



## **Annual Security and Fire Safety Report**

2015-2016

**Mountwest Community & Technical College  
Public Safety Department  
One Mountwest Way  
2205 5<sup>th</sup> Street Road  
Huntington, WV 25701  
304-710-3463  
[www.mctc.edu](http://www.mctc.edu)**

## **A Message from the Director of Public Safety**

Dear Members of the Campus Community,

At Mountwest Community & Technical College (MCTC), all the efforts of the Department of Public Safety are aimed at providing a safe environment where our community can thrive. Please be assured that we take the issue of campus safety seriously, and we are determined to continue our efforts to assure our campus remains safe. To do so, of course, requires not just our efforts, but the cooperation and understanding of every member of our community.

A truly safe campus can only be achieved through the cooperation of its students, faculty and staff. This publication is part of our on-going effort to ensure that this collective endeavor is effective. Please read it carefully and use the information to aid in fostering a safe environment for yourself and all others in the Mountwest community.

Mountwest Community & Technical College is proactive in promoting safety and preventing crime. This report outlines many outreach programs and initiatives designed to protect and educate the Mountwest Community & Technical College community. Please familiarize yourself with the resources available to assist you. As an active member of our community, we solicit your assistance and suggestions in responding to crime and safety issues on campus.

If you have any questions or would like more information regarding campus safety and security or this report, please contact me at 304-710-3463 or visit the College Police website at <http://www.mctc.edu/safety>

Paul Roach  
Director of Public Safety  
Mountwest Community & Technical College

## **Public Safety Services**

As previously stated, MCTC believes that public safety is our top priority. Our Public Safety responsibilities encompass a variety of related services to the MCTC community consisting of approximately 4,400 students, faculty and staff.

### **The College Public Safety Department**

For the period covering January 1, 2012 to July 31, 2012, MCTC and Marshall University maintained the same geographical facility, engaged the Marshall University Police Department for policing services, and documented their statistics on the same Security and Fire Safety report. However, on July 31, 2012, MCTC and Marshall University were officially divided and became two separate entities. Immediately after the division, MCTC contracted with the Cabell County Sheriff's Department and a local private security company to provide public safety and security services for our college community. Marshall University maintains the address of 1805 5th Avenue, Huntington, West Virginia, while MCTC relocated to a new facility address of 2205 5th Street Road, Huntington, West Virginia. Because of this official separation, MCTC began to recruit and subsequently hired a new Director of Public Safety who started employment on September 16, 2012. As of that date, MCTC has been developing and organizing the new Department of Public Safety.

From January 1, 2012 to July 31, 2012, Marshall University Police Department provided law enforcement services to MCTC. Therefore, all statistical information during that period was collected and compiled by Marshall University Police Department. All statistical information for the period of August 1, 2012 to December 31, 2012 was collected and compiled by MCTC Department of Public Safety. The MU on-campus and residential statistics (Jan.1 thru Jul. 31) were combined with MCTC on-campus statistics (Aug. 1 thru Dec. 31) during the preparation of the MCTC Annual Campus Security and Fire Safety Report. The MU prepared Non-Campus and public property statistics (Jan. 1 thru Dec. 31) were combined with the Cabell County Sheriff's Department statistics (Aug. 1 thru Dec. 31) prepared according to new geographic location of Mountwest CTC.

## **The MCTC Department of Public Safety**

By virtue of West Virginia state law, MCTC Public Safety Officers have the same responsibilities and authority as that of any other law enforcement officers in the State, which includes having the authority to make arrests on property owned, leased, or controlled by Mountwest CTC. Uniformed safety officers consisting of the MCTC Director of Public Safety, a full-time MCTC Police Officer and several contracted security guards provide patrol protection to the campus, College-owned facilities and parking lots.

All officers receive training in numerous public safety and law enforcement-related subjects and additional in-service and specialized training in firearms, criminal investigation, legal matters, patrol procedures, etc.

Officers are responsible for a full range of public safety and law enforcement related services, including the investigation of all crime reports, and traffic accidents; responding to medical and fire emergencies; enforcement of state laws; and responding to all other incidents requiring police assistance that occur within our jurisdiction, which includes all college-owned or controlled properties, and/or all properties under the jurisdiction of the Mountwest CTC Board of Governors.

The Mountwest Department of Public Safety maintains a close working relationship with the Huntington Police Department (HPD) and Cabell County Sheriff's Department (CCSD), WV State Police (WVSP). Meetings are held between the leaders of these agencies on both a formal and informal basis.

### **Investigations**

Officer's assigned duties in this unit are responsible for the follow-up investigations of all reports involving criminal incidents and major violations of College regulations.

Members of the unit also interact with other area law enforcement agencies in matters of concern related to the safety and welfare of members of the College Community and surrounding area.

Members of the Mountwest CTC community are encouraged to report all emergencies and criminal incidents to the Mountwest Department of Public Safety immediately. In addition, general requests for service and public safety concerns can be reported directly to the Mountwest Department of Public Safety by any person in the College community by dialing extension 3499 from any College phone or 304-710-3499 from any phone. Members of the community should report criminal incidents to the Mountwest Department of Public Safety for the purpose of issuing timely warning notices to the community and for disclosure in the annual crime statistics for the Institution.

Mountwest Department of Public Safety does not have a process for allowing victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. If a crime is reported to a campus security authority the statistic will be provided to the Mountwest Department of Public Safety for inclusion in the crime statistics. Crimes that have been determined as “unfounded” will be reported in the annual security report as unfounded. Pastoral and professional counselors are exempt from reporting crime statistics to Mountwest Department of Public Safety when acting in their capacity as a counselor and information shared with them will not be included in the annual disclosure of crime statistics.

A member of the Department of Public Safety is available during campus operating hours to answer your calls. In response to a call, Mountwest Department of Public Safety will take the required action, either dispatching an officer or asking the victim to report to the Mountwest Department of Public Safety to file an incident report. All Mountwest Department of Public Safety incident reports are forwarded to the Dean of Student Services for review and referral to Student Judicial Affairs for potential action, as appropriate. Mountwest Department of Public Safety will investigate a report when it is deemed appropriate.

Additional information obtained via the investigation will also be forwarded to the Dean of Student Services. If assistance is required from the Huntington Police Department, the Cabell County Sheriff’s Department or Huntington Fire Department, Mountwest Department of Public Safety will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including Student Services Counseling Center staff, will offer the victim a wide variety of services. If the threat and or assault is considered a threat to other students and employees the victim’s name of the original threat will be withheld.

## **Crime Prevention and Security Awareness Programs**

The Mountwest Department of Public Safety presents crime prevention and security awareness programs to members of the College Community throughout the academic year. The security awareness and crime prevention programs are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. The Department of Public Safety urges members of the College community to take advantage of these programs. These programs comply with the **Campus Sexual Violence Elimination Act (SaVE Act)**.

Mountwest Community and Technical College does not tolerate sexual assault, domestic violence, dating violence, and stalking. MCTC promotes an environment that is free of sexual assaults, domestic violence, dating violence, and stalking, as well as one that is consistent with other constitutional protections and personal freedoms. Therefore MCTC provides the following programs to help to promote a safe environment.

**Personal Safety Workshops** – In an effort to educate the Mountwest community about safety, MCTC provides opportunities for all members of the community to learn about safety precautions. Mental Health counselors conduct awareness workshops for MCTC community members on a wide variety of subjects including but not limited to alcohol and drug awareness, the definition of consent and sexual assault, active bystander awareness and wellness.

**New Student Orientation** – Orientation programs addressing active bystander awareness, support services, wellness, and personal safety are delivered by members of Student Service, Mental Health counselors and the Department of Public Safety to first year students.

**Crime Bulletins and Alerts** – The Department of Public Safety periodically distributes crime bulletins or alerts to inform members of the MCTC community about incidents of crime in the areas surrounding the College that may pose an imminent threat of harm to members of the community. Bulletins and alerts are also circulated at times, not in response to a specific incidents, but as general reminders to community members about measures that members of the community can take to enhance personal and property security.

**New Employee Orientation** – All new employees receive training on Sexual Harassment and Title IX through the Office of Human Resources. The Department of Public Safety also provides new employees with information concerning issues of safety and personal awareness on such subjects as Emergency Preparedness, Campus Security Authorities, and Clery Act.

To help promote a safe environment and the prevention of sexual violence everyone in the MCTC community are considered bystanders and can provide a positive impact to each other.

### **What is a bystander?**

A person present but not directly involved in an event, who has the capacity for moral decisions and is therefore responsible for rational thought and action.

### **Why should bystanders be accountable?**

In the past, people were comfortable in a passive role, only being responsible for themselves. The bystander approach acknowledges the fact that we are all interdependent and can all have a positive impact on each other.

If we keep our eyes open to potentially dangerous situations, we can step in before something bad happens. As people feel empowered to become “active” bystanders, it will, in turn empower others surrounding them.

The goal of this program is engaging members of our campus community to realize its true potential to influence others, and in many cases, save lives. As this culture shift begins, passivity will no longer be the norm and will no longer be to sit back with content, but rather to jump at the chance to act.

### ***5 Steps to Accountability:***

- 1) Notice the event.
- 2) Recognize it as a risky situation.
- 3) Take responsibility for helping in the situation.
- 4) Have the skills necessary to intervene.
- 5) Take Action!

### **Intervening in Any Situation**

- Gather details about the situation.
- Ask for help from other bystanders or friends.
- Be sensitive and understanding.
- Intervene early and in a safe manner.
- Consider multiple options.
- Don't be afraid to call for help! (Human resource, Counselors, Student Services, Department of Public Safety and local police at 911)

### **Non-emergency Intervention**

- Don't make assumptions about the people involved or the situation.
- Keep your eyes open for red flags.
- Set a goal or a plan.
- In conversations, keep in mind that it is about mutual respect.

## **Emergency Intervention**

- Try to keep everyone calm.
- Know your exit strategies.
  - Understand that situations can escalate quickly.
- Be clear and concise when asking for help.
- Keep yourself and others safe.
- Tell whoever involved that you are committed to helping them.
- Encourage value-based decisions.

## **Sexual Assault Risk Reduction Strategies**

More than 90% of sexual assaults that occur among college students involve people who know each other, and the majority involve use of alcohol or other drugs. There are no sure means to prevent sexual assault. However, you can lessen the likelihood that you or your friends will be assaulted or will assault someone. Here are some tips to consider when you go out:

- Know where you are going and speak up if you are uncomfortable with the plans.
- Communicate with your date: NO MEANS NO.
- Know that drinking and drug use can impair your judgment. You might not be able to make the same decision you would make if you were sober.
- If you drink, drink responsibly: eat a full meal before going out, have a glass of water between each drink, stick to one type of alcoholic beverage, know your limits and don't go beyond them, have a designated driver, and don't let anyone else make the decision of how much you will drink.
- Only drink something that you have poured yourself or that comes in a pre-sealed container. Premixed drinks can have more alcohol in them than you might want to drink. Also, drugs like Rohypnol and GHB are being dissolved in drinks, causing the person who consumes the beverage to lose consciousness quickly. Don't drink something that has been left unattended.
- Don't go anywhere with someone you don't know well. If you do leave a party with a new friend, tell the friends you came with where you are going and when you are coming back.



## **Reduce the Risk of Committing Sexual Assault**

- Listen carefully. Take time to hear what the other person has to say. If you feel s/he is not being direct or is giving you a “mixed message,” ask for clarification.
- Don’t fall for the cliché “if they say no, they really mean yes.” If your partner says “no” to sexual contact, believe them and stop.
- Remember that sexual assault is a crime. It is never acceptable to force sexual activity, no matter what the circumstances.
- Don’t make assumptions about a person’s behavior. Don’t assume that someone wants to have sex because of the way they are dressed, they drink (or drink too much), or agree to go to your room. Don’t assume that if someone has had sex with you before that they are willing to have sex with you again. Also don’t assume that if your partner consents to kissing or other sexual activities, they are consenting to all sexual activities.
- Be aware that having sex with someone who is mentally or physically incapable of giving consent is rape. If you have sex with someone who is drugged, intoxicated, passed out, or is otherwise incapable of saying no or knowing what is going on around them, you may be guilty of rape.
- Be careful in group situations; resist pressure from friends to participate in violent acts.
- Get involved if you believe that someone is at risk. If you see someone in trouble or someone pressuring another person, don’t be afraid to intervene.

## **Reduce the Risk of Being Sexually Assaulted**

- Know your sexual intentions and limits. You have the right to say “NO” to any unwanted sexual contact. If you are uncertain of what you want, ask your partner to respect your feelings.
- Communicate your limits firmly and directly. If you say “No,” say it like you mean it. Avoid giving mixed messages. Back up your words with a firm voice and clear body language. Do not assume that someone will automatically know how you feel or will eventually “get the message” without you having to say anything.
- Remember that some people think that drinking, dressing provocatively, or going to your or your date’s room is saying you are willing to have sex. Be clear up front about your limits in such situations.
- Listen to your gut feelings. If you feel uncomfortable or think you might be at risk, leave the situation immediately and go to a safe place.
- Don’t be afraid to “make waves” if you feel threatened. If you feel you are being pressured or coerced into sexual activity, don’t hesitate to state your feelings and leave the situation.
- Attend large parties with friends you trust. Agree to “look out” for one another. Leave with the group, not alone. Avoid leaving with people that you don’t know very well.
- Attend a workshop on sexual assault risk reduction or take a self-defense course such as the RAD (Rape Aggression Defense) class offered in Mt. Vernon and at other campuses and cities across the nation.

## **Warning Signs of Abusive Behavior**

- Frequent yelling directed at a partner
- Blaming partner for own faults
- Name-calling
- Consistently accusing partner of infidelity
- Kicking, holding, slapping, and scratching
- Forcible sex (e.g., wanting sex after hitting)

## **How to Avoid Potential Attacks**

The best defense against assault of any kind is to avoid situations where you are vulnerable. Here are a few suggestions:

- Choose settings for social activities very carefully. The proximity of other people heightens your safety, but does not guarantee it. “Gang rape” happens in spite of the presence of others because the group collaborates in the crime.
- Do not walk alone at night. Travel with friends.
- Do not hitchhike. By doing so you forfeit the ability to change direction and control of your movement.
- Tell someone where you are going and when you expect to return.
- Have your key in hand and ready to unlock your door. This also applies to your vehicle as well.
- Always keep your room and vehicle door locked.
- Do not open residence hall doors to strangers. If you notice a stranger in the building call Public Safety immediately (Ext. 3499)
- Hang up on obscene callers, and do not give any personal information over the telephone.
- Examine your own desires and feeling about sex, and set sexual limits.
- Be assertive and communicate your limits clearly.

Alcohol and drugs can compromise your ability to make responsible decisions and are often related to date rape situations. This applies to both potential victims and potential assailants.

## **Definitions: Prevention and Awareness**

**Primary Prevention** – the focus of primary prevention is on the potential perpetrator. Educational efforts attempt to intervene in the behaviors of potential perpetrators before an assault takes place. We know that over 98% of violence is committed by people who identify as male. Therefore it is not uncommon for primary prevention programs to be targeted towards men. Some of these programs may include men’s groups or activities that begin to unpack violence in hegemonic masculinity. CSU offers students the opportunity to examine masculinity through our men’s group Men in the Movement. Click [HERE](#) for more information.

**Risk Reduction**- the focus of risk reduction is on potential victims. Meaning that most risk reduction strategies are targeted towards potential victims or bystanders who learn strategies to use in-the-moment, should an attack happen. Some examples of risk reduction programs include blue safety lights on campus, self-defense classes, bystander intervention techniques, the buddy system, rape whistles, etc.

**Awareness programs**- Programs, campaigns, or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence and stalking and share information and resources to prevent interpersonal violence, promote safety, and reduce perpetration.

**Bystander intervention:** The term bystander intervention refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and take action.

**Ongoing awareness and prevention campaigns** - The term ongoing awareness and prevention campaigns refers to campaigns that are sustained over time focusing on increasing awareness or understanding of topics relevant to sexual assault, domestic violence and stalking prevention. Ongoing awareness and prevention campaigns may include information about what constitutes sexual assault, dating violence/intimate partner abuse, and stalking, changing social norms, promoting recognition of perpetrator tactics, enhancing understanding of consent, and advancing prosocial behaviors of individuals and communities.

**New crime categories of domestic violence, dating violence, and stalking in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:**

“Domestic violence” means a “felony or misdemeanor crime of violence committed by—

- A current or former spouse or intimate partner of the victim,
- A person with whom the victim shares a child in common,
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- 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.”

“Dating violence” means “violence committed by a person—

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship;  
The type of relationship; and  
The frequency of interaction between the persons involved in the relationship.”

“Stalking” means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.”

### **Sex Offender Registry**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Mountwest Community & Technical College Department of Public Safety Police is providing a link to the West Virginia State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained.

The State of West Virginia requires sex offenders to register with the State Police. The State makes this information available to law enforcement agencies. This information is available to the public at the following website: [www.wvstatepolice.com/sexoff](http://www.wvstatepolice.com/sexoff).

## **Sexual Assault**

Victims of any sexual offense occurring on College owned or controlled properties should immediately report the incident to the Mountwest Department of Public Safety, 304-710-3499. In cases of sexual assault, it is critically important that victims:

- seek medical attention immediately
- do not bathe or douche
- preserve their clothing

These steps are essential in the preservation of evidence necessary to prove criminal sexual assault.

The survivor of a sexual assault should not wash, shower or bathe, douche, brush teeth, comb hair, or change clothes prior to a medical exam or treatment. If a survivor has removed the clothing he or she was wearing during the assault prior to seeking medical treatment, that clothing should be placed in a brown paper, not plastic, bag and brought to the hospital when treatment is sought. If the survivor is still wearing the clothes that he or she was wearing during an assault, he or she should bring a change of clothes with him or her to the hospital so that the clothes containing possible evidence can be preserved and examined for evidence of the crime.

Evidence of violence, such as bruising or other visible injuries, following an incident of sexual assault, or domestic or dating violence, should be documented by taking a photograph. Evidence of stalking, including any communications such as written notes, email, voice mail, or other electronic communications sent by the stalker, should be saved and not altered in any way.

Mountwest Community and Technical College will, upon written request, (as that term is defined in section 16 of title 18, United States Code) disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Mountwest Community and Technical College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

### **Protective Measures Penalties**

Student Code of Conduct Penalties may be imposed for rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking. These penalties for violation of student behavior and college conduct are Disciplinary warning, Disciplinary probation, Suspension, Expulsion. These penalties do not preclude any legal action that may be taken as a result of violations of federal, state, county and / or city laws.

## **Student Grievance Procedures**

The purpose of the grievance procedure is to provide students at the College a process for resolving any concerns relative to their student rights.

### **1. Informal Resolution Process**

**(a)** The student may first discuss his/her grievance with the individual against whom the grievance exists.

**(b)** If the grievance is not resolved between the individuals involved, the student may begin step two. This action must be taken within thirty days of the original incident.

### **2. Initiation of Formal Academic or Social Grievance**

**Step One** - If the grievance is not resolved informally, the student shall formally and in writing present the grievance to the appropriate Dean. If the grievance is directed against a Dean, the grievance shall be presented to that individual's supervisor. Notice of formal grievance must be given no later than during the subsequent academic term in which the incident occurred.

Grievance notifications outside such time frames are subject to dismissal at the discretion of the Dean.

**Step Two** - Upon receipt of a formal grievance, the Dean shall request that the President convene a grievance appeal committee.

**Step Three** - The College President will appoint a committee of neutral and objective individuals from the following representative groups: administrators, faculty members and students. The College President will designate a chair for the committee from among the appointees.

**Step Four** - Each committee member will receive a copy of the written grievance with the supporting statements and evidence. After receiving the written grievance, the committee will hold a hearing and both the grievant and the individual against whom the grievance is directed will be given the opportunity to present and be heard. The grievant may have one advisor at the hearing; however, the advisor may not speak during the meeting. The Chair shall be responsible for informing the appropriate Dean (or appropriate supervisor) of its recommendation and the reasons for the recommendation, in writing.

## **Title IX**

Individuals may also report a sex offense to the Institution's Title IX coordinator. This office is responsible for coordinating the institution's compliance with Title IX. The Title IX Coordinator Stephanie Neal is the Director of Human Resources and Employee Development, 304-710-3501 (Main Building 1 – Room G12). The college's sexual harassment policy is Policy H-4 at <http://www.mctc.edu/administration/board-of-governors/policies/>

## **Services for Sexual Assault Survivors**

Mountwest Student Services Counseling Center informs students of existing counseling, mental health or student services for victims of sexual offenses, both on and off campus. The Student Services Counseling Center also makes available to victims of a sexual offense such options as changing academic and living situations after an alleged sexual offense, should the student feel these actions are necessary and feasible.

For assistance, please call:

Mountwest Department of Public Safety (MB1 101D). 304-710-3499

Human Resources and Employee Development (MB1 G12), 304-710-3501

Counseling Center (MB1 101) 304-710-3361

## **Mountwest Community and Technical College Campus Safe Act:**

### **Policy concerning Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

#### **Introduction**

Mountwest Community & Technical College is committed to providing a safe learning and working environment. In compliance with federal law, specifically the Jeanne Clery and the Campus Sexual Violence Elimination Act (SaVE Act), Mountwest Community and Technical College has adopted policies and procedures to prevent and respond to incidents of sexual assault, domestic violence, dating violence, and stalking. These guidelines apply to all members of the Mountwest Community & Technical College community (students, faculty, and staff) as well as contractors and visitors.

Mountwest Community & Technical College will not tolerate sexual assault, domestic violence, dating violence, or stalking, as defined in this Policy, in any form. Such acts of violence are prohibited by Mountwest Community & Technical College policy, as well as state and federal laws. Individuals who the College determines more likely than not engaged in these types of behaviors are subject to penalties up to and including dismissal or separation from Mountwest Community & Technical College, regardless of whether they are also facing criminal or civil charges in a court of law.

## **Consent, Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

**Consent**- Consent in relationship to sexual activity is deemed by West Virginia law to be capable of consenting to, and engaging in, sexual acts.

**Sexual Assault** refers to any sexual act directed against another person, forcibly and/or against the person's will; or not forcibly or against the person's will where the survivor is incapable of giving consent, as well as incest or statutory rape.

Domestic Violence includes felony or misdemeanor crimes of violence committed by:

- A current or former spouse or intimate partner of the survivor;
- A person with whom the survivor shares a child in common;
- A person who is or was residing in the same household as the survivor; or
- Any person against someone who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating Violence** refers to violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the survivor.

**Stalking** occurs when an individual engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

### **Reporting an Incident**

Mountwest Community & Technical College encourages any member of the Mountwest community who has experienced sexual assault, domestic violence, dating violence, or stalking, or knows of another member of the Mountwest community who has experienced sexual assault, domestic violence, dating violence, or stalking to report the incident to the College.

If a Mountwest student, faculty or staff member, visitor, or contractor has experienced a sexual assault, domestic violence, dating violence, or stalking, they should immediately report the incident to the MCTC Department of Public Safety at extension 3499 from an on-campus telephone, or 304-710-3499 from an off-campus telephone.

Individuals who are on campus can also make an in-person report at the Department of Public Safety. Public Safety will assist all members of the Mountwest community by assessing the incident, advising the survivor on how he or she can seek legal protection, and making the survivor aware of medical, counseling, and other support services. If a reported incident did not occur on campus, MCTC Department of Public Safety can assist the survivor in notifying the local police department with jurisdiction over the crime. In case of an emergency or ongoing threat, a survivor should get to a safe location and call 911. Calling 911 will put you in touch with local police.



Employees who have experienced a sexual assault, domestic violence, dating violence, or stalking may also report an incident to the Office of Human Resources at One Mountwest Way Huntington, WV 25701, 304-710-3501. These offices will provide survivors of sexual assault, domestic violence, dating violence, and stalking with information about available support services and resources, and also assist any survivor in notifying law enforcement, including the local police, if the survivor elects to do so.

Survivors are not required to report to area law enforcement in order to receive assistance from or pursue any options within Mountwest Community & Technical College.

Reporting sexual assault, domestic violence, dating violence, and stalking to the police (including the MCTC Department of Public Safety) does not commit the survivor to further legal action. However, the earlier an incident is reported, the easier it will be for the police to investigate, if the survivor decides to proceed with criminal charges.

### **Written Notification of Right and Options**

Any student or employee who reports an incident of sexual assault, domestic violence, dating violence, or stalking, whether the incident occurred on or off campus, shall receive a written explanation of their rights and options as provided for under this policy.

These rights and options include the right(s) of a survivor to:

- A. Go to court, and to file a domestic abuse complaint requesting an order restraining your attacker from abusing you, and/or an order directing your attacker to leave your household, building, school, college, or workplace;
- B. Seek a criminal complaint for threats, assault and battery, or other related offenses;
- C. Seek medical treatment (the police will arrange transportation for you to the nearest hospital or otherwise assist you in obtaining medical treatment if you wish);
- D. Request the police remain at the scene until your safety is otherwise ensured;
- E. Request that a police officer assist you by arranging transportation or by taking you to a safe place, such as a shelter or a family or friend's residence; and
- F. Obtain a copy of the police incident report at no cost from the police department.

## **Procedures Survivors Should Follow**

If an incident of sexual assault, domestic assault, dating violence, or stalking occurs, it is important to preserve evidence so that successful criminal prosecution remains an option.

The survivor of a sexual assault should not wash, shower or bathe, douche, brush teeth, comb hair, or change clothes prior to a medical exam or treatment. If a survivor has removed the clothing he or she was wearing during the assault prior to seeking medical treatment, that clothing should be placed in a brown paper, not plastic, bag and brought to the hospital when treatment is sought. If the survivor is still wearing the clothes that he or she was wearing during an assault, he or she should bring a change of clothes with him or her to the hospital so that the clothes containing possible evidence can be preserved and examined for evidence of the crime.

Evidence of violence, such as bruising or other visible injuries, following an incident of sexual assault, or domestic or dating violence, should be documented by taking a photograph. Evidence of stalking, including any communications such as written notes, email, voice mail, or other electronic communications sent by the stalker, should be saved and not altered in any way.

## **On Campus and Off Campus Resources**

Mountwest Community & Technical College, the City of Huntington, and Cabell County, all offer other important resources to the survivors of sexual assault, domestic assault, dating violence, or stalking, including medical treatment, counseling services, and advocacy that survivors may wish to utilize.

The following Mountwest employees and on campus offices can assist members of the Mountwest community in considering their options and navigating through any resources or recourse they may elect to pursue.

A survivor need not formally report an incident of sexual assault, domestic violence, dating violence, or stalking to law enforcement or Mountwest Community and Technical College in order to access the following resources:

**Billie Brooks, Vice President of Student Services** **304-710-3363**

**Stephanie Neal, Title IX Coordinator, Human Resources** **304-710-3502**

**Candace Layne, Mental Health Counselor** **304-710-3361**

**CONTACT of Huntington** **304-399-1111**

**BRANCHES Domestic Violence Shelter** **304- 529- 2383**  
[www.brancheswv.com](http://www.brancheswv.com) **888-538-9838**

<b>Cabell County Victim's Advocate's Office</b> <a href="http://www.cabellcounty.org">www.cabellcounty.org</a>	<b>304- 526-9872</b>
<b>Crime Victim's Compensation Fund</b> <a href="http://www.legis.state.wv.us/Joint/victims/cv_app_2006.pdf">http://www.legis.state.wv.us/Joint/victims/cv_app_2006.pdf</a>	<b>304- 347-4850</b> <b>877-562-6878</b>
<b>Goodwill Family Services</b> <a href="http://www.goodwillhunting.org">www.goodwillhunting.org</a>	<b>304- 525-7034</b>
<b>WVDHHR CPS/APS Referral</b> <a href="http://www.wvdhhr.org">www.wvdhhr.org</a>	<b>304- 528-5800</b>
<b>West Virginia Coalition Against Domestic Violence</b> <a href="http://www.wvcadv.org">www.wvcadv.org</a>	<b>304- 965-3552</b>
<b>National Sexual Assault Hotline</b>	<b>800-656-4673</b>

### **Accommodations**

Regardless of whether a student or employee reports an incident of sexual assault, domestic violence, dating violence, or stalking to law enforcement or pursues any formal action, if they report such an incident to the College, Mountwest Community & Technical College is committed to providing them as safe a learning or working environment as possible. Upon request, Mountwest Community & Technical College will make any reasonably available change to a survivor's academic, living, transportation, and working situation. When a reported incident of abuse involves more than one member of the Mountwest community, the College's Title IX Coordinator, Vice President of Student Services or MCTC Department of Public Safety may also issue an institutional No Contact order, prohibiting the individuals from contacting one another, either on or off campus.

MCTC Department of Public Safety officers will advise survivors of a reported incident of sexual assault, domestic violence, dating violence, or stalking about how to seek a restraining order from a criminal court that directs the accused to refrain from abuse and to leave the survivor's household, building, school, college, or workplace.

Mountwest Community & Technical College is committed to ensuring that orders of protection issued by courts are fully upheld on all College-owned, used, and controlled property as well as properties immediately adjacent to Mountwest Community & Technical College. Therefore, if any member of the Mountwest community obtains an order of protection or restraining order, he or she should promptly inform the Department of Public Safety and provide the Department of Public Safety with a copy of that order, so that the College can enforce it.

Mountwest Community & Technical College is also committed to protecting survivors from any further harm, and if the MCTC Department of Public Safety determines that an individual's presence on campus poses a danger to one or more members of the College community, the Department of Public Safety can issue an institutional No Contact or No Trespass Order barring that individual from Mountwest Community & Technical College property.

### **Survivor Confidentiality**

Mountwest Community & Technical College recognizes the sensitive nature of sexual assault, domestic violence, dating violence, and stalking incidents. We are committed to protecting the privacy of individuals who report incidents of abuse, to the extent that doing so is permitted by law and consistent with the College's need to protect the safety of the community. Different Mountwest officials and personnel are able to offer varying levels of privacy protections to survivors.

Mountwest Community & Technical College requires all College employees, with the exception of licensed mental health counselors to share with the College's Title IX Coordinator information they learn concerning a report of sexual assault, or an incident of domestic or dating violence, or stalking, so that the Title IX Coordinator can investigate the incidents, track trends (including possible multiple reports involving the same assailant) and determine whether steps are needed to ensure the safety of the community. It is the survivor's choice whether he or she wishes to participate in the investigation; however the College may proceed with an investigation without the survivor's participation if there is a concern for the safety of other members of the community.

Reports made to MCTC Department of Public Safety will be shared with the Title IX Coordinator in all cases, and may also be made public (maintaining the survivor's anonymity) and shared with the accused in cases where criminal prosecution is pursued. Reports received by the College concerning the abuse of a minor or juvenile must be reported to state officials in compliance with state law requiring mandatory reporting of child abuse. All members of the Mountwest community are required by College policy to report any instances of known child abuse or neglect to MCTC Department of Public Safety, and the Department of Public Safety will in turn report such information to the appropriate state authorities.

Reports and information received by licensed mental health counselors, are considered legally protected or 'privileged' under law. Thus, those individuals will not share information they learn from survivors with others within the institution (including the College's Title IX Coordinator) or with any third party except in cases of imminent danger to the victim or third party. Absent such circumstances of imminent danger, the only information that these employees will report to the College concerning incidents is statistical information, which does not identify the survivor, so that the incident can be included in the College's crime reporting statistics that are reported in Mountwest Community & Technical College's annual Clery Reports. Such crime reporting statistics are also included in a Title IX trend report maintained by the College.

Reports of sexual assault, domestic or dating violence, or stalking, which are shared with Mountwest Community & Technical College's Title IX Coordinator or other College officials, will be treated with the greatest degree of respect and privacy possible while still fulfilling Mountwest Community & Technical College's obligation to investigate and effectively respond to the report. Every effort will be made to limit the scope of information shared to keep it to a minimum of detail, and only when absolutely necessary. It is the survivor's choice whether to participate in the investigation; however the College may proceed with the investigation without the survivor's participation if there is a potential threat to other members of the community. A survivor's ability to speak in confidence and with confidentiality may be essential to his or her recovery. Mountwest Community & Technical College thus expects employees to treat information they learn concerning incidents of reported sexual assault, domestic violence, dating violence, and stalking with as much respect and as much privacy as possible. College employees must share such information only with those College officials who must be informed of the information pursuant to College policy. Failure by a Mountwest Community & Technical College employee to maintain privacy in accordance with Mountwest Community & Technical College policy will be grounds for discipline; up to and including termination.

While federal law requires Mountwest Community & Technical College to include certain reported incidents of sexual assault, domestic violence, dating violence, and stalking among its annual campus crime statistics, such information will be reported in a manner that does not permit identification of survivors.

### **Mountwest Community and Technical College Educational Programs**

Mountwest Community & Technical College is committed to increasing the awareness of and prevention of violence. Mountwest Community & Technical College makes continued efforts to provide students and employees with education programming, and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before they occur.

To address the issue of sexual assaults, domestic violence, dating violence, and stalking in a college environment, Mountwest Community & Technical College offers practical guidance for risk reduction, violence prevention, and bystander intervention.

**Personal Safety Workshops** – In an effort to educate the Mountwest community about safety, MCTC provides opportunities for all members of the community to learn about safety precautions. Mental Health counselors conduct awareness workshops for MCTC community members on a wide variety of subjects including but not limited to alcohol and drug awareness, the definition of consent and sexual assault, active bystander awareness and wellness.

**New Student Orientation** – Orientation programs addressing active bystander awareness, support services, wellness, and personal safety are delivered by members of Student Services, Mental Health counselors and the Department of Public Safety to first year students.

**Crime Bulletins and Alerts** – The Department of Public Safety periodically distributes crime bulletins or alerts to inform members of the MCTC community about incidents of crime in the areas surrounding the College that may pose an imminent threat of harm to members of the community. Bulletins and alerts are also circulated at times, not in response to specific incidents, but as general reminders to community members about measures that members of the community can take to enhance personal and property security.

**New Employee Orientation** – All new employees will receive training on Sexual Harassment and Title IX through the Office of Human Resources. The Department of Public Safety also provides new employees with information concerning issues of safety and personal awareness on such subjects as Emergency Preparedness, Campus Security Authorities, and Clery Act.

### **Conduct Proceedings**

Mountwest Community and Technical College strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal investigation and prosecution, students, employees, and other affiliates may also face action by Mountwest Community and Technical College. When students or employees are accused of having engaged in sexual assault, domestic violence, dating violence, or stalking, the College may, depending on the facts alleged, issue interim safety measures prior to the resolution of the charges. Such interim safety measures might include issuing No Contact orders, altering an individual's work or class schedule or a student's on-campus assignment, placing an employee accused of misconduct on administrative leave, or placing a student accused of misconduct on an interim suspension.

Mountwest Community and Technical College Title IX Coordinator will oversee all investigations of allegations of gender-based violence. Employees who are found responsible for having committed such a violation could face termination of employment, and students who are found responsible for having committed such a violation may face disciplinary probation, deferred suspension, suspension from college or dismissal from the college. In addition, Mountwest Community and Technical College may issue No Contact Orders and No Trespass Orders to those found responsible.

If a Title IX investigation concludes that evidence (based on investigation reports, victim /witness statements, medical examinations etc.) exists which suggests a student more likely than not engaged in sexual assault, domestic violence, dating violence, or stalking, the matter will be referred to the Vice President of Student Services for adjudication pursuant to the Student Code of Conduct. The Office of Human Resource will handle any incidents involving employees and College affiliates who are found by the College to have engaged in behavior that violates College policy, including but not limited to sexual assault, domestic violence, dating violence, or stalking.

All conduct proceedings, whether the conduct is reported to have occurred on or off campus, shall provide a prompt, fair, and impartial investigation and resolution. All investigations and proceedings shall be conducted by officials who receive annual training on the nature of the types of cases they are handling, how to conduct an investigation, and how to conduct a proceeding in a manner that protects the safety of survivors and promotes accountability.

Mountwest Community and Technical College seeks to investigate and adjudicate any official complaints of sexual abuse, domestic violence, dating violence, or stalking that are filed with the College within sixty (60) days of receipt of that complaint, unless mitigating circumstances require the extension of time frames beyond sixty (60) days. Such circumstances may include the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, College breaks or vacations that occur during the pendency of an investigation, or other unforeseen circumstances. In these matters the complainant and the respondent shall be notified, provided an explanation, and given information about the amount of additional time required.

In all investigatory and adjudication proceedings conducted by the College concerning charges of sexual misconduct, domestic violence, dating violence, or stalking, including any related meetings or hearings, both the complainant and the respondent will be afforded the same process rights, including equal opportunities to have others present. This includes the right to be accompanied by an advisor of their choice. Both the complainant and respondent will also be afforded an equal opportunity to introduce evidence and identify witnesses.

When a student is accused of any violation of the student conduct code, including but not limited to charges that he or she engaged in sexual assault, domestic or dating violence, or stalking, the charges will be decided using the preponderance of evidence standard, which means that it is more likely than not that the reported misconduct occurred. The Title IX Coordinator and the Vice President of Student Services have discretion to decide whether sufficient evidence warrants referring charges of misconduct against a student to an Administrative/Faculty Hearing Board (a "Board"). If a Board hears such charges and issues a finding of responsibility against a student respondent, the Board may also recommend sanctions to the Vice President of Student Services. However, the Vice President of Student Services retains authority to determine the sanctions that will be issued to any student who has been found responsible for violating the Code of Conduct.

When the Title IX Coordinator completes an investigation and/or when a Board issues a decision, both the complainant and the respondent shall simultaneously be informed in writing within 7 business days of the outcome of the investigative or adjudicative proceeding. Both the complainant and respondent will be given the same procedures and timeframe to appeal the outcome of the proceeding, both parties will receive the same process rights if an appeal is granted, and the parties will both receive timely notice when the outcome becomes final. Disclosure of the outcome shall be made to both parties unconditionally, and each shall be free to share or not share the details with any third parties.

Compliance these proceedings / provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA)

**Define:**

**Proceeding** - The instituting or carrying on of an action; a legal step or measure:

**Result:** Something that happens as a consequence; outcome.

## **Access to and Maintenance of Campus Facilities**

The Mountwest Physical Plant Department maintains the College's academic/administrative buildings and the grounds with a concern for safety and security of the College community. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Personnel inspect campus facilities regularly and promptly make repairs affecting safety and security, and respond quickly to reports of potential safety and security hazards, such as damaged doors, broken locks and windows. The Mountwest Department of Public Safety assists them by reporting potential safety and security hazards. Any other member of the College community may also call Physical Plant (710-3498) to report any safety or security hazards.

A Safety Committee consisting of representatives from Mountwest Department of Public Safety, Student Services; including Student Government, Human Resources and Employee Development, Faculty Council, Classified Staff Council and Physical Plant meets periodically to review policies and procedures and address campus safety concerns. Students, administration, faculty and staff representatives also periodically conduct walks of the entire campus to review lighting and other safety-related environmental concerns.

There numerous indoor and outdoor security cameras in place throughout the campus. All are monitored in real-time via a Central Security Station and available for real-time viewing via a web based application. Additionally, all activity is recorded and available for review as needed. Help "phones" are also available in each campus elevator. All units provide the dispatcher with an exact location of the caller and can be activated by pressing a single button.

Most College facilities are open to the public during the day and evening hours when classes are in session. Most facilities have individual hours, and the hours may vary at different times of the year. Access to College buildings are controlled by key access after normal business hours. All College buildings have a security officer assigned to them. Additionally, security officers patrol the buildings on a regular basis. For information about the access protocol see the Access to College Property Administrative Procedure, or contact Mountwest Department of Public Safety at 304-710-3499.

During the time that the College is officially closed, buildings are locked and only faculty, staff and students with proper authorization are admitted.



## **Emergency Response and Evacuation Procedures**

### **Emergency Response**

The College's Emergency Management Plan includes information about Incident Teams; College operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. College departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The College conducts a minimum of one test per calendar which includes a drill and emergency response exercises, such as tabletop or field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the Institution. MU will publish a summary of its emergency response and evacuation procedures in conjunction with at least one test each calendar year.

Mountwest Department of Public Safety personnel 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 Mountwest Department of Public Safety, Cabell County Sheriff's Department (CCSD), West Virginia State Police (WVSP), and the Green Valley Fire Department (GVFD), and Cabell County Emergency Medical Services (CEMS) Department, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other Mountwest departments and other local or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for Mountwest are publicized each year as part of the Institution Clery Act compliance efforts, and that information is available on the Mountwest Public Safety website.

### **Notification to the Mountwest Community about an Immediate Threat**

Various offices on campus could be in a position to confirm an emergency situation or incident that poses a threat to the health and safety of members of the Mountwest community, including the Mountwest Department of Public Safety, Student Services, Human Resources and Employee Development, for example. If one of these departments 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 Mountwest community, the College Emergency Management Team will collaborate to determine the content of the message. The College Chief Operating Officer is responsible for activating the Mountwest Emergency Alert Notification processes and will use some or all of the features described below to communicate the threat to the College community or to the appropriate segment of the community, if the threat is limited to a particular segment of the population. The Emergency Management Team will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to Mountwest Department of Public Safety, CCSD, WVSP, GVFD, and CEMS), will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the College community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the College campus community. These methods of communication include the Mountwest Alert Emergency Notification System utilizing telephone, text web based announcements, and e-mail messages. Information on MCTC Alert Notification procedures is available online at [www.mctc.edu/safety](http://www.mctc.edu/safety).

The College will post updates during a critical incident on the College's main webpage as well as student centered sub webpages. Members of the larger community who are interested in receiving information about emergencies on campus may receive updates in the event of an emergency on campus.

Mountwest community members are encouraged to notify Mountwest Department of Public Safety of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Mountwest Department of Public Safety has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, Mountwest Department of Public Safety has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If so, Federal Law requires that the College notify the campus community or the appropriate segments of the community that may be affected by the situation.

### **Timely Warnings**

Mountwest Community and Technical College will make a "timely warning" to the campus community of crimes considered to be a threat to students and employees that are reported to campus security authorities or to local police agencies.

In an effort to provide timely notice to the College community, and in the event of a serious incident which may pose an on-going threat to members of the College community, a Timely Warning Notice is sent via the MCTC Alert Notification system to all students and employees on campus. Typically, the College will use the email, website and phone system features to distribute a timely warning notice. The notices are generally written by the Vice President for Operations and Information Technology/CIO, or a designee, in consultation with appropriate college administrators, and are distributed to the community by the Vice President for Operations and Information Technology/CIO, or a designee(s). Updates to the College community about any particular case resulting in a Timely Warning Notice may be distributed via blast email, may be posted on the Mountwest web site or may be shared with local media (television and radio) Timely Warning Notices are usually distributed for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: arson, criminal homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by Mountwest Department of Public Safety. For example, if an assault occurs between two students who have a

disagreement, there may be no on-going threat to other Mountwest community members and a Timely Warning Notice would not be distributed. 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. Sex offenses will be considered on a case by case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the Mountwest Department of Public Safety. The Mountwest Director of Public Safety or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Timely Warning Notice is warranted. When crimes are considered a threat to other students and employees the victims of the threat will be withheld Timely Warning Notices may also be posted for other crime classifications, as deemed necessary.

A crime log is available for review at the Mountwest Department of Public Safety at One Mountwest Way (2205 5th Street Road), from 8:00 a.m. – 4:30 p.m. Monday through Friday, excluding holidays. The information in the crime log typically includes the case number, classification, date reported, date occurred, time occurred, general location, and disposition of each crime. The information about fires in on campus facilities includes the nature of the fire, date, time and location.

### **Alcoholic Beverages**

Mountwest Community and Technical College has established a policy and guidelines governing the sale, possession and consumption of alcoholic beverages on the College campus that are consistent with West Virginia state law. State law prohibits the sale and consumption of all alcoholic beverages to persons under the age of 21. Accordingly, possession and/or consumption of alcoholic beverages by underage persons is not permitted on property owned or controlled by the College.

### **Illegal Drugs**

The College 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, sale, manufacture or distribution of any illegal drug is prohibited on property owned or controlled by the College. MCTC safety officers enforce Federal and drug laws on campus. Members of the College community are responsible for knowing and complying with provisions of West Virginia and Federal law that prohibits the unlawful possession, sale, delivery, manufacture or use of those drugs known as “controlled substances.”

## Drug and Alcohol Abuse Educational Programs

Descriptions of College drug and alcohol abuse education programs may be found at the link on the College's disclosures web page at <http://www.mctc.edu/safety/disclosures/>.

Consistent with its educational mission, the College assists members of the community by providing referrals to appropriate counseling and substance abuse education programs. These services are made available on the campus through:

- Mountwest Department of Public Safety (MB1 101D). 304-710-3499
- Human Resources and Employee Development (MB1 G12), 304-710-3501
- Counseling Center (MB1 101) 304-710-3361

## Geography definitions from the Clery Act

The Department of Education requires criminal statistical data to be included within the Annual Security Report from three distinct Clery geography locations. MCTC has to comply with three reportable statistical locations since the institution does not currently have On-Campus dorms or On-Campus student housing. The crimes statistics are reported from within the following three Clery geography classifications. MCTC's specific Clery geography can be found at the following link

***On-Campus-Defined as:*** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and

(2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

***Non-Campus Building or Property-Defined as:*** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

(2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

***Public Property-Defined as:*** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

The MCTC crime statistics do not include crimes that occur in privately owned homes, businesses or other private property within or adjacent to the campus boundaries.

### **Non-campus locations**

MCTC offers classes at two location considered a “non-campus location.”

#### ***Center for Culinary Arts 1648 Eighth Avenue Huntington, WV***

There is normally a MCTC armed security officer on duty at this campus. The security officer regularly meets with the staff of the campus to ensure safety and security issues are addressed. If students at the Center for Culinary Arts campus need to report a crime, they should contact the officer on campus at 304-710-3499 or 304-710-3463 during business hours or dial 911 outside of business hours or in the case of an emergency situation. Normal business hours are posted at the campus. Students taking classes at the Culinary Arts location will receive “timely warnings” of serious incidents via the normal timely warning process.

#### ***Inland Waterways Academy 4200 Ohio River Road Huntington, WV 25702.***

The Inland Waterways Academy is considered a “non-campus location” where courses are offered. There is NOT normally a MCTC security officer on duty at this location. If students at the Inland Waterways Academy need to report a crime, they should contact a campus administrator during business hours or dial 911 outside of business hours or in the case of an emergency situation. Normal business hours are posted at the campus. MCTC students taking classes at this location will receive “timely warnings” of serious incidents via the normal timely warning process (see Timely Warnings section above).

## **Crime Statistics**

The Department of Education requires that MCTC publish an Annual Security Report. In the ASR the Department of Education requires that the following be used to classify and record Clery reportable crimes.

- The Federal Bureau of Investigation (FBI), Uniform Crime Reporting (UCR) Handbook is used for all definitions of offenses except for sex offenses.
- For sex offenses only, the National Incident-Based Reporting System (NIBRS) Edition of the UCR Handbook is used for classification.
- Clery Act reporting DOES NOT require disclosure of all other sexual related offenses. ex. sexual harassment, voyeurism and incident exposure
- Offenses are counted on the basis of calls for service, complaints and investigations. Findings of courts, coroners, jury, prosecutorial decisions and student judicial boards are NOT a basis for counting Clery Act crimes.

The reported crimes are cataloged utilizing the Hierarchy Rule which is when the offender/perpetrator commits multiple offences in the same incident. When this occurs, the hierarchy rule is used when counting multiple offenses. The hierarchy rule requires that the most serious offense be counted when more than one offense was committed during a single incident. A single incident means that the offenses must be committed at the same time and place; and that the time interval and distance between the offenses were insignificant. Not all crimes committed in the same incident are counted with the statistics only the most serious per the hierarchy rule.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the College community obtained from the following sources: the Mountwest Department of Public Safety, the Cabell County Sheriff's Department (CCSD), and the Huntington Police Department and non-police officials (as defined below). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Crime statistics are gathered for the core campus and other buildings owned, controlled and used for educational purposes from local police agencies and from campus security authorities, as defined by Federal law. Statistical information is requested and provided to Mountwest Department of Public Safety on an annual basis.

All of the statistics are gathered, compiled, and reported to the College community via the Annual Security and Fire Safety Report which is published by Mountwest Department of Public Safety and submitted to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

Mountwest distributes an email-based notice to all enrolled students and current employees on an annual basis. The notice includes a brief summary of the contents of the Annual Security and Fire Safety Report. The email also includes the address where the report can be found on-line at [www.mctc.edu/safety/crime-reports/](http://www.mctc.edu/safety/crime-reports/) and information about how to request a hard copy of the brochure.

## MCTC Campus Crime Statistics

	2012	2013	2014
<b><u>Murder/Non Negligent Manslaughter</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0
<b><u>Negligent Manslaughter</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0
<b><u>Forcible Sex Offenses</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0
<b><u>Non-Forcible Sex Offenses</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0
<b><u>Robbery</u></b>			
On-Campus	1	0	0
Residential Facilities	1	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0
<b><u>Aggravated Assault</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	1	0	0
<b><u>Burglary</u></b>			
On-Campus	1	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	2	0	0
<b><u>Motor Vehicle Theft</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	1	0	0
<b><u>Arson</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0

<b><u>Larcenies</u></b>			
On-Campus	46	7	2
Residential Facilities	6	0	0
Public Property	2	0	0
Non-Campus Buildings or Property	1	0	0
<b><u>Stalking</u></b>			
On-Campus	0	0	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0
<b><u>Dating Violence</u></b>			
On-Campus	0	1	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0
<b><u>Domestic Violence</u></b>			
On-Campus	0	1	0
Residential Facilities	0	0	0
Public Property	0	0	0
Non-Campus Buildings or Property	0	0	0

**Number of Arrests for Selected Crimes**

	2012	2013	2014
<b><u>On Campus</u></b>			
Weapon Law Violations	0	0	0
Drug Abuse Violations	8	0	0
Liquor Law Violations	17	0	0
<b><u>On Campus- Residence Facilities</u></b>			
Weapon Law Violations	0	0	0
Drug Abuse Violations	6	0	0
Liquor Law Violations	14	0	0
<b><u>Non-Campus</u></b>			
Weapon Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0
<b><u>Public Property</u></b>			
Weapon Law Violations	0	0	0
Drug Abuse Violations	9	0	0
Liquor Law Violations	0	0	0



**Number of Disciplinary Referrals for Selected Crimes**

	2012	2013	2014
<b><u>On Campus</u></b>			
Weapon Law Violations	2	0	0
Drug Abuse Violations	13	0	0
Liquor Law Violations	13	0	0
<b><u>On Campus- Residence Facilities</u></b>			
Weapon Law Violations	0	0	0
Drug Abuse Violations	11	0	0
Liquor Law Violations	13	0	0
<b><u>Non-Campus</u></b>			
Weapon Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0
<b><u>Public Property</u></b>			
Weapon Law Violations	0	0	0
Drug Abuse Violations	1	0	0
Liquor Law Violations	0	0	0

\*\* No Unfounded Crimes Reported for 2014 \*\*

## Hate Crimes

The following statistics are reported for crimes that have manifest evidence that the victim was intentionally selected because of the victims actual or perceived race, religion, sexual orientation, gender, ethnicity, or disability.

<b>On Campus Hate Crimes</b>	<b>2012</b>						<b>2013</b>						<b>2014</b>					
<b>Type of Bias</b>	R	G	RE	S	E	D	R	G	RE	S	E	D	R	G	RE	S	E	D
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larcenies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

R=Race G=Gender RE=Religion S=Sexual Orientation E=Ethnicity D=Disability

<b>Residential Hate Crime</b>	<b>2012</b>						<b>2013</b>						<b>2014</b>					
<b>Type of Bias</b>	R	G	RE	S	E	D	R	G	RE	S	E	D	R	G	RE	S	E	D
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larcenies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

R=Race G=Gender RE=Religion S=Sexual Orientation E=Ethnicity D=Disability

Non- Campus Hate Crimes	2012						2013						2014					
	R	G	RE	S	E	D	R	G	RE	S	E	D	R	G	RE	S	E	D
Type of Bias																		
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larcenies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

R=Race G=Gender RE=Religion S=Sexual Orientation E=Ethnicity D=Disability

Public Property Hate Crime	2012						2013						2014					
	R	G	RE	S	E	D	R	G	RE	S	E	D	R	G	RE	S	E	D
Type of Bias																		
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larcenies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

R=Race G=Gender RE=Religion S=Sexual Orientation E=Ethnicity D=Disability

## **Crime Statistics Appendix**

### **Specific Information about Classifying Crime Statistics**

The statistics in this brochure are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and the relevant federal law (the Clery Act).

The number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart

In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic.

In cases involving Liquor Law, Drug Law, and Illegal Weapons violations, each person who was arrested is indicated in the arrest statistics. The statistics captured under the “Referred for Disciplinary Action” section for Liquor Law, Drug Law, and Illegal Weapons violations indicates the number of people referred to the Office of Judicial Affairs for disciplinary action for violations of those specific laws.

Hate Crime statistics are reported by the crime, geographic area, and category of prejudice. Hate crimes are captured for all of the above related crime categories, if the perpetrator selected the victim based on his/her race, gender, religion, sexual orientation, ethnicity/national origin, and/or disability. In addition, the institution is required to report any hate crime involving Intimidation, Vandalism, Larceny, Simple Assault or other bodily injury, even though there is no requirement to report the crime classification in any other area of the compliance document. Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender’s bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim’s race, sexual orientation, etc., the assault is then also classified as a hate crime.

## **Uniform Crime Reporting Definitions**

**The Uniform Crime Reporting (UCR) Program** has been the starting place for law enforcement executives, students of criminal justice, researchers, members of the media, and the public at large seeking information on crime in the nation. The program was conceived in 1929 by the International Association of Chiefs of Police to meet the need for reliable uniform crime statistics for the nation. In 1930, the FBI was tasked with collecting, publishing, and archiving those statistics.

**The Uniform Crime Reports (UCR)** are official data on crime in the United States, published by the Federal Bureau of Investigation (FBI). UCR is a "a nationwide, cooperative statistical effort of nearly 18,000 city, university and college, county, state, tribal, and federal law enforcement agencies voluntarily reporting data on crimes brought to their attention. Crime statistics are compiled from UCR data and published annually by the FBI in the Crime in the United States series.

***Hierarchy Rule*** – The requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense is committed during a single incident, only the most serious offense is to be included in the institution's Clery Act statistics.

## Sex Offenses Definitions

(As per the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program)

**Sex Offenses** - Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

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

Includes either Male or Female Victims or Offenders.

Includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity, (e.g., due to the influence of drugs or alcohol or because of age).

**Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object** - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

## **SEX OFFENSES—NON-FORCIBLE**

Unlawful, non-forcible sexual intercourse.

**Incest** - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

### **Other Crime Definitions**

(As Per the Uniform Crime Reporting Handbook)

**Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding).

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

***Weapon Law Violations:*** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

***Drug Abuse Violations:*** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

***Liquor Law Violations:*** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

### **Offense Definitions relating to Hate/Bias Related Crime Statistics**

(As per the UCR Hate Crime Reporting Guidelines)

***Simple Assault:*** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious serve or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, sever laceration or loss of consciousness.

***Intimidation:*** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

***Vandalism:*** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

***Larceny-Theft (Except Motor Vehicle Theft)*** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.



## **Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) Definitions**

***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. For the purposes of this definition, dating violence would include, but would not be limited to, sexual or physical abuse or the threat of such abuse.

***Domestic violence*** To mean a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under VAWA, or 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.

***Hate crime*** – A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

## **Annual Fire Safety Report**

### **Overview**

The Higher Education Opportunity Act (Public Law 110-315) became law in August, 2008. Recent changes to this law now require all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics related to student housing. The following public disclosure report details all information required by this law as it relates to Marshall University.

*Mountwest Community and Technical College no longer offers Residential Housing, as of August 2012. Until that time, MCTC students were provided Residential Housing in the Marshall University Residence Halls, if desired.*

### **On-Campus Housing Fire Safety Equipment**

At Marshall University, all ten residence halls are protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department. The buildings are also equipped with either emergency generators or lighting fixtures that incorporate backup batteries; upon loss of power, these systems automatically activate to assure adequate egress lighting in hallways and emergency exit stairwells. All residence halls are fully sprinkled. Carbon monoxide detectors have been installed in all residence hall mechanical rooms where products of combustion could occur. All fire safety systems and equipment are strictly maintained and tested in accordance with applicable national standards. Fire detection systems are required to be tested at least annually. All fire detection systems at Marshall University are inspected and tested twice per year (once per semester) by a licensed and qualified contractor. Fire suppression systems are also inspected and tested on a quarterly basis by a licensed and qualified contractor in accordance with applicable national standards.

### **Construction Overview**

ISO defines six construction classes for public buildings.

Construction Class 1 — frame

Construction Class 2 — joisted masonry

Construction Class 3 — noncombustible

Construction Class 4 — masonry noncombustible

Construction Class 5 — modified fire resistive

Construction Class 6 — fire resistive

### **Buskirk Hall**

This facility is a six-story, 69,396 square feet, ISO Construction Class 6 building constructed in 1963. The building is fully sprinkler protected and equipped with a Class I standpipe. The building is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

**First Year Residence Halls North & South**

This complex consists of two (North & South) four-story buildings, ISO Construction Class 1 constructed in 2007. Each building is fully sprinkler protected and is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

**Gibson Hall**

Located at the Marshall Commons Residence Hall Complex, this facility is a four story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

**Haymaker Hall**

Located at the Marshall Commons Residence Hall Complex, this facility is a four-story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

**Holderby Hall**

This facility is a nine-story with basement, 103,378 square feet, ISO Construction Class 4 building constructed in 1963 with an addition in 1969. The building is fully sprinkler protected and equipped with a Class I standpipe. The building is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

**Twin Towers**

This complex consists of two (East and West) fifteen-story buildings connected by a single story dining hall, 254,167 square feet, ISO Construction Class 5 building constructed in 1968. The building is fully sprinkler protected. This building is also provided with a Class II standpipe. The building is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

**Wellman Hall**

Located at the Marshall Commons Residence Hall Complex, this facility is a four-story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

### **Willis Hall**

Located at the Marshall Commons Residence Hall Complex, this facility is a four-story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

### **Fire Safety Education, Training and Fire Drills**

All on-campus residents (including those with special needs) receive intensive and comprehensive fire safety training at the beginning of each semester. Training on fire and life safety is also provided to all Resident Directors, Resident Advisors, and all Housing and Residence Life employees. In addition, a quality control program that covers emergency and evacuation procedures is reviewed regularly with the occupants and staff of each respective residence hall. Each resident is required to review and comply with the requirements outlined on the Housing and Residence Life web site (available at: [www.marshall.edu/housing/default.asp](http://www.marshall.edu/housing/default.asp)) which includes information on fire safety and what appropriate action to take during a fire alarm or fire emergency. There is an emergency evacuation map posted on each floor to direct occupants to primary and secondary exits. Fire drills are conducted in residence halls at a minimum of four times per year in coordination with Marshall University's office of Health and Safety and Housing & Residence Life. There are no fraternity and sorority houses that are located on university property at this time. The City of Huntington Fire Department visits each residence hall once per semester to ensure that responding personnel are familiar with the building design and layout.

If there is an actual fire emergency students are instructed to:

1. Sound the Alarm: If you discover or suspect a fire, sound the fire alarm. If there is no alarm in the complex, warn the other occupants by knocking on doors and shouting as you exit the building.
2. Exit the Building: Try to aid others, but only if you can do so safely. After leaving the building remain at least 100 feet away from it. Do not return to the building until university personnel has given an "all clear" signal.

### **Fire Reporting**

#### **Mountwest Community and Technical College (2013)**

Overall direction and authority for the Emergency Management Team (EMT) of the College lies with the Chief Operating Officer. The Director of Public Safety will act as Incident Commander and Emergency Coordinator and will direct response actions to save lives and protect. All emergencies including fires must be reported to Director of Public Safety:

Paul Roach, Director of Public Safety  
**(304) 710-3499**

## **Specific Fire Prevention Related Policies and Programs**

All faculty, staff and students must comply with college health and safety policies and programs, attend required training, report any identified safety or health hazard, and know their roles in an emergency. All campus buildings and facilities are inspected at least annually by the State Fire Marshal's Office and the West Virginia Board of Risk and Insurance Management.

Smoking is prohibited in all university properties owned and operated by Mountwest CTC.

An application must be submitted for certain types of events on campus, and these events are subject to a review and approval process. The use of open flames and pyrotechnics, layout of assembly areas/events, and use of decorations are all evaluated during this review.

All tents, stages and other temporary facilities must comply the West Virginia's Fire Code, including the prohibition on the use of open flames near or under any tent.

All students must evacuate the building upon fire alarm activation and floor supervisors have been assigned and trained in proper evacuation procedures and reentry into the building when authorized.

Staff and Faculty are trained to perform safety audits of offices and classrooms, coordinate emergency evacuations and warning procedures, and facilitate the performance of fire and other drills.

## **Plans for Future Improvement**

Mountwest Community and Technical College maintains a prioritized list of projects to upgrade older fire systems, enhance the capabilities of existing systems, or install new fire safety systems in existing buildings.

## **Marshall University (Jan1-Jul31, 2012)**

Overall direction and authority for the Emergency Management Team (EMT) of the University lies with the Director of Public Safety. The Director of Public Safety will act as Incident Commander and will direct response actions to save lives and protect. The Emergency Management Coordinator will be the Director of Health and Safety. All emergencies including fires must be reported to Director of Public Safety (MUPD) and the Director of Health and Safety.

James E. Terry, Director of Public Safety (MUPD)

**(304) 696-4357 (6HELP)**

Brian Carrico, Director of Health and Safety

**(304) 696-3432**

## **Specific Fire Prevention Related Policies and Programs**

All faculty, staff and students must comply with university health and safety policies and programs, attend required training, report any identified safety or health hazard, and know their roles in an emergency. All campus buildings and facilities are inspected at least annually by the State Fire Marshal's Office and the West Virginia Board of Risk and Insurance Management. Smoking is prohibited in all university properties owned and operated by Marshall University, including residence halls.

An application must be submitted for certain types of events on campus, and these events are subject to a review and approval process. The use of open flames and pyrotechnics, layout of assembly areas/events, and use of decorations are all evaluated during this review.

All tents, stages and other temporary facilities must comply the West Virginia's Fire Code, including the prohibition on the use of open flames near or under any tent.

All students must evacuate the building upon fire alarm activation and building ambassadors have been assigned and trained in proper evacuation procedures and reentry into the building when authorized.

Resident Directors & Advisors are trained to perform safety audits of residence rooms, coordinate emergency evacuations and warning procedures, and facilitate the performance of fire and other drills.

The Marshall University Health & Safety Department limits the types of electrical appliances allowed in residence halls, establishes expectations for compliance with drills and training, provides for periodic health and safety inspections of residence rooms, affirms limitations on materials that may be stored in resident rooms, prohibits open flames without a permit, limits the use of combustible decorations/furnishings, and notifies the Department of Student Affairs if students violate university policies and programs. Specifically: The possession of extension cords, hot plates, toaster ovens, halogen lamps, microwave ovens, barbeque grills, or other heat-producing cooking utensils is NOT permitted. NO appliances with open or exposed heating coils are permitted. Refrigerators rated at more than 2.5 amps are not permitted in student rooms. Coffee pots and popcorn poppers encased with heating units are the only cooking appliances permitted in the residence halls. Their use must be restricted to the purposes for which they are designed, i.e., heating liquids or making popcorn.

Electrical amplified musical instruments, including microphones, may not be used in student rooms. Electronic equipment capable of transmitting radio waves of any frequency is not permitted without special permission from the Director of Public Safety and the Housing and Residence Life Office Department. Outside radio and television antennae are not permitted. All electrical appliances in operation cannot exceed 20 amps of power at one time. Appliance amperage is usually specified in the instrument manual, or on the equipment itself. Overloading the capacity of circuits can cause damage to your appliances as well as to the building's electrical system. Although Marshall University cannot assume liability for any damage, the Department of Housing and Resident Life will advise you about safe electrical power usage and give you advice on your particular electrical equipment.

Electrical extension cords are NOT permitted, nor are multi-outlet electrical plugs that are plugged into or attached to wall outlets.

The use of power strips/surge protectors is permitted for computers, TV's, cell phone chargers and radios. All electrical appliances (such as refrigerators, coffee makers, space heaters, etc.) must be plugged directly into a wall outlet. If you have any questions concerning safe usage of surge protectors, contact the Housing and Residence Life Office.

### Statistical Report for Fire Response to Residence Halls

<b>2012 Marshall University Fire Statistics On-campus Student Housing</b>						
<b>Facility</b>	<b>Number of Fires</b>	<b>Cause of Fire</b>	<b>Death Related to fire</b>	<b>Injuries Related to Fire</b>	<b>Value of Property Damage</b>	<b>Number of Fire Drills</b>
Buskirk Hall	0	-	0	0	0	4
First Year North	0	-	0	0	0	4
First Year South	0	-	0	0	0	4
Gibson Hall	0	-	0	0	0	4
Haymaker Hall	0	-	0	0	0	4
Holderby Hall	0	-	0	0	0	4
Twin Towers East	0	-	0	0	0	4
Twin Towers West	0	-	0	0	0	4
Wellman Hall	0	-	0	0	0	4
Willis Hall	0	-	0	0	0	4

