consumption is personal and without intent to distribute. The complainant's use of alcohol or other drugs does not make the complainant at fault for being subjected to sexual assault or sexual/relationship violence.

W&L will take interim steps to protect a complainant while the case is pending. Depending on the case and complainant's wishes, such protective measures may include changes to academic, living, transportation, and working situation if such accommodations are reasonably available. In addition, these steps may include directing a respondent to avoid contact with a complainant, excluding a respondent from parts of campus, and/or providing a complainant with an escort on campus. Any such adjustments will be designed to minimize any impact on the complainant's and the respondent's educational program. Some of these actions may also be remedies in those cases resulting in a finding of a policy violation. If a complainant chooses not to bring a complaint forward, the relevant Title IX Officer (or delegate) can still assist with interim measures and accommodations.

W&L policy prohibits retaliation against any employee or student who reports an incident of alleged sexual harassment or sexual/relationship violence, or any employee or student who assists or participates in a proceeding, investigation, or hearing relating to those allegations. Both respondent and complainant are informed of this provision, and any retaliation should be reported immediately to the appropriate Student Resource, Employee Resource, Title IX Officer, or Director of Public Safety.

As required by federal guidance, W&L has identified certain groups of employees as Responsible Employees for purposes of complaints of sexual violence or other sexual misconduct. These employees are the same as those identified as Campus Security Authorities in the University's Campus Security Report. As indicated below, certain of these employees have the authority to redress complaints of sexual violence or sexual misconduct. The others identified have a specifically designated duty to report incidents of sexual violence or other student sexual misconduct or are individuals who students could reasonably believe have the authority to redress or duty to report on campus. Responsible Employees must refer reports of misconduct under these policies and guidelines to a Title IX Officer, and information brought to their attention is not confidential. All of the following Responsible Employees are trained on how to identify sexual misconduct and on their duties (whether to redress or report):

The following Responsible Employees have the authority to redress complaints of sexual violence or sexual misconduct:

- Title IX Coordinator and Assistant Title IX Coordinator(s)
- Student Resources defined herein
- Employee Resources defined herein
- Director and Officers of Public Safety

The following additional Responsible Employees are specifically charged with the duty to report complaints of sexual violence or student sexual misconduct to a Title IX Officer (Note: These positions are also identified as Responsible Employees because students may reasonably believe them to have authority to redress or duty to report such complaints):

- Resident Assistants/Advisors
- Shepherd Program — Coordinator for Student Service Leadership and Research and Co-Curricular Service Coordinator

- Hillel House Director
- Assistant Director of Campus Recreation
- Athletic Team Coaches, Assistant Coaches, and Athletic Trainers
- Athletic Director, Associate and Assistant Athletic Directors
- Faculty Department Chairs and Program Chairs
- Faculty accompanying students on off-campus field trips or other University-related trips, within and outside the United States

W&L has confidential counseling and treatment resources available for students at the University's Student Health and Counseling Center and confidential resources for employees through the Employee Assistance Program (EAP). We encourage students to contact the Student Health and Counseling Center and employees to contact the EAP to help process resolution options. They can offer counseling and assistance in a supportive and confidential setting.

All W&L employees, even those who are not specifically identified as Responsible Employees, including faculty, staff, and administrators, are expected to report incidents of sexual violence and other sexual misconduct of which they are aware to the Title IX Coordinator, Assistant Title IX Coordinator, Student Resource, or Employee Resource identified herein. No W&L employee may promise absolute confidentiality of any sexual violence or other sexual misconduct incident brought to his or her attention.

On-campus resources include:

For Students:

- University Counseling Center
Provides confidential counseling services
(540) 458-8590
- Student Health Center
(540) 458-8401
- Office of Student Affairs
Elrod Commons
(540) 458-8754
- Dean of Students Office – A dean is on call 24 hours a day, 7 days a week through the academic year — contact Public Safety at (540) 458-8999

For Employees:

- **Employee Assistance Program**

Provides confidential telephone consultation or face-to-face meeting with a master's level consultant; also provides educational materials through an online library of downloadable materials and interactive tools. (800) 992-1931

- **Office of Human Resources**

Early-Fielding Building
(540) 458-8920

For Students and Employees: Director of Public Safety, Ethan Kipnes

(540) 458-8427; (540) 458-8999

Off-campus resources include:

- **Emergency Response:**

911

- **Lexington Police Dept:**

(540) 462-3705

11 Fuller Street

Lexington, VA 24450

- **Rockbridge County Sheriff's Office:**

(540) 463-7328

258 Greenhouse Road

Lexington, VA 24450

- **Carilion Stonewall Jackson Hospital:**

(540) 458-3300

- **Augusta Health:**

(540) 332-4423

(This is the closest hospital if an exam to collect evidence of sexual assault is desired. Project Horizon or Public Safety can assist with transportation. Coordinate through the Student Health Center.)

78 Medical Center Drive

Fishersville, VA 22939

- **Project Horizon:**

(540) 463-2594

(Domestic Violence and Sexual Assault)

24 hours a day/7 days a week

For a thorough explanation of W&L processes, please see the websites noted above or contact a Student Resource, an Employee Resource, or one of the Title IX Coordinators.
See: [Title IX at Washington and Lee University](#)

Sexual Assault Laws and Related Laws in Virginia: 2013

The following is a paraphrase. For detailed information see the VA. Code sections cited.

NOTE: Victims of criminal offenses involving violence, force or threat that result in bodily injury or create reasonable fear of death, sexual assault, or bodily injury may obtain a protective order prohibiting contact and other conditions necessary to prevent further such acts. (19.2-152.8; 19.2-152.7:1) *This includes victims of dating violence, which is not a separate offense under Virginia law.*

Also, NOTE: Under Virginia law, victims of sexual assault are no longer required to cooperate with police or participate in the criminal justice system in order to be provided with forensic medical exams. (19.2-165.1)

1. **Rape** (18.2-61)
 - Vaginal sexual intercourse with a person against her/his will and by force.
 - Penalty: 5 years to life imprisonment
2. **Forcible Sodomy** (18.2-67.1)
 - Oral sex (cunnilingus, fellatio, anilingus) or anal intercourse by force and against the will of the victim.
 - Penalty: 5 years to life imprisonment
3. **Inanimate Object Sexual Penetration** (18.2-67.2)
 - Penetration of the vagina or rectum with any object by force and against the will of the victim.
 - Penalty: 5 years to life imprisonment
4. **Aggravated Sexual Battery** (18.2-67.3)
 - Sexual abuse (fondling) of the victim
 - through the victim's mental incapacity or physical helplessness OR
 - by force, threat or intimidation where either serious bodily harm or mental injury to the victim results or the assailant uses or threatens use of a weapon.
 - Penalty: 1 to 20 years imprisonment and a fine of not more than \$100,000.
5. **Mental Incapacity Definition** (18.2-67.10)
 - "Mental incapacity" means that condition of the complaining witness existing at the time of a criminal sexual offense under Virginia law which prevents that person from understanding the nature or consequences of the sexual act involved and about which the accused knew or should have known.
6. **Physical Helplessness Definition** (18.2-67.10)

- “Physical helplessness” means unconsciousness or any other condition existing at the time of a criminal sexual offense under Virginia law which otherwise rendered the complaining witness physically unable to communicate an unwillingness to act and about which the accused knew or should have known.
7. **Sexual Battery** (18.2-67.4)
- Sexual abuse (fondling) of the victim by force, threat, intimidation or ruse, against the will of the victim.
 - Penalty: 12 months jail and/or up to \$2,500 fine
8. **Attempted Rape and Other Attempted Sexual Offenses #1-5 above** (18.2-67.5)
- Penalty:
 - Attempted Rape/Forcible Sodomy/Object Sexual Penetration = 2 to 10 years imprisonment and a fine of not more than \$100,000.
 - Attempted Aggravated Sexual Battery = 1 to 5 years imprisonment OR 12 months in jail and/or up to \$2,500 fine.
 - Attempted Sexual Battery = same penalty as Sexual Battery.
9. **Incest** (18.2-366)
- Sexual intercourse between two people who are not permitted by law to marry.
 - Penalty: 12 months jail and/or up to \$1,000 fine
10. **Indecent Liberties** (“Statutory Rape”) (18.2-370)
- Sexual intercourse with a person aged 13 or 14, with consent, when the offender is 3 years or more the senior.
 - Penalty: 1 to 5 years’ imprisonment OR 12 months jail and/or up to \$2,500 fine
 - (If the offender is less than 3 years the senior the charge is fornication, a misdemeanor. Any person under the age of 13 has no legal capacity to consent to sexual intercourse; therefore, if a person under the age of 13 has sexual intercourse, the offender could be charged with rape.)
11. **Infected Sexual Battery** (18.2-67.4:1)
- A person infected with HIV, Syphilis, or Hepatitis B having intercourse, cunnilingus, fellatio, or anilingus with another person with the intent to transmit the disease.
 - Penalty: 1 to 5 years’ imprisonment OR 12 months jail and/or up to \$2500 fine.
 - A person infected with HIV, Syphilis, or Hepatitis B having intercourse, cunnilingus, fellatio, or anilingus with another person without disclosing that status, even without intent to transmit the disease.
 - Penalty: 12 months in jail and/or up to \$2,500 fine.
12. **Stalking** (18.2-60.3 and 8.01-42.3)
- Engaging in conduct on more than one occasion directed at another person, when the offender intends to place, or knows or should know that the conduct places, the other person in reasonable fear of death, criminal sexual assault or bodily injury to self or family.
 - Penalty: 12 months jail and/or up to \$2,500 fine, plus an order prohibiting contact between the offender and the victim/victim’s family. Additionally, victim may bring a civil suit for damages, whether or not criminal charges are filed.

13. Obscene Sexual Display (18.2-387.1)

- Intentionally engaging in actual or simulated masturbation in a public place in the presence of other.
- Penalty: 12 months jail and/or up to \$2,500 fine.

14. Harassment by Computer (18.2-152.7:1 and 18.2-152.12)

- Use of a computer with intent to coerce, intimidate, or harass by communicating obscene, vulgar, profane, lewd, lascivious, or indecent language, or making any obscene suggestion, or threatening any illegal or immoral act.
- Penalty: 12 months jail and/or up to \$2,500 fine. Additionally, the victim may bring a civil suit for damages.

15. Use of Profane, Threatening or Indecent Language over Telephone (18.2-427)

- Using obscene, vulgar, profane, lewd, lascivious, or indecent language, or making any obscene suggestion, or threatening any illegal or immoral act over the telephone with the intent to coerce, intimidate, or harass another person.
- Penalty: 12 months jail and/or up to \$2,500 fine.

16. Domestic Violence (18.2-57.2, 18.2-61 et seq., etc.)

- “Family abuse” includes any act of violence, force, or threat resulting in bodily injury or placing one in reasonable apprehension of death, sexual assault, or bodily injury, including forceful detention, stalking, criminal sexual assault, or any other offense meeting those elements, which is committed against a member of the person’s family or household member. Family or household member includes spouse, parents, children, siblings, grandparents, in-laws, step children and stepparents, any individual who has a child in common with the person, and someone with whom the person has lived together and had conjugal relations in the last 12 months.

17. Dating Violence (federal law definition per 42 U.S.C. Section 13925(a)(10))

- “Dating violence” means violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined by the reporting party based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

18. Effective Consent Definition (the following definition is from the W&L Student-Faculty Hearing Board Procedures)

- Mutually understandable words or actions indicating a willingness to engage in mutually agreed-upon sexual activity. In determining whether effective consent has occurred, the following considerations apply:
 - Mutually understandable consent must be obtained by both parties.
 - It is the responsibility of the person initiating physical sexual contact to obtain consent.
 - To be effective, consent must be given freely.
 - Consent obtained through the following means is not effective consent: a) use of fraud, physical force, violence, threat, intimidation or coercion; b) ignoring the objections of another person; c) causing another’s intoxication or impairment through the use of alcohol or other drugs; d) ignoring or taking advantage of

another person's intoxication, incapacity, state of intimidation, helplessness, or other inability to consent.

- Lack of physical or other resistance by a person who is the object of sexual aggression does not constitute consent.
- Consent to sexual activity may be revoked at any time, as long as the revocation is communicated clearly, at which point sexual activity must cease immediately.
- Previous sexual relationships and/or a current relationship with the respondent (or anyone else) are usually irrelevant and, therefore, may not be taken to imply consent.
- A person who is incapacitated as a result of alcohol or other drug consumption (voluntary and/or involuntary), or who is unconscious, asleep or otherwise physically or cognitively helpless, is incapable of giving consent.
- Consent may never be given by a minor (someone under the age of 18 in the Commonwealth of Virginia) to an adult.

Educational Programs

Members of the Student Affairs staff, including the Office of Public Safety, in cooperation with the Office of Health Promotion (<http://www.wlu.edu/student-life/health-and-safety/student-health-and-counseling/office-of-health-promotion>), coordinate student drug and alcohol prevention programs, sexual misconduct awareness/prevention and reporting/resources programs, and general crime prevention programs beginning with first-year orientation and continuing throughout each academic year. There are on-going programs that include lectures, workshops, videos and student surveys.

All new undergraduate and law students, Resident Assistants, peer health educators and counselors, and members of SPEAK and One in Four (campus groups dedicated to prevention of sexual assault through education) are required to complete the Haven online program on sexual assault and relationship violence, which is also offered to all upperclass students. All new students are also required to participate in Bystander Intervention Training. There are also sessions for all new undergraduate and law students on W&L's policies, procedures and resources for sexual assault, domestic / dating violence, and stalking.

There are numerous other educational programs and training efforts to prevent sexual assault, domestic/dating violence and stalking for incoming and continuing students, designed to promote positive and healthy behaviors and relationships and to help students identify and prevent sexual misconduct and sexual violence. Some of these offered during the 2013-2014 academic year include Voices of W&L orientation program with facilitated discussion, Bringing in the Bystander training, Healthy Relationship Programs, Rock Against Rape, Educational/Awareness items distributed to students (t-shirts, cards, lip balm with important phone numbers and safety tips), Take Back the Night Event, Articles in Student Health 101 (online resource), Posters across campus on healthy dating ideas, Activities sponsored by Sexual Health Awareness Group, and Healthy Dating Tips in Stall Street Journals posted in all campus bathrooms,

There are numerous educational resources online on the University website designed to promote positive and healthy behaviors and relationships and to educate the campus community on

reporting and resources for sexual assault, domestic/dating violence, and stalking (some of these can be found in the menu listing at <http://www.wlu.edu/student-life/health-and-safety/student-health-and-counseling/health-library/sexual-misconduct/resolution-options/title-ix-at-wandl>).

Responsibilities of the University Community

Members of the University community must assume responsibility for their own personal safety and the security of their personal property. The following precautions should be used for guidance.

1. Report all suspicious activity to Public Safety immediately.
2. Never take personal safety for granted.
3. Avoid walking alone at night. Contact Public Safety for an escort.
4. Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. Call Public Safety at the first sign of trouble.
5. Carry only small amounts of cash.
6. Never leave valuables (wallets, purses, books, computers, etc.) unattended.
7. Carry your keys with you at all times and don't lend them to anyone.
8. Lock up your bicycles. Lock your car doors and close the windows when leaving your car.
9. Always lock the door to your residence hall room whether you are there or not. Be certain that your door is locked when you go to sleep and keep the windows locked when you are not at home.
10. Never leave valuables in your vehicle, especially if they are easily noticeable.
11. Inventory your personal property and make records of the serial numbers of all items of value.

Crime Statistics

The Campus Security Act requires that institutions collect and report statistics for certain offenses. In addition to collecting information from Public Safety officers and from those administrators specifically designated as alternatives to receive reports of crimes (identified above in the section on "Reporting Crimes,") the Act requires that all other "campus security authorities" report to Public Safety statistical information only (not including any personally identifiable information) on any of those offenses reported to them. "Campus security authorities" are individuals who have significant responsibility for student and campus activities, including but not limited to student housing, student discipline, and campus judicial proceedings. For purposes of collecting statistical information, Public Safety considers that campus security authorities at Washington and Lee

include, but are not limited to, the following positions (in addition to Public Safety officers, and those individuals designated under the heading “Reporting Crimes” in this document):

- Title IX Coordinator and Assistant Title IX Coordinators
- All professional staff in the office of the Vice-President for Student Affairs and Dean of Students
- All Associate and Assistant Deans in the offices of the Dean of the College, Dean of the Williams School, and Dean of the School of Law
- International Student Advisor
- Hillel House Director
- Assistant Director of Campus Recreation
- Shepherd Program – Coordinator for Student Service Leadership and Research and Co-Curricular Service Coordinator
- All resident assistants/advisors for university housing
- Assistant and Associate Directors of Athletics and all coaches, assistant coaches, and athletic trainers
- DPAs (Discrimination Policy Advisers), and IROs (Information Review Officers) under the University’s Policy on Prohibited Discrimination, Harassment, Sexual Misconduct and Retaliation
- All faculty accompanying students on off campus field trips or other university-related trips, within and outside the United States
- Faculty Department and Program Chairs

The statistical data gathered for Washington and Lee University include reported violations for the period January 1–December 31 for 2010, 2011, and 2012. Washington and Lee maintain statistics using the FBI Uniform Crime Reporting System as a guideline. Public Safety also maintains a daily crime log as required by the Clery Act. *Note: Washington and Lee had no reported violations on public property or non-campus property, as defined by the Clery Act and regulations, for any of the three years included in this report.*

2012 Clery Stats

January 1, 2012-December 31, 2012

Crime	On Campus	In Residence Halls
Murder	0	0
Negligent Manslaughter	0	0
Non-Negligent Manslaughter	0	0
Robbery	0	0
Burglary	5	3
Aggravated Assault	1	0
Arson	0	0
Motor Vehicle Theft	0	0
Weapons Violations	0	0
Forcible Sex Offenses	2	2
Non-Forcible Sex Offenses	0	0

Drug Violations	12	10
Hate Crimes	0	0
Fire	0	0
Liquor Law Violations (Public Safety)	4	4
Liquor Law Violations (Res. Life Staff)	42	37
Liquor Law Violations (Police)	66 (Off Campus)	

In 2012, Washington and Lee University Public Safety Officers issued eleven Trespass Warnings to individuals preventing them from entering university owned property. There were sixteen cases of vandalism reported, twelve of which were in residence halls. Public Safety also investigated forty-one cases of theft of property, ten of which were in residence halls.

2011 Clery Stats

January 1, 2011-December 31, 2011

Crime	On Campus	In Residence Halls
Murder	0	0
Negligent Manslaughter	0	0
Non-Negligent Manslaughter	0	0
Robbery	0	0
Burglary	5	5
Aggravated Assault	1	0
Arson	0	0
Motor Vehicle Theft	1	0
Weapons Violations	0	0
Forcible Sex Offenses	2	1
Non-Forcible Sex Offenses	0	0
Drug Violations	30	26
Hate Crimes	0	0
Fire	0	0
Liquor Law Violations (Public Safety)	63	62
Liquor Law Violations (Res. Life Staff)	59	59
Liquor Law Violations (Police)	83(Off Campus)	

In 2011, Washington and Lee University Public Safety Officers issued twenty-two Trespass Warnings to individuals preventing them from entering university owned property. There were seventeen cases of vandalism reported. Public Safety also investigated thirty-seven cases of theft of property, fourteen of which were in residence halls.

2010 Clery Stats

January 1, 2010-December 31, 2010

Crime	On Campus	In Residence Halls
Murder	0	0
Negligent Manslaughter	0	0
Non-Negligent Manslaughter	0	0
Robbery	0	0
Burglary	9	6
Aggravated Assault	0	0
Arson	0	0
Motor Vehicle Theft	1	0
Weapons Violations	0	0
Forcible Sex Offenses	0	0
Non-Forcible Sex Offenses	0	0
Drug Violations	30	26
Hate Crimes	0	0
Fire	0	0
Liquor Law Violations (Public Safety)	29	27
Liquor Law Violations (Res. Life Staff)	62	62
Liquor Law Violations (Police)	65 (Off Campus)	

In 2010, Washington and Lee University Public Safety Officers issued thirteen Trespass Warnings to individuals preventing them from entering university owned property. There were three cases of vandalism reported.

Appendix A

MISSING STUDENT NOTIFICATION POLICY

Approved By: Vice President for Student Affairs and Dean of Students

History:

Issued - June 2009

Revised -

Responsible Office: Public Safety

Related Policies:

Additional References:

Introduction

Policy Statement

This policy is established by Washington and Lee University in compliance with the Higher Education Opportunity Act of 2008.

Applicability

This policy applies to all students at Washington and Lee University.

Definitions

See definitions within body of policy.

Policy

For the purposes of this policy, a student may be considered to be a "*missing person*" if the student's absence from campus is contrary to his or her usual pattern of behavior and W&L has reasonable belief that the unusual circumstances may have caused the absence. Such circumstances may include, but not be limited to: a report or suspicion that the student may be a victim of foul play; the student has expressed suicidal thoughts, may be drug dependent or in a life threatening situation; or if the student is overdue returning to campus and is not heard from after giving a specific return time to friends or family.

If a member of the University Community has reason to believe that a student is missing, whether or not the student resides on campus, that individual should contact the university's Public Safety. Public Safety will collaborate with the Student Affairs staff to make an effort to locate the student and determine his or her state of health and well-being. Public Safety will gather pertinent information about the student from the reporting person. Such information may include description, cellular phone number, clothes last worn, vehicle description, information about the physical and emotional well-being of the student, an up-to-date photograph, etc.

University officials will also endeavor to determine the student's whereabouts through contact with friends, associates, and/or employers of the student, and determine whether the student has been attending classes, scheduled organizational or academic meetings, and work. If the student is an on-campus resident, Public Safety may make a welfare entry into the student's room. If the student resides off-campus, Public Safety will informally enlist the aid of the neighboring police agency having jurisdiction.

If a residential student is reported missing and cannot be located, certain notices will be made as follows:

Parents/Guardians will be notified within 24 hours (after Public Safety receives the initial missing person report) to determine whether they know the whereabouts of the student.

Local law enforcement will be notified within 24 hours after Public Safety determines that the student is missing.

The student's **designated emergency contact** (if any) will be notified once Public Safety or local law enforcement personnel make a determination that the student has been missing for more than 24 hours.

If the student is an off-campus resident, Public Safety will notify the appropriate family members or associates within 24 hours of receiving the initial report. These individuals will then be encouraged to make an official missing-person report to the law enforcement agency with jurisdiction. Public Safety will cooperate, aid, and assist the primary investigate agency as appropriate.

After the student has been located, Public Safety will attempt to verify the student's state of health and intention of returning to the campus. When and where appropriate, a referral may be made to the Counseling Center and/or the Student Health Center.

Designation of Emergency Contact Information

Students will be given an opportunity during the fall-term matriculation process to designate an individual to be contacted by the University if the student is determined to be missing. Returning and transfer students will be given an opportunity to provide this information during the fall term. The designation will remain in effect until changed or revoked by the student. The form provided for designation will state the circumstances in which the designated emergency contact information will be used, and will include a statement that the University is required by law to also notify the student's custodial parent or guardian if the student is under 18 at the time he or she is discovered to be missing. Students are advised that their contact information will be registered confidentially, will be accessible only to authorized W&L officials, and will not be disclosed to any third party except to law enforcement personnel in furtherance of a missing person investigation.

Communications About Missing Students

1. In accordance with established University emergency procedures, the Executive Director of Communications and Public Affairs will be part of the University's administrative response team and is the designated spokesperson to handle media inquiries concerning a missing student.
2. The local law enforcement agency in charge of the investigation and Public Safety will each be consulted by the Executive Director of Communications and Public Affairs prior to any information release from the university so as not to jeopardize any investigation.
3. Information provided to the media to elicit public assistance in the search for the missing person will be handled by the local law enforcement agency.

Revision History

This policy has not yet been revised.

Appendix B

Emergency Management Policy Statement

The following statement is a summary of Washington and Lee University's Emergency Response and Evacuation Procedures. For the full policy, see http://www2.wlu.edu/documents/student_affairs/Emergency%20Management/EmergencyManagementPlan.pdf

Washington and Lee University has in place routines and procedures that will allow the University to respond to any emergency situation in a prompt, organized, and effective manner. During an emergency, the President of the University has the ultimate authority to declare a state of campus emergency, make executive decisions, and activate the Emergency Management Plan. If necessary, the President may also convene the Emergency Management Team (EMT).¹ The EMT advises the President of the overall priorities and strategies, conducts regular review of the Emergency Management Plan, and executes emergency drills on an annual basis.

Upon confirmation of a significant emergency or dangerous situation involving an immediate or impending threat to the health or safety of students or employees occurring on the campus, or in any other situation deemed appropriate by the President or an appropriate surrogate, the President/surrogate will, without delay, and taking into account the safety of the community, determine the content of an emergency notification and will instruct the Executive Director for Communications and Public Affairs to initiate the notification system – unless issuing the notification would compromise efforts to respond to the emergency.

The Executive Director for Communications and Public Affairs is responsible for providing emergency communications to the University constituents via the university's emergency notification system, as well as notifying and sharing information with the general public as appropriate. Emergency communications will be via the University's website, e-mail system, and campus hotline. In the event that electronic communications malfunction, communications will be provided through a system of runners.

The Director of Facilities Management is in charge of conducting damage assessments and conveying that information to the EMT. The Director has temporary emergency authority to evacuate or close an emergency site. Facilities Management and Public Safety Office are in charge of assisting the local police with creating a safety perimeter at the site of the emergency.

¹ The EMT consists of: President; Provost; Vice President for Student Affairs and Dean of Students; Vice President for Finance and Treasurer; General Counsel; Senior Assistant to the President; Director of Public Safety; Executive Director of Communications and Public Affairs; Executive Director of Facilities Management and Capital Planning; Director of Auxiliary Services; Chief Technology Officer; Director of Student Health and Counseling Services, University Physician; Manager of Telecommunications; Director of Environmental Health and Safety; Chair of the Institutional Animal Care and Use Committee; University Veterinarian; Assistant Dean for Law Student Affairs; University Registrar; Dean of Student Life; and Executive Director of Human Resources.

The President/surrogate, with the advice of the EMT, has the sole authority to declare an end to any state of emergency. Follow-up information will be sent to the campus community via the emergency notification system as appropriate.

The EMT will be responsible for regular review of the Emergency Management Plan and for structuring and executing training and tests of the emergency management procedures on an annual basis to affirm their efficacy. These tests may be announced or unannounced, and will include documentation by the Emergency Response Coordinator of a description of the test, the date and time of the test, and whether the test was announced or unannounced. In conjunction with the annual test, the Department of Public Safety will publicize the Emergency Management Plan. Insofar as practicable, these exercises will be coordinated with city and county officials.

Appendix C

Fire Safety Report

2012

Statistics and Related Information Regarding Fires in Residential Facilities						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
DAVIS DORM	0	0	N/A	0	0	N/A
GAINES DORM	0	0	N/A	N/A	N/A	N/A
GILLIAM DORM	0	0	N/A	N/A	N/A	N/A
GRAHAM LEES DORM	0	0	N/A	0	0	N/A
WOODS CREEK EAST APT.	0	0	N/A	N/A	N/A	N/A
WOODS CREEK CENTRAL APT.	0	0	N/A	N/A	N/A	N/A
WOODS CREEK WEST APT.	1	1	Unintentional Grease fire on stove eye	0	0	N/A
Alpha Delta Pi SORORITY	0	0	N/A	N/A	N/A	N/A
CHI OMEGA SORORITY	0	0	N/A	N/A	N/A	N/A
KAPPA ALPHA THETA SORORITY	0	0	N/A	N/A	N/A	N/A
KAPPA DELTA SORORITY	0	0	N/A	N/A	N/A	N/A
KAPPA KAPPA GAMMA SORORITY	0	0	N/A	N/A	N/A	N/A
PI BETA PHI SORORITY	0	0	N/A	N/A	N/A	N/A
BETA THETA PI FRATERNITY	0	0	N/A	N/A	N/A	N/A
CHI PSI FRATERNITY	0	0	N/A	N/A	N/A	N/A
KAPPA ALPHA FRATERNITY	0	0	N/A	N/A	N/A	N/A
LAMBDA CHI ALPHA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PHI DELTA THETA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PHI GAMMA DELTA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PHI KAPPA PSI FRATERNITY	0	0	N/A	N/A	N/A	N/A

PHI KAPPA SIGMA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PI KAPPA ALPHA FRATERNTIY	0	0	N/A	N/A	N/A	N/A
PI KAPPA PHI FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA ALPHA EPSILON FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA CHI FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA NU FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA PHI EPSILON FRATERNITY	0	0	N/A	N/A	N/A	N/A
INTERNATIONAL HOUSE	0	0	N/A	N/A	N/A	N/A
OUTING CLUB HOUSING	0	0	N/A	N/A	N/A	N/A
SPANISH CLUB HOUSING	0	0	N/A	N/A	N/A	N/A
CHAVIS HOUSE	0	0	N/A	N/A	N/A	N/A

Total Number of Fires: 1

Total Number of Persons With Fire-Related Injuries: 0

Total Number of Fire-Related Deaths: 0

Total Value of Property Damage Cause by Fire: \$0

NOTE: Public Safety employees make a report on all responses to fire alarms and any other reports of fires. They then provide a copy of the reports to the Director of Environmental Health and Safety who then completes any investigations necessary and completes the fire report log.

Fire Safety Report

2011

Statistics and Related Information Regarding Fires in Residential Facilities

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
DAVIS DORM	1	1	Unintentional Microwave Fire	0	0	0
GAINES DORM	0	0	N/A	N/A	N/A	N/A
GILLIAM DORM	0	0	N/A	N/A	N/A	N/A
GRAHAM LEES DORM	1	1	Unintentional Toaster Fire	0	0	0
WOODS CREEK EAST APT.	0	0	N/A	N/A	N/A	N/A
WOODS CREEK CENTRAL APT.	0	0	N/A	N/A	N/A	N/A
WOODS CREEK WEST APT.	0	0	N/A	N/A	N/A	N/A
Alpha Delta Pi SORORITY	0	0	N/A	N/A	N/A	N/A
CHI OMEGA SORORITY	0	0	N/A	N/A	N/A	N/A
KAPPA ALPHA THETA SORORITY	0	0	N/A	N/A	N/A	N/A
KAPPA DELTA SORORITY	0	0	N/A	N/A	N/A	N/A
KAPPA KAPPA GAMMA SORORITY	0	0	N/A	N/A	N/A	N/A
PI BETA PHI SORORITY	0	0	N/A	N/A	N/A	N/A
BETA THETA PI FRATERNITY	0	0	N/A	N/A	N/A	N/A
CHI PSI FRATERNITY	0	0	N/A	N/A	N/A	N/A
KAPPA ALPHA FRATERNITY	0	0	N/A	N/A	N/A	N/A
LAMBDA CHI ALPHA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PHI DELTA THETA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PHI GAMMA DELTA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PHI KAPPA PSI FRATERNITY	0	0	N/A	N/A	N/A	N/A
PHI KAPPA SIGMA FRATERNITY	0	0	N/A	N/A	N/A	N/A
PI KAPPA ALPHA FRATERNTIY	0	0	N/A	N/A	N/A	N/A

PI KAPPA PHI FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA ALPHA EPSILON FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA CHI FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA NU FRATERNITY	0	0	N/A	N/A	N/A	N/A
SIGMA PHI EPSILON FRATERNITY	0	0	N/A	N/A	N/A	N/A
INTERNATIONAL HOUSE	0	0	N/A	N/A	N/A	N/A
OUTING CLUB HOUSING	0	0	N/A	N/A	N/A	N/A
SPANISH CLUB HOUSING	0	0	N/A	N/A	N/A	N/A
CHAVIS HOUSE	0	0	N/A	N/A	N/A	N/A

Total Number of Fires: 2

Total Number of Persons With Fire-Related Injuries: 0

Total Number of Fire-Related Deaths: 0

Total Value of Property Damage Cause by Fire: \$0

NOTE: Public Safety employees make a report on all responses to fire alarms and any other reports of fires. They then provide a copy of the reports to the Director of Environmental Health and Safety who then completes any investigations necessary and completes the fire report log.

2010

Statistics and Related Information Regarding Fires in Residential Facilities Calendar Year 2010

Residential Facility	Total Fires	Fire #	Cause of Fire	# of Injuries That Required Treatment at Medical Facility	# of Deaths Related to a Fire	Value of Property Damage Cause by Fire
Beta Theta Pi House	0					
Chavis House	0					
Chi Omega House	0					
Chi Psi House	0					
Davis Hall	0					
Gaines Hall	0					
Graham-Lees Hall	0					
International House	0					
Kappa Alpha House	0					
Kappa Alpha Theta House	0					

Kappa Delta House	0					
Kappa Kappa Gamma House	0					
Lambda Chi Alpha House	0					
Outing Club House	0					
Phi Delta Theta House	0					
Phi Gamma Delta House	0					
Phi Kappa Psi House	0					
Phi Kappa Sigma House	0					
Pi Beta Phi House	0					
Pi Kappa Alpha House	0					
Pi Kappa Phi House	0					
Sigma Alpha Epsilon House	0					
Sigma Chi House	0					
Sigma Nu House	0					
Sigma Phi Epsilon	0					

House						
Spanish Club House	0					
Woods Creek East	0					
Woods Creek Central	0					
Woods Creek West	1	1	Unintentional / Cooking	0	0	\$5

Total Number of Fires: 1

Total Number of Persons With Fire-Related Injuries: 0

Total Number of Fire-Related Deaths: 0

Total Value of Property Damage Cause by Fire: \$5

NOTE: Public Safety employees make a report on all responses to fire alarms and any other reports of fires. They then provide a copy of the reports to the Director of Environmental Health and Safety who then completes any investigations necessary and completes the fire report log.

Appendix C

ON CAMPUS STUDENT HOUSING FIRE SAFETY SYSTEMS As of June 2013

STUDENT HOUSING FACILITIES	SPRINKLERED	SMOKE DETECTORS	CENTRAL ALARM
DAVIS DORM	YES	YES	YES
GAINES DORM	YES	YES	YES
GILLIAM DORM	YES	YES	YES
GRAHAM LEES DORM	YES	YES	YES
WOODS CREEK EAST APARTMENT	YES	YES	YES
WOODS CREEK CENTRAL APARTMENT	YES	YES	YES
WOODS CREEK WEST APARTMENT	YES	YES	YES
ALPHA DELTA PI	YES	YES	YES
CHI OMEGA SORORITY	YES	YES	YES
KAPPA ALPHA THETA SORORITY	YES	YES	YES
KAPPA DELTA SORORITY	YES	YES	YES
KAPPA KAPPA GAMMA SORORITY	YES	YES	YES
PI BETA PHI SORORITY	YES	YES	YES
BETA THETA PI FRATERNITY	YES	YES	YES
CHI PSI FRATERNITY	YES	YES	YES
KAPPA ALPHA FRATERNITY	YES	YES	YES
LAMBDA CHI ALPHA FRATERNITY	YES	YES	YES
PHI DELTA THETA FRATERNITY	YES	YES	YES
PHI GAMMA DELTA FRATERNITY	YES	YES	YES
PHI KAPPA PSI FRATERNITY	YES	YES	YES
PHI KAPPA SIGMA FRATERNITY	YES	YES	YES
PI KAPPA ALPHA FRATERNTIY	YES	YES	YES
PI KAPPA PHI FRATERNITY	YES	YES	YES
SIGMA ALPHA EPSILON FRATERNITY	YES	YES	YES
SIGMA CHI FRATERNITY	YES	YES	YES
SIGMA NU FRATERNITY	YES	YES	YES
SIGMA PHI EPSILON FRATERNITY	YES	YES	YES
INTERNATIONAL HOUSE	YES	YES	YES
OUTING CLUB HOUSING	YES	YES	YES
SPANISH CLUB HOUSING	YES	YES	YES
CHAVIS HOUSE	YES	YES	YES

The number of regular mandatory supervised fire drills:

The University conducts four (4) unannounced fire drills per year in each student housing facility. One of these fire drills is within the first 10 days of classes and one is conducted after sunset and

before sunrise. It is then assessed if any problems were noted, such as residents not being able to hear the alarm, exit problems, exit lighting, etc. Any deficiencies are then addressed. The fire drills are conducted by the Director of Environmental Health and Safety, the Fire Prevention Specialist, and Public Safety Officers.

Policies or rules on portable electrical appliances, smoking, and open flames (such as candles), procedures for evacuation, and policies regarding fire safety education and training programs provided to students, faculty and staff:

1. Smoking is prohibited in all resident accommodations, including all interior spaces: student rooms, common areas, restrooms, lounges and corridors.
2. The following items are prohibited: cooking appliances (other than micro-waves) candles, incense, electric heaters, halogen lamps, or any open flame or other incendiary agent.
3. Any student who deliberately activates the fire alarm system, for reasons other than that of fire prevention, will receive an automatic fine of \$250 and will be referred to the SJC (Student Judicial Council) with a recommendation for suspension.
4. Training: All RAs receive fire safety awareness training and fire extinguisher training every year. Fire extinguisher training is mandatory for all Facilities Management and Athletic grounds and custodial personnel and they are provided with a refresher flyer each year. Fire extinguisher training is provided for all faculty, staff and students on a volunteer basis. Fire safety and fire extinguisher training is also conducted for the Scene Shop students in Lenfest Center (Theater). Fire safety training/and fire extinguisher training is provide to other groups as requested.

Plans for future improvements in fire safety, if determined necessary by the university:

The University plans to continue to upgrade older fire alarm systems on a regular basis.

Make annual reports to the campus community on such fires:

The University plans to include an annual report to the campus community on all fires in the same manner in which the annual Crime Statistics are included in the Student Handbook

Procedures for Student Housing Evacuation in the Case of a Fire

In the event of a fire, the College expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system as they leave. Once safely outside a building, it is appropriate to contact 911 and the Public Safety Office. 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.

Employees and Students who have been properly trained by the University Director of Environmental Health and Safety to operate a fire extinguisher may attempt to extinguish an incipient fire if they have the proper extinguisher and feel safe in doing so. No other students or employees are to attempt to use a fire extinguisher but are to exit immediately. 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 Provided to Students and Employees

Fire safety education programs are taught to all RA's, Facility Management personnel, Athletic Department Grounds and Custodial personnel, Public Safety Officers, Scene Shop Students, and offered on a voluntary basis for the entire campus community. 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 college's fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory.

Fire safety education and training programs are taught by the Director of Environmental Health and Safety, who is experienced in fire safety matters.

If a fire occurs, students are instructed to leave hazardous areas per the evacuation routes and get to a predetermined location before calling 911 for help. They are to remain in that location so that those in charge of the building or someone from the Public Safety Office has documented that all the students have left the building. RAs are instructed to pull the fire alarm as they are leaving the building if the fire alarm is not already activated and they can do so without risking their safety.

List of the Titles of Each Person or Organization to Whom Students and Employees Should Report That a Fire Occurred

Per federal law, Washington and Lee University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the **non-emergency** numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the Public Safety Office may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Public Safety Office/Dispatch (540) 458-8400

Director of Environmental Health and Safety (540) 458-8175 or Cell (540) 460-6209

When calling, please provide as much information as possible about the location, date, time and cause of the fire.