



# Annual Security Report 2022

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Prepared by the Department of Public Safety



**TIDEWATER  
COMMUNITY COLLEGE**  
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### Accessibility to Information and Non-Discrimination Policy

The College is committed to equal access to programs, facilities, admission, and employment for all persons. It is the policy of the College to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information, or political ideas. Discriminatory conduct and harassment, as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the College’s educational mission, and will not be tolerated. Direct all inquiries regarding the nondiscrimination policy to Beth Lunde, AVP of Human Resources, Tidewater Community College, Green District Building, 121 College Place, Norfolk, VA 23510; Email: [blunde@tcc.edu](mailto:blunde@tcc.edu); Tel 757-822-1711.

## From the Public Safety Director

To the TCC Community—

On behalf of the Public Safety department here at Tidewater Community College (TCC), I extend greetings. The safety and well-being of our students, faculty, staff and visitors is always the top priority of TCC and the Public Safety department. Our Annual Security Report provides important information regarding campus and community resources, personal safety/crime deterrence, reporting and crime statistics. All of our efforts are aimed at providing a safe environment where our students and employees can thrive. We hope you will use the information contained in this report to become TCC's partner in crime prevention and maintaining a safe learning environment. The Chancellor is responsible for formulating such rules and regulations and providing such assistance in the office of the Chancellor as necessary to support the performance of the chancellor's duties. The state board prescribes these duties, in addition to those duties otherwise prescribed by law. At its discretion, the State Board also approves the appointment by the Chancellor of such agents and employees as may be needed by the Chancellor and the VCCS to implement all assigned functions, duties, and powers. The TCC Public Safety department believes the best way to build safer communities is to work together as a team.

Considering the various backgrounds and the diversity of our students, faculty and staff, expectations on crime and safety can vary greatly. By reading the Annual Security Report, you can gain a better understanding of our community. Overall, our campuses are safe, but we need your active participation and continued support of our efforts to suppress crime effectively.

I thank you for taking time to review TCC's Annual Security Report. The College welcomes your feedback on this report and any services the Public Safety department provides. Please feel free to contact us at any time to request security assistance, general information, Public Safety programs, or to report criminal or suspicious activity on any TCC campus. It is our privilege to serve and work with you to make an already great Institution of Higher Education even better. Remember, a truly safe campus can only be achieved through the cooperation of its students, faculty, and staff.

Respectfully,

Michael Powell, MPA, MS  
Public Safety Director

## About TCC

TCC is the second largest of 23 colleges within the Virginia Community College System (VCCS), which is governed by the State Board for Community Colleges. Founded in 1968 as a part of the Virginia Community College System, Tidewater Community College (TCC) serves South Hampton Roads with 4 campuses in Chesapeake, Norfolk, Portsmouth, and Virginia Beach and 6 regional centers:

- Advanced Technology Center on the Virginia Beach Campus
- Regional Health Professions Center on the Virginia Beach Campus
- Center for Military and Veterans Education on the Virginia Beach Campus
- Regional Automotive Center in Chesapeake
- Center for Workforce Solutions in Suffolk and Virginia Beach, VA
- Visual Arts Center now located in Norfolk, VA
- Trade Skills Academy in Portsmouth, VA

The college also boasts an important cultural institution. The [Jeanne and George Roper Performing Arts Center](#) in the heart of downtown Norfolk.

TCC is the largest provider of higher education and workforce services in Hampton Roads, enrolling more than **33,000** students in **2017-18**. Among publicly funded colleges, we have the 2nd largest undergraduate student body in the Commonwealth of Virginia.

The college is seeing a slow increase of student population post-Covid. TCC is the 2<sup>nd</sup> largest community college in the Commonwealth.

Nearly half of TCC graduates receive associate degrees allowing them to transfer to 4-year institutions; of those, two-thirds continue their education at four-year schools. In the workplace, employers consistently express high levels of satisfaction with employees who are TCC graduates.

## *Our Mission:*

Tidewater Community College provides collegiate education and training to adults of all ages and backgrounds, helping them achieve their individual goals and contribute as citizens and workers to the vitality of an increasingly global community.

## *College Governance*

Virginia Community College System (VCCS)

The Virginia Community College System is the agency responsible for the administration and supervision of the system of the system of community colleges in the Commonwealth of Virginia under the authority of the State Board for Community Colleges.

The Chancellor is the chief executive officer of the Virginia Community College System and serves as the secretary of the State Board for Community Colleges. The Chancellor is appointed by the State Board for Community Colleges.

The Chancellor is responsible for formulating rules, regulations and helping in the office of the Chancellor as necessary to support the performance of the chancellor's duties. The state board prescribes these duties, duties, and otherwise prescribed by law. At its discretion, the State Board also approves the appointment by the Chancellor of such agents and employees as may be needed by the Chancellor and the VCCS to implement all assigned functions, responsibilities, and powers.

## WHAT IS THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education (IHE) that participate in the federal student financial aid program(s) to disclose information about crime on their campuses and in the area immediately adjacent to the campus.

The Clery Act requires colleges and universities to issue notice of certain identified crimes, by providing timely warnings of these crimes that are determined to represent an ongoing threat to the safety of students or employees. Additionally, the act requires the College to make Campus Security policies available to the public. This act also requires TCC to collect, report, and disseminate crime statistics to the campus community and to file these statistics annually with the U.S. Department of Education.



The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19 - year- old Jeanne Clery, who was raped and murdered in her Lehigh University residence hall in 1986. Clery' s parents lobbied Congress to enact the law after they discovered students at Lehigh had not been notified about **38 violent crimes** that had occurred on campus in the three years prior to Clery' s murder.

The Tidewater Community College Department of Public Safety follows all applicable state and federal reporting laws to ensure a safe campus required by the “ Clery Act” which is contained in section 485 of the Higher Education Act, codified at 20 U. S. C § 1092( f) as a part of the Higher Education Act of 1965 , is a federal law that requires colleges and universities to disclose certain timely and annual information about campus and security policies. All public and private institutions of Higher Education participating in federal student aid programs are subject to it. Violators can be fined up to **\$62,689** by the U. S. Department of Education, the agency in charged with the enforcement of the Act. The Education Department has adjusted the amount of the Civil Monetary Penalties (CMP).

## PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Director of Public Safety publishes this report to inform the college community about campus security policies, initiatives to prevent and respond to crime and emergencies, and the occurrence of crime on campus. This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and uses information maintained by the Department of Public Safety, as well as information provided by other College offices such as Student Affairs, Campus Security Authorities, and local law enforcement agencies surrounding the TCC campuses. Each of these entities provides updated policy information and/or crime data annually.

This report provides statistics for the previous three (3) years concerning reported crimes that occurred on campus, in certain off-campus buildings and property owned, leased, or controlled by Tidewater Community College. This report also includes institutional policies concerning campus safety, such as policies regarding sexual assault, alcohol, and other drugs.

The College distributes a notice of the availability of this Annual Security Report by **October 1<sup>st</sup>** of each year to every member of the College community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Department of Public Safety at # 757-822-1797 or by visiting

<https://www.tcc.edu/about-tcc/safety-security/annual-security-report/> . A copy of statistics must also be provided to the U.S. Department of Education.

## ABOUT THE DEPARTMENT OF PUBLIC SAFETY

### *Role, Authority, and Training*

The TCC Department of Public Safety consists of one Public Safety Director, one Security Manager, one Assistant to the Director of Public Safety, four PT Dispatchers, and eighty contract security officers who provide service 24 hours a day, 365 days a year. Except for those locations where college activities are part of another institution such as the Tri-Cities Center, TCC provides contracted unarmed uniformed security officers at each of its campus facilities 24 hours a day, seven days a week. The Campus security officers are licensed by the State of Virginia and certified as Campus Security Officers (CSOs) by the Virginia Department of Criminal Justice Services (DCJS). The duties of a Security officer are primarily preventative in nature. Security officers should not be construed as having the same authority and responsibility as a police officer. The security officers oversee building security, provide a visual presence at all campus locations, and enforce Tidewater Community College policies. Security officers are responsible for checking student, faculty, and staff identification and are granted the authority to request identification to determine whether individuals have lawful business at TCC. The security officers are not empowered to make an arrest. The security officers are not responsible for public areas surrounding college properties. The Department of Public Safety contacts the local police authority to enforce federal, state, and local statutes and coordinates with police officials to investigate criminal offenses. Security services for locations where the college shares classroom space are provided by the institution responsible for the site. TCC utilizes classroom space at the Tri-Cities Center, located in Portsmouth, Virginia. Security services for Tri-Cities is provided by Old Dominion University and the Portsmouth Police Department has law enforcement jurisdiction for this location. The Department of Public Safety works with the Campus Deans and other college officials to provide security awareness information and programs.

Campus Security officers:

Complete Campus Security Officer certification training courses required by Department of Criminal Justice Services in Virginia:

Yearly in-service training, forty hours or more in crime prevention, emergency first aid, CPR/AED, and de-escalation training.

**All criminal incidents are investigated by the Department of Public Safety. All crimes that occur on campus property shall be reported to the Department of Public Safety.**

### *Safety, Our Top Priority*

The College takes great pride in the community at TCC and has many advantages for students, faculty, and staff. This Hampton Roads community is a great place to live, learn, work, and study; however, this does not mean that the campus communities are immune from problems. With that in mind, TCC has taken progressive measures to create and maintain a safe environment on campus.

Though the College is proactive and progressive with its policies, programs, and education, it is up to each of us to live with a sense of **awareness** and use reasonable judgment when working or visiting on campus.

### *Working Relationship with Local, State, and Federal Law Enforcement Agencies*

The Department of Public Safety maintains a cooperative relationship with the Virginia State Police, and local law enforcement agencies in the Hampton Roads area. The Virginia State Police have primary law enforcement jurisdiction over the campuses of Tidewater Community College. The Department of Public Safety works closely with local law enforcement agencies, the college interacts with the police agencies of the localities in which the college's campuses and centers are located. The local police agency is the primary law enforcement responder for reported crimes and criminal emergencies. The Chesapeake Police department, Norfolk Police department, Portsmouth Police department, Suffolk Police department and the Virginia State Police department are the first responders to incidents at college property within their jurisdiction. Crime prevention resources of each law enforcement agency are also made available to the campus community.

## SECURITY OF AND ACCESS TO TIDEWATER COMMUNITY COLLEGE (TCC) FACILITIES

At Tidewater Community College, all campus buildings are open from 7 :00 a.m. until 10:00 p.m., Monday through Friday. Academic buildings are scheduled to be open on weekends only as needed. Access to individual classrooms and labs is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access. People have access to buildings for study, work, or teaching, but not unrelated functions. Therefore, only those who have approval are provided access, or public spaces, such as public libraries within a building.



## ***Security Considerations for the Maintenance of Campus Facilities***

Tidewater Community College (TCC) is committed to campus safety and security. At TCC, locks, landscaping and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Grounds keeping personnel trim shrubs from sidewalks, walkways, and building entrances to provide a well-lighted route to buildings. All campus walkways are inspected at least twice per year to ensure adequate lighting. Burned-out lights are replaced promptly.

We encourage community members to promptly report any security concerns, including concerns about locking mechanism, lighting, or landscaping to the local Campus Dispatch Center, # 757-822-7777.

## ***Locks on Classroom Doors***

Tidewater Community College (TCC) has installed locks that allow many classrooms to be locked from the inside to prevent unwanted intrusion while still allowing doors to be quickly opened from the inside to permit easy exit.

## ***Electronic Card Security and Door Access Control System***

The CBORD Access control system has been installed on many campus perimeter doors and is installed at various interior locations throughout the college. The system has many advantages, allowing Public Safety and others to monitor the status and history of use for all designated as well as to lock and unlock doors remotely. Access is controlled individually through student and employee identification cards.

We encourage community members to promptly report any security concerns, including concerns about locking mechanisms.

## ***Campus Safety: Crime Prevention Tips/Security Awareness***

TCC works hard to ensure the safety and security of the College community. However, students and employees must take the utmost responsibility for their own safety. TCC regulations prohibit all the Clery crimes and Violence Against Women's Act (VAWA) related crimes of dating violence, domestic violence, sexual assault, and stalking upon the College Community property. College Security Officers document security and safety incidents and concerns found during the patrols of buildings and grounds within the electronic incident management system. The incident reports are forwarded electronically to the Director of Public Safety and then to the respective campus dean or to the responsible party for the concern to be addressed. Crime prevention information and programs are available each semester to students, faculty, and staff in the areas of personal safety and the protection of property. Opportunities for Active Threat training, "Avoid, Deny, Defend" are also available. Students and employees are encouraged to report suspicious activity and criminal offenses, as well as secure valuables and follow the criminal code. Hear It, See It, Report It. Additional crime prevention tips can be found online at: <https://www.tcc.edu/about-tcc/safety/crime-safety>.

Basic proactive crime prevention tips are most effective means of maintaining personal security. Here are some suggestions:

Call the TCC Dispatch immediately if you see or hear something suspicious. Do not hesitate to dial 911, for local law enforcement in an emergency. Give detailed information of your location.

Download the TCC ReportEXEC Community app, and use it to text, submit photos, or audio/video clips to report suspicious activity, and crimes. ([https://play.google.com/store/apps/details?id=com.reportexec.blert&hl=en\\_US&gl=US](https://play.google.com/store/apps/details?id=com.reportexec.blert&hl=en_US&gl=US)) [Type in **Tidewater Community College** and the PIN: **1122**

The Department Public Safety Communications Dispatch contact number is **757-822-7777**, 24/7/365

Remain alert, pay attention to your surroundings; be cautious when using devices that make it difficult to hear or see people around you. Only use one ear pod to increase your hearing ability around you.

Park in well-lit areas and check the side of your vehicle before entering it.

Valuable property should not be brought on campus. If you choose to bring valuable property onto campus, always keep it with you or secure it out of sight in an automobile. Backpacks, books, book bags, electronic equipment, purses, and wallets are targets for theft. The College is not responsible for lost or stolen personal property.

IP Telephones in campus classrooms, offices, and other designated locations are equipped with "panic buttons" which, when activated, result in an immediate response from TCC security.

## Reportable Clery Offenses and Definitions of Reportable Clery Crimes<sup>1</sup>

**Murder/Manslaughter** – defined as the willful killing of one human being by another.

**Negligent Manslaughter** – defined as the killing of another person through gross negligence.

**Rape** – Penetration no matter how slight of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Fondling** – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**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.

**Robbery** – defined as 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 or violence and/or by putting the victim in fear.

**Aggravated Assault** – defined as 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.

**Burglary** – unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – theft or attempted theft of a motor vehicle.

**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 of another, etc.

**Domestic Violence** – Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person 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 laws of the Commonwealth of Virginia, 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.

**Dating Violence** – Means violence committed by a person—(a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined by the reporting party's statement and based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) 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—(a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress. In Virginia, a person commits the crime of stalking when the person either:

- (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
- (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

**Hate Crimes** – includes all of the crimes listed above that manifest evidence that the victim was intentionally selected because the perpetrator's bias against the victim based on one of the Categories of Prejudice listed below, plus the following crimes.

**Larceny/Theft** – the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

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

**Destruction/Damage/Vandalism to Property (except Arson)** – to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Also Arrests and/or disciplinary referrals for liquor law violations, drug law violations, or illegal weapons possession.

## Categories of Prejudice

**Race** – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind.

**Gender** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

**Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**Ethnicity** – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

**National Origin** – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

**Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

**Gender Identity** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

## Virginia Associated Laws (Sex Offenses)

**Rape:** Title 18.2-61 Code of Va. Definition: Sexual intercourse with a person against his/her will and by force. Penalty: 5 years to life imprisonment.

**Aggravated Sexual Battery:** Title 18.2-67.3 Code of Va. Definition: Sexual abuse (fondling) of the victim by force and against the will of the victim, AND/OR serious bodily or mental injury to the victim results AND/OR the assailant uses or threatens use of a weapon. Penalty: 1 to 20 years imprisonment.

**Sexual Battery:** Title 18.2-67.4 Code of VA

Definition: Sexual abuse (fondling) of the victim by force and against the will of the victim.

Penalty: 12 months jail and/or \$2,500.00 fine.

**Forcible Sodomy:** Title 18.2-67.1 Code of Va. Definition: Oral sex (cunnilingus, fellatio, anilingus) or anal intercourse by force and against the will of the victim. Penalty: 5 years to life imprisonment.

**Inanimate Object Sexual Penetration:** Title 18.2-67.2 Code of Va. Definition: Penetration of the vagina or rectum with any object by force and against the will of the victim. Penalty: 5 years to life imprisonment.

**Marital Sexual Assault:** Title 18.2-67.2:1 Code of Va. Definition: When a couple is living together and one partner forces or threatens the other into vaginal intercourse, forcible sodomy, or inanimate object sexual penetration and does NOT cause serious physical injury, the charge is marital sexual assault. However, if the couple is living together and serious physical injury caused during the assault, the charge would be listed above in 1-3

For charges to be brought against the offender/spouse, marital sexual assault must be reported within 10 days to the police, unless the victim/spouse is rendered physically unable to report. Penalty: 1 to 20 years imprisonment, or 12 months jail and/or \$1,000.00 fine. Any or all of the sentences may be suspended upon the defendant's successful completion of counseling or therapy, either before or after sentencing, after consideration of the views of the survivor and the Commonwealth's Attorney representing the case.

**Indecent Liberties:** Title 18.2-63 Code of Va. (Commonly referred to as "Statutory Rape") Definition: Sexual intercourse with a person aged 13 or 14, with consent, when the offender is 3 years or more the senior. Penalty: 1 to 5 years imprisonment and/or \$1,000.00 fine (If the offender is less than 3 years the senior the charge is fornication, a misdemeanor. Any person under the age of 13 has no legal capacity to consent to sexual intercourse; therefore, if a person under the age of 13 has sexual intercourse, the offender should be charged with rape.)

**Incest:** Title 18.2-366 Code of VA Definition: Sexual intercourse between two people who are not permitted by law to marry. Penalty: 1 to 10 years imprisonment and/or \$1,000.00 fine.

**Family abuse:** any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury. "Family or household member" means (i) the person's spouse, whether or not he or she resides in the same home with the person,

(ii) the person's former spouse, whether or not he or she resides in the same home with the person,

(iii) the person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person, (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person.

**Stalking:** Any person, except a law-enforcement officer, as defined in § 9.1-1011, and acting in the performance of his official duties, and a registered private investigator, as defined in § 9.1-138, who is regulated in accordance with § 9.1-139 and acting in the course of his legitimate business, who on more than one occasion engages in conduct directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member is guilty of a Class 1 misdemeanor.

**Dating Violence:** Undefined in the Commonwealth of Virginia.

## DEFINITIONS OF CLERY ACT LOCATIONS

**On-Campus** - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic areas and used by the institution within the same reasonably contiguous geographic areas and used by the institution in direct support of, or in a manner related to, the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and is frequently used by students, and supports institutional purposes.

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

**Non-Campus** – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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.

<sup>1</sup> Sources: U.S. Department of Education, Office of Postsecondary Education, *The Handbook for Campus Safety and Security Reporting*, 2016 Edition, Washington, D.C., 2016. Violence Against Women Act of 1994. FBI's Uniform Crime Reporting (UCR) Program <https://ucr.fbi.gov/>, *Summary Reporting System (SRS) User Manual*, *National Incident-Based Reporting System (NIBRS) Data Collection Guidelines*, and *Hate Crime Data Collection Guidelines and Training Manual*.

## REPORTING CRIMES AND OTHER EMERGENCIES

The College has several ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to law enforcement and to appropriate College officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire Tidewater Community College community that you immediately and accurately report all incidents so that the Department Public Safety can investigate and document the incident.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the College or criminal justice system, we ask that you consider filing a confidential report. Depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personal identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the College to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security Report. In limited circumstances, the department may not be able to assure confidentiality and will inform you in those cases.

Anyone may call the TCC Dispatch Center, 757-822-7777 to report concerning information. Callers may remain anonymous.

### Confidential Report Form

If you are interested in reporting a crime anonymously, you can utilize the College's online crime reporting website, which can be accessed at <https://forms.tcc.edu/confidential-report-form/>. It is our policy to attempt not to trace the origin of the person who submits this form, unless such is deemed necessary for public safety. You can also submit tips through Virginia Crime Stoppers at 1-800-4-VA-TIPS or via the website.

### Reporting to Public Safety

We encourage all members of the College community to report all crimes and other emergencies to the Department of Public Safety in a timely manner. The Department of Public Safety is available by phone at 757-822-1797 from 8:30am to 5pm Monday-Friday. Also, the Communications Dispatch Center is available by phone (757-822-7777) 24 hours a day. Although many resources are available, the Department of Public Safety should be notified of any crime, whether or not, an investigation ensues, to assure the College can assess any and all security concerns and inform the community if there is a significant threat to the College community.

### Campus Security Authorities (CSA) and Reporting to Other CSAs

While the College prefers that community members promptly report all crimes and other emergencies directly to the Department of Public Safety at 757-822-7777, we also recognize that some may prefer to report to other individuals or College offices. The Clery Act recognizes certain College officials and offices as "Campus Security Authorities" (CSAs). The Clery Act defines these individuals, among other individuals, as "An official of an institution who has significant responsibility for student and campus activities. An official is defined as a person who has the authority and the duty to act or respond to particular issues on behalf of the institution." The CSAs have a legal obligation to file a report of suspected criminal activity with the TCC Department of Public Safety to ensure statistical data of all crimes as specified by the Clery Act in the Annual Security Report.

### Pastoral and Professional Mental Health Counselors

According to the Clery Act, pastoral and professional mental health counselors who are appropriately credentialed and hired by an Institution of Higher Education to serve exclusively in a counseling role are not considered CSAs. **Currently TCC does not employ Pastoral or Professional Mental Health Counselors.**

Campus Security Authorities include:

- Campus security department or Campus Police department

- An official of an institution who has significant responsibility for student and campus activities.

- Any individual/organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

- Any individual(s) who have responsibility for campus security but who do not constitute a campus police or campus security department, such an individual responsible for monitoring entrances onto institutional property.

While the College has identified several CSAs at TCC, we officially designate the following offices as places where campus community members should report crimes:

Official	Campus Address	Phone Number	Email
Michael Powell- Director of Public Safety	121 College Place, Suite 406 Norfolk, VA 23510	757-822-1797	<a href="mailto:mpowell@tcc.edu">mpowell@tcc.edu</a>
Dr. Jeanne Natalie -Title IX Coordinator	(Kempsville Bldg. Room 115) 1700 College Crescent Virginia Beach, VA 23453	757-822-7193	<a href="mailto:d.titleix@tcc.edu">d.titleix@tcc.edu</a>
Dr. Emily Hartman – Campus Dean, (Chesapeake)	(Pass Bldg., Room 153) 1428 Cedar Road Chesapeake, VA 23510	757-822-5201	<a href="mailto:d.titleix-c@tcc.edu">d.titleix-c@tcc.edu</a>
Dr. Thomas Chatman – Campus Dean (Norfolk)	(Martin Bldg., Office 300 Granby Street Norfolk, VA 23510	757-822-1180	<a href="mailto:d.titleix-n@tcc.edu">d.titleix-n@tcc.edu</a>
Dr. Terrence Bowers – Campus Dean (Portsmouth)	(Building A), 120 Campus Drive Portsmouth, VA 23701	757-822-2180	<a href="mailto:d.titleix-p@tcc.edu">d.titleix-p@tcc.edu</a>
Dr. Kia Hardy – Campus Dean (Virginia Beach)	(Bayside Bldg.), 1700 College Crescent Virginia Beach, VA 23453	757-822-7244	<a href="mailto:d.titleix-vb@tcc.edu">d.titleix-vb@tcc.edu</a>
Beth Callahan – Deputy Title IX Coordinator	(Princess Anne Bldg.), 1700 College Crescent Virginia Beach, VA 23453	757-822-7716	<a href="mailto:d.titleix@tcc.edu">d.titleix@tcc.edu</a>
Ms. Trianne Smith – Code of Conduct	120 Campus Drive Portsmouth, VA 23701	757-822-2213	<a href="mailto:tsmith@tcc.edu">tsmith@tcc.edu</a>

The people listed above are also on the College Clery Committee which is a sub-committee of the Public Safety Committee and is chaired by the Director of Public Safety. Clery compliance is a college-wide commitment requiring continuous updating.

### Call Boxes

TCC has emergency call boxes located on its campuses. All students, staff, and faculty are encouraged to download **ReportEXEC Community app** on their mobile phone so they may have instant access to the TCC Public Safety. A blue light marks campus emergency call boxes. Remember to push the red button to talk directly to TCC dispatch personnel and release the button to listen. Call boxes are for Emergency Use Only and should not be activated to request room openings or for nonemergency issues. **Note:** Some TCC call boxes have red buttons and some call boxes have silver buttons.

### Crime Alerts

Alerts sent to the College community about a crime that is occurring or that has occurred, and which poses a significant threat to safety are also posted on the TCC College Website. The most recent alerts are posted and available at <https://www.tcc.edu/about-tcc/safety-security/emergency-preparedness/closings-emergencies/>

### Campus Security Officers

TCC has Campus Security staff that patrol the college campuses 24/7 are Virginia department of Criminal Justice Campus Security Officer certified. In addition to having state certification, these officers are trained to respond to the needs and requirements of the TCC College environment and work under the supervision of the TCC Director of Public Safety. These officers report regularly to TCC's dispatch center (Security Management Center-SMC) during their patrols and relay all incidents and submit daily reports to Campus Security supervisors. All TCC Security officers follow detailed post orders describing their positions, goals, objectives, and responsibilities. The Campus Security Officers receive regular training to maintain their proficiency.

TCC's campus security officers routinely patrol the campus on foot, and by vehicle. Campus security will respond to all police, fire,

and medical emergency calls. Public Safety investigates criminal matters on campus, and work closely with local, state, and federal authorities as appropriate to ensure safety and to facilitate a close working relationship with federal, state, and local jurisdictions to ensure personnel are acquainted and familiarized with various TCC locations.

### ***Panic dialers***

The IP telephones in campus classrooms, offices, administrative offices, and other selected locations are equipped with “panic buttons.” By activating the panic dialer, a message that assistance is needed at the telephone’s location is automatically sent to the College Public Safety Dispatch center. Activation of the panic dialer from on-campus telephones will generate an immediate Public Safety response, even if the activation was accidental. In an emergency, dial 9-1-1 and do not use the panic dialer.

### ***ReportEXEC Community***

In our continuing commitment to the highest standard of campus safety, TCC has a mobile safety app called ReportEXEC Community. The Community App improves communication between students, faculty, staff, bystanders and TCC Public Safety and will facilitate emergency response in critical situations. Our goal is to work with you to help build a safer campus.

The ReportEXEC Community app allows you to:

- Report tips or request emergency services anonymously from TCC Public Safety.
- Send your location to TCC Public Safety.
- Let friends or family monitor your movements, so you never have to walk alone.
- Share your concerns and suggestions with TCC Public Safety.
- Have critical safety information at your fingertips.

Getting the app is easy, fast, and FREE!!!

- Visit the iTunes or Google Play Store and download the ReportEXEC Community app!
- Choose TCC from the list of schools.
- Fill in your name and contact information, so TCC Dispatch (SMC) can reach you in the event of an emergency.
- [https://play.google.com/store/apps/details?id=com.reportexec.blert&hl=en\\_US&gl=US](https://play.google.com/store/apps/details?id=com.reportexec.blert&hl=en_US&gl=US)

### ***Public Safety Newsletters***

TCC Newsletters are produced monthly and distributed electronically to TCC students, faculty, and staff. The newsletters inform the TCC community on specific initiatives and provide useful information to maintain a safe and secure learning environment. The newsletters also announce upcoming training offered by the Department of Public Safety. The articles in the newsletter address topics such as: Workplace Safety, Clery Act/VAWA requirements and reporting procedures, Crime prevention, TCC Alerts, Active Threat response, Sexual assault, Alcohol abuse, Campus Safety Resources, College resources, etc

## Security Technology

TCC's Public Safety Department is equipped to address the College's uniquely designed campuses. Public Safety maintains a working relationship with the Facilities Management department in the maintenance of campus facilities. Each campus location has a trained *SchoolDude* representative. *SchoolDude* is a software program that allows facilities maintenance to monitor and review maintenance issues College wide.

A small system of security cameras at designated campuses and buildings are in place to ensure the safety of students, faculty, staff, visitors, and the campus facilities. A video surveillance system serves to monitor TCC facilities. These cameras help to:

- maintain secure facilities
- protect students
- deter crimes
- prevent vandalism
- monitor parking lots
- aid in investigations
- assist to ensure that college policies are properly followed

There are 231 emergency call boxes which connect callers directly with the TCC Communications Dispatch Center that will contact Local emergency responders and TCC Campus Security 24-hours a day, 7 days a week. The boxes are activated by pressing the call button. A tally of the emergency call boxes is listed in Table 4. There is a total of 2,289 IP Cisco phones to receive emergency messages in classrooms and administrative offices.

**Table: Tally of Tidewater Community College Emergency Call Boxes.**

	Chesapeake Campus	Norfolk Campus	Portsmouth Campus	Suffolk Campus (WFS)	Visual Arts Center (VAC)	Virginia Beach Campus	Regional Automotive Center	TRI-CITIES	Trade Skills Academy	TOTAL
Emergency Call Boxes	58	25	63	0	3	80	2	0	0	231
Elevator Call Boxes	6	10	8	0	1	13	0	0	0	38
Emergency IP Classroom and Admin Phones	261	549	331	62	9	669	29	12	3	1932

Figure 1 shows examples of emergency call boxes at TCC.

**Figure 1. Emergency Call Boxes**





## TIMELY WARNINGS and Emergency Notifications

TCC is committed to the safety and well-being of its faculty, staff, students, guests, and visitors to the college. In compliance with the Higher Education Act of 1965, as amended, and Section 23-9.2:11 of the Code of Virginia, the College has implemented a comprehensive communication system with state-of-the-art equipment to provide prompt warning notifications and alerts of immediate threats to the health and safety of the campus community. This system(s) employ various methods, including but not limited to: email notices, audible phone messages systems, cellular (SMS) text messages, college website updates.

To provide timely notice to the campus community in the event of a Clery Act Crime, or other emergency information that may pose a serious or ongoing threat to members of the community, the Department of Public Safety works with Institutional Advancement to issue "Timely Warnings." Generally Timely Warnings are issued for the following: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. The Department of Public Safety will post these warnings through a variety of ways, including but not limited to posters, emails, and media. The College also can send text message alerts to those who register their cell phone numbers. The text messaging can be a very effective way to send important information to the campus community.

The purpose of a Timely Warning is to notify the campus community of the incident and to provide information that may enable the community to take steps to protect themselves from similar incidents. The College will issue Timely Warnings whenever the following criteria are met: (1) one of the above listed crimes are reported; (2) the perpetrator has not been apprehended; and (3) There is a substantial risk to the safety of other members of the campus community because of this crime. The College may also issue a Timely Warning in other circumstances, as outlined above.

Additionally, the Department of Public Safety may, in some circumstances, issue Emergency Notifications when there is a pattern of crimes against persons or property. At TCC, the Director of Public Safety, the Campus Dean, can all make the determination, in consultation with other College offices, if a Timely Warning is required. For incidents involving off-campus crimes, the College may issue a Timely Warning if the crime occurred in a location used and frequented by the College population.

Timely warnings are provided in the event of a reported crime, either on campus or off, that, in the judgement of the TCC Director of Public Safety, or designee, constitutes an ongoing or continuing threat to the College community. The warnings (and information updates) are generally written by the Public Information Officer, or a designee and are typically distributed via email to anyone who has a tcc.edu email address or via one of several of the alert notification technologies depending upon the incident specifics. The Public Safety department (Campus Security) will make every effort on a case-by-case basis to provide a timely warning to the campus community whenever a situation arises that constitutes an on-going or potential threat and requires a notification. It is college policy to post these notices on the college website and or make notifications to faculty and students. The TCC Alerts system may be used depending on the nature of the incident. The Emergency Notification/Timely Warning Policy is available at <https://www.tcc.edu/wp-content/uploads/archive/policies/tcc-policy-1304.pdf>

If, for instance, a reportable crime occurs but the suspect is arrested, there may no longer be an ongoing threat to the College community and a warning may not be disseminated. Timely warnings may also be posted for other crime classifications, as deemed necessary.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### *Emergency Management at Tidewater Community College*

The Department of Public Safety assists departments and campuses with developing, maintaining, and implementing emergency operations plans, developing, and conducting exercises, hazard and risk education, and building partnerships with external response agencies. The Department of Public Safety is responsible for assisting with and coordinating the College's overarching mitigation, preparedness, response, and recovery programs.

Each campus within the College system maintains an emergency management program. Within the context of these programs, each campus develops and distributes emergency response procedures to students and employees. These procedures are maintained and distributed in a variety of ways. Some campuses post the information in hallways and classrooms. Pamphlets and brochures with emergency response information are available at all locations through the campus's security department.

### *Drills, Exercises, and Training*

To ensure the campus's emergency management plans remain current and actionable, the campuses conduct at least one exercise annually. These exercises include, but are not limited to: tabletops, drills, functional, or full-scale. The campuses conduct after-action reviews of all emergency management exercises. The Department of Public Safety works with each campus location to develop exercises scenarios and schedules and coordinates these events with local, state, and federal response agencies as well as stakeholders.

In conjunction with at least one emergency management exercise each year, the College will notify the appropriate campus community of the exercise and remind the community of the College's TCC Alert system and emergency response procedures.

## **Emergency Notification**

Tidewater Community College is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. Tidewater Community College will immediately notify the campus community upon confirmation of an emergency or dangerous situation. Tidewater Community College uses the emergency notification system Everbridge to provide alerts via TCC Alerts. TCC Alerts is an emergency notification service available to faculty, staff, and students. TCC Alerts is a closed, opt-in system. TCC Alerts can be used to send emergency messages within minutes of the occurrence of an incident. Alerts sent by Tidewater Community College's Facebook page, Twitter, or at the subscriber's choice, cellular or land-line telephone.

### **Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System:**

The college Department of Public Safety and/or other Responsible College Authorities may become aware of a critical incident or other emergency that potentially affects the health and/or safety of the campus community. Generally, Responsible College Authorities become aware of these situations when they are reported to the campus security and or local police department or directly to a college employee. A Responsible College Authority is defined as a TCC employee that has the knowledge, skills, and abilities necessary to evaluate whether a particular event requires an emergency notification and to determine if such a notification would compromise the efforts to contain the emergency. This individual may also determine if a message should be sent to benefit the health, safety, and well-being of the campus community for situations that do not pose a significant emergency or dangerous situation.

Once there is a confirmation there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, security, faculty/staff or first responders will notify supervisors in College Department of Public Safety or other Responsible College Authorities (i.e. Director of Public Safety/Campus Dean) to issue an emergency notification.

The institution 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 professional judgement of Responsible College Authorities (i.e., Public Safety Director, Campus Dean or designee), compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

### **Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification:**

Campus and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the campus community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e., the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The Responsible Campus Authorities (i.e., Campus Dean or designee) will continually evaluate the situation and assess the need to notify additional segments of the campus population.

**Determining the Contents of the Emergency Notification(s):** Speed and accuracy of the information are of utmost importance in issuing emergency notifications. To expedite this process and ensure each message contains essential information, the mass notification system contains pre-scripted templates for the most probable or highest impact emergencies based on a campus' Hazard Vulnerability Analysis (HVA). These messages identify the situation, allow for input of the location, and identify the immediate protective action that should be taken. The individual authorizing the message will select the most appropriate template. In those cases where there are no predetermined templates in the system, the individual may use a "custom" template to craft a specific message. The goal is to ensure people are aware of the situation and they know the steps to take to stay safe.

### **Procedures Used to Notify the Campus Community:**

In the event of a situation that poses an immediate threat to members of the campus community, the campus 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 emergency. These methods of communication include the mass notification system TCC Alert, which may include SMS, e-mail, voice, RSS, Twitter, and Facebook. We may also use verbal/written announcements within buildings (Informacast, premises devices, such as phones) fire alarms, and posting to websites as described in the CEMP

### **Procedures for Disseminating Emergency Information to the Larger Community (i.e., individuals and organizations outside the campus community):**

If the campus activates its Emergency Notification Annex in response to a situation that poses an immediate threat to members of the campus community, the appropriate offices at the campus will notify the larger community about the situation and steps the campus has taken to address the emergency. Primarily, the office of Institutional Advancement is responsible for

crisis communications and for updating notices on Facebook, Twitter, and other social networking platforms and for maintaining communications with news outlets, distribution of press releases, and scheduling of press conferences.

### **Enrolling in the College’s Mass Notification System TCC Alerts:**

We encourage employees and students of the campus community to enroll in TCC Alerts. They are encouraged to visit the TCC Alert portal at [www.tcc.edu/alerts](http://www.tcc.edu/alerts) and add phone numbers and additional e-mails. Members of the larger community are encouraged to follow us on Twitter, Facebook, Instagram, Snapchat or our websites.

### **Text Messaging Service (TCC Alerts)**

TCC has partnered with Everbridge to deliver emergency alerts and notifications to students, faculty, and staff via email and/or text alerts. Login to [www.tcc.edu/alerts](http://www.tcc.edu/alerts) manage your account - including verifying your current information and adding additional email addresses and/or cell phone numbers. If you’re having trouble logging in or if you would like to opt-out, please contact the [TCC Alerts Mgr@tcc.edu](mailto:TCC_Alerts_Mgr@tcc.edu).

For more information, please access TCC Alerts. If you have questions regarding your login, please contact the TCC Alerts Manager at [TCC\\_Alerts\\_Mgr@tcc.edu](mailto:TCC_Alerts_Mgr@tcc.edu).



### ***TCC's Firearms/Weapons Policy (Weapons Policy #1101)***

Tidewater Community College (TCC) promotes a safe and secure environment in which to learn and work. The presence of weapons on college premises or at college-sponsored events is not conducive to maintaining such an environment. Thus, to the extent allowed by law, regulation, and Virginia Community College System (VCCS) policy, weapons are prohibited on college property and at college-sponsored events. General possession or carrying of any weapon by any person, except a law enforcement officer, is prohibited on college property in academic buildings, administrative offices buildings, student centers, childcare centers, dining facilities, and places of like kind where people congregate, or while attending any sporting, entertainment or educational events. Entry upon the college property in violation of this prohibition is expressly forbidden. Any individual in violation of this prohibition shall be directed to remove the weapon immediately. Failure to comply may result in a student conduct referral, an employee disciplinary action, or arrest. Policy and Procedures – Subject: Weapons <https://www.tcc.edu/wp-content/uploads/archive/policies/tcc-policy-1101.pdf>

### ***TCC's Prevention of Campus and Workplace Violence (Workplace Violence Policy #1301)***

Tidewater Community College (TCC) is committed to providing a safe environment for its students, employees, and visitors. To promote such an environment, TCC strictly prohibits threats or acts of violence by or against members of the college community. The college designates a committee responsible for coordinating the college's violence prevention efforts. The college also has a Threat Assessment Team responsible for implementing the college's assessment, intervention, and action protocol in individual cases. Policy and procedures - Subject: Workplace Violence Policy <https://www.tcc.edu/wp-content/uploads/archive/policies/tcc-policy-1301.pdf>

TCC promotes a safe environment in which to learn and work by strictly prohibiting threats or acts of violence by or against members of the college community including, but not limited to, the following:

- Intentionally causing physical injury to self or another person.
- Engaging in behavior that creates a risk or reasonable fear of physical injury to self or another person (e.g., stalking)
- Engaging in behavior that subjects another individual to extreme emotional distress.
- Possessing, brandishing, or using a firearm, weapon, or other device that is not required by the individual's position while on college property or engaged in college business or in violation of law or college policy.
- Intentionally damaging property.
- Threatening to injure an individual (including oneself) or to damage property.
- Committing injurious acts motivated by, or related to, domestic violence or sexual harassment.
- Retaliating against any individual who, in good faith, reports a violation of this policy.

### ***TCC's Alcohol and Drug Policy (AOD Policy #1103)***

Federal law requires TCC to notify all faculty, staff, and students of certain information pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of its activities. TCC supports the Federal Drug-Free Workplace Act of 1988 (Public Law 100-690, Sec. 5151 et. Seq.) and the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226).

The College prohibits the unlawful possession, use, manufacture, or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, and grounds, or property controlled by the College or used as part of College activities. In addition, the smoking of any material is prohibited in all facilities of TCC at all locations. College Security officers and officials actively suppress the illegal possession, use or sale of illegal drugs. Anyone found in violation of any state or federal alcohol/drug law will be referred to local law enforcement for criminal action and arrest. The respective Campus Dean adjudicates violations of student drug policies. Policy and Procedure – Subject: Alcohol and Other Drugs #1103 <https://www.tcc.edu/wp-content/uploads/2020/10/Policy-1103-Alcohol-and-Other-Drugs-Final-electronic-signature.pdf>



**Controlled Substances Act (CSA)** — The CSA places all substances that are regulated under existing federal law into one of five schedules. The place is based on the substance’s medical use, potential for abuse, and safety or dependence ability. Below is a description of the five schedules and examples of drugs in each schedule. The list is not comprehensive.

Schedule	Characteristics	Examples
<b>Schedule I</b>	<ul style="list-style-type: none"> <li>high potential for abuse</li> <li>no currently accepted medical use in US</li> <li>lack of accepted safety for use under medical supervision</li> </ul>	<ul style="list-style-type: none"> <li>Heroin</li> <li>Gamma Hydroxybutyric Acid (GHB)</li> <li>LSD</li> <li>Marijuana</li> <li>MDMA (Ecstasy)</li> <li>Mescaline (peyote)</li> <li>Psilocybin/Psilocyn (mushrooms)</li> <li>Tetrahydrocannabinols (THC)</li> </ul>
<b>Schedule II</b>	<ul style="list-style-type: none"> <li>high potential for abuse</li> <li>currently accepted for medical use or with severe restrictions in US</li> <li>abuse may lead to severe psychological or physical dependence</li> </ul>	<ul style="list-style-type: none"> <li>Adderall®</li> <li>Amphetamine</li> <li>Cocaine</li> <li>Fentanyl</li> <li>Hydrocodone</li> <li>Methadone</li> <li>Methamphetamine</li> <li>Morphine</li> <li>Oxycodone</li> <li>Phencyclidine (PCP)</li> <li>Ritalin®</li> </ul>
<b>Schedule III</b>	<ul style="list-style-type: none"> <li>less potential for abuse than drugs in Schedules I and II</li> <li>currently accepted for medical use in US</li> <li>abuse may lead to moderate or low physical dependence or high psychological dependence</li> </ul>	<ul style="list-style-type: none"> <li>Anabolic Steroids</li> <li>Codeine compounds</li> <li>Some barbiturates</li> <li>Ketamine</li> </ul>
<b>Schedule IV</b>	<ul style="list-style-type: none"> <li>low potential for abuse compared to drugs in Schedule III</li> <li>currently accepted medical use in US</li> <li>abuse may lead to limited physical dependence or psychological dependence</li> </ul>	<ul style="list-style-type: none"> <li>Ativan®</li> <li>Rohypnol®(not manufactured or legally marketed in the US)</li> <li>Valium®</li> <li>Xanax®</li> </ul>
<b>Schedule V</b>	<ul style="list-style-type: none"> <li>low potential for abuse compared to drugs in Schedule IV</li> <li>currently accepted medical use in US</li> <li>abuse may lead to limited physical dependence or psychological dependence</li> </ul>	<ul style="list-style-type: none"> <li>Cough medicines with codeine</li> </ul>

Source: U.S. Department of Justice. (2017). *Drugs of Abuse*. Washington, DC: U.S. Government Printing Office. Retrieved from <http://www.justice.gov/>.

### Federal Tracking Penalties — Marijuana

Drug	Quantity	1st Offense	2nd Offense*
Marijuana (Schedule I)	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>Not less than 10 yrs, not more than life</li> <li>If death or serious injury, not less than 20 yrs, not more than life</li> <li>Fine not more than \$10 million if an individual, \$50 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 20 yrs, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$20 million if an individual, \$75 million if other than an individual</li> </ul>
Marijuana (Schedule I)	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>Not less than 5 yrs, not more than 40 yrs</li> <li>If death or serious injury, not less than 20 yrs, not more than life</li> <li>Fine not more than \$5 million if an individual, \$25 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$8 million if an individual, \$50 million if other than an individual</li> </ul>
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg mixture More than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>Not more than 20 yrs</li> <li>If death or serious injury, not less than 20 yrs, not more than life</li> <li>Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 30 years</li> <li>If death or serious injury, mandatory life</li> <li>Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
Marijuana (Schedule I)	1 to 49 plants; less than 50 kg	<ul style="list-style-type: none"> <li>Not more than 5 years</li> <li>Fine not more than \$250,000, \$1 million other than individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 10 years</li> <li>Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$8 million if an individual and \$20 million if other than an individual.

Source: U.S. Department of Justice. (2017). *Drugs of Abuse*. Washington, DC: U.S. Government Printing Office. Retrieved from <http://www.justice.gov/>.

## Federal Tracking Penalties

Drug Schedule	Quantity	Penalties	Quantity	Penalties
Cocaine (Schedule II)	500–4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 gms mixture		280 gms or more mixture	
Fentanyl (Schedule II)	40–399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10–99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100–999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5–49 gms pure or 50–499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10–99 gms pure or 100–999 gms mixture		100 gm or more pure or 1 kg or more mixture	
Penalties				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 years, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gm			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 yrs. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount			
Flunitrazepam (Schedule IV)	Other than 1 gm or more	<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, Fine \$2 million if not an individual.		
All Schedule V drugs	Any amount			
		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Source: U.S. Department of Justice. (2017). *Drugs of Abuse*. Washington, DC: U.S. Government Printing Office. Retrieved from <http://www.justice.gov/>.

## Drugs

Unauthorized manufacture, distribution, and possession of “controlled substances” are prohibited by both state and federal law and are punishable by severe penalties. The college does not tolerate or condone such conduct. Students and employees who violate state and federal drug laws may be referred by college authorities for criminal prosecution.

## Drugs-Free Workplace Policy.

The use of alcohol or illegal drugs by all employees while on college property, including meal periods and breaks, is absolutely prohibited. The use of alcohol may be authorized in advance by the college for approved TCC functions. No employee will report to work while under the influence of alcohol or illegal drugs. Violations of these rules by an employee will be reason for evaluation/treatment for a substance use disorder or for disciplinary action, up to and including dismissal.

### Notes:

- Alcohol and other drug use during pregnancy increases risk of physical harm to fetus.
  - Additional risks of harm may occur from toxic impurities present in street drugs.
  - Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed.
- Drugs taken by injection can increase the risk of infection (e.g., HIV, hepatitis, etc) through needle contamination.

## Drugs Risks and Consequences

SUBSTANCE Other Names	Potential for Dependence		Risks and Effects		
	Physical	Psycho-logical	Short-Term	Long-Term	Overdose
<b>ALCOHOL</b> Beer, Distilled liquor, Ethanol, Wine	High	High	<ul style="list-style-type: none"> <li>Impaired judgment and vision</li> <li>Lowered inhibitions</li> <li>Loss of motor skills and coordination</li> <li>Slurred speech</li> </ul>	<ul style="list-style-type: none"> <li>Cardiovascular disease</li> <li>Hypertension</li> <li>Liver damage</li> <li>Neurologic damage</li> <li>Toxic psychosis</li> </ul>	<ul style="list-style-type: none"> <li>Coma</li> <li>Possible death</li> </ul>
<b>CANNABIS</b> Hash oil, Hashish, Grass, Marijuana, Pot, Weed	Low	Moderate	<ul style="list-style-type: none"> <li>Confusion</li> <li>Euphoria</li> <li>Impaired balance and coordination</li> <li>Memory loss</li> <li>Slowed reaction time</li> <li>Slowed thinking</li> </ul>	<ul style="list-style-type: none"> <li>Cardiovascular damage</li> <li>Frequent respiratory infections</li> <li>Impaired learning</li> <li>Impaired memory</li> <li>Increased heart rate</li> <li>Tolerance and addiction</li> </ul>	<ul style="list-style-type: none"> <li>Insomnia</li> <li>Hyperactivity</li> <li>Panic attack</li> <li>Paranoia</li> <li>Possible toxic reaction if combined with other chemicals</li> </ul>
<b>DEPRESSANTS</b> Barbiturates, Benzodiazepine, Date rape drug, Liquid ecstasy, Flunitrazepam, GHB, Methaqualone, Special K, Xanax	High	High	<ul style="list-style-type: none"> <li>Confusion</li> <li>Fatigue</li> <li>Feeling of well-being, irritability</li> <li>Lowered blood pressure</li> <li>Lowered inhibitions</li> <li>Poor concentration</li> <li>Reduced anxiety</li> <li>Sedation</li> <li>Slowed pulse and breathing</li> <li>Slurred speech</li> </ul>	<ul style="list-style-type: none"> <li>Anxiety</li> <li>Dizziness</li> <li>Hallucinations</li> <li>Insomnia</li> <li>Loss of peripheral vision</li> <li>Nausea</li> <li>Seizures</li> <li>Weak, rapid pulse</li> <li>Toxic psychosis</li> <li>Tremors</li> </ul>	<ul style="list-style-type: none"> <li>Blackouts</li> <li>Cold, clammy skin</li> <li>Coma</li> <li>Life threatening withdrawal</li> <li>Possible death</li> <li>Respiratory depression and arrest</li> <li>Toxic reaction if combined with alcohol</li> </ul>
<b>HALLUCINOGENICS</b> Acid, Angel Dust, Crystal, LSD, MDA, Mescaline, Mushrooms, PCP, Peyote, Phencyclidine, Psilocybin	Low / Unknown	Unknown	<ul style="list-style-type: none"> <li>Altered stated of perception</li> <li>Increase body temperature, heart rate, blood pressure</li> <li>Loss of appetite</li> <li>Nausea</li> <li>Numbness</li> <li>Sleeplessness</li> <li>Tremors</li> <li>Weakness</li> </ul>	<ul style="list-style-type: none"> <li>Hallucinogen Persisting Perception Disorder (flashbacks)</li> <li>Intensify existing psychosis</li> <li>Violent behavior</li> </ul>	<ul style="list-style-type: none"> <li>Intense, prolonged hallucinations</li> <li>Possible sudden death</li> <li>Psychosis</li> </ul>
<b>INHALANTS</b> Gases, Solvents	High for chronic, long-term abuse	High for chronic, long-term abuse	<ul style="list-style-type: none"> <li>Impaired judgment</li> <li>Headache</li> <li>Nausea, vomiting</li> <li>Poor coordination</li> <li>Slurred speech</li> </ul>	<ul style="list-style-type: none"> <li>Cardiovascular and nervous system damage, leading to inability to walk, talk, or think</li> <li>Cramps</li> <li>Depression</li> <li>Loss of muscle tone</li> <li>Memory impairment</li> <li>Mild withdrawal</li> <li>Muscle wasting and weakness</li> <li>Weight loss</li> </ul>	<ul style="list-style-type: none"> <li>Coma</li> <li>Possible sudden death</li> <li>Possible toxic reaction</li> <li>Unconsciousness</li> </ul>
<b>NARCOTICS</b> Codeine, Demerol HCL, Heroin, Meperidine, Morphine, Opium, Oxycodone, Vicodin	High	High	<ul style="list-style-type: none"> <li>Confusion</li> <li>Constipation</li> <li>Drowsiness</li> <li>Euphoria</li> <li>Nausea</li> <li>Pain relief</li> <li>Sedation</li> <li>Staggering gait</li> </ul>	<ul style="list-style-type: none"> <li>AIDS and Hepatitis infection</li> <li>Malnutrition</li> </ul>	<ul style="list-style-type: none"> <li>Clammy skin</li> <li>Coma</li> <li>Convulsions</li> <li>Death</li> <li>Respiratory arrest</li> <li>Shallow perspirations</li> <li>Tolerance, addiction</li> <li>Toxic reaction if combined with alcohol</li> </ul>
<b>STIMULANTS</b> Amphetamine, Cocaine, Ecstasy, MDMA, Methylphenidate, Phenmetrazine, Ritalin	Possible	High	<ul style="list-style-type: none"> <li>Appetite loss</li> <li>Excitement and euphoria</li> <li>Feeling of well being</li> <li>Increased alertness</li> <li>Increased blood pressure, pulse</li> <li>Insomnia</li> </ul>	<ul style="list-style-type: none"> <li>Insomnia</li> <li>Nervous system damage</li> <li>Organ/tissue damage</li> <li>Paranoia</li> <li>Psychosis</li> <li>Weight loss</li> </ul>	<ul style="list-style-type: none"> <li>Agitation</li> <li>Convulsions</li> <li>Hallucinations</li> <li>Heart attack, stroke</li> <li>High blood pressure</li> <li>Loss of consciousness</li> <li>Seizures</li> <li>Temperature increase</li> </ul>
<b>TOBACCO</b> Chewing/Smokeless Tobacco, Cigarettes, Cigars, Nicotine	High	High	<ul style="list-style-type: none"> <li>Bad breath</li> <li>Bad taste in mouth</li> <li>Decreased lung capacity</li> <li>Increased blood pressure</li> <li>Increased heart rate</li> </ul>	<ul style="list-style-type: none"> <li>Adverse pregnancy outcomes</li> <li>Cardiovascular disease</li> <li>Cancer</li> </ul>	<ul style="list-style-type: none"> <li>Possible death</li> </ul>

Drug Enforcement Agency. (2017). *Drugs of abuse: A DEA resource guide*. Retrieved from [https://www.dea.gov/pr/multimedia-library/publications/drug\\_of\\_abuse.pdf#page=50](https://www.dea.gov/pr/multimedia-library/publications/drug_of_abuse.pdf#page=50)

National Institute on Alcohol Abuse and Alcoholism [NIAAA]. (2015). Beyond hangovers: Understanding alcohol's impact on your health. Retrieved from <https://www.niaaa.nih.gov/alcohol-health/alcohols-effects-body>

NIAAA. (2015). Alcohol overdose: The dangers of drinking too much. Retrieved from <https://pubs.niaaa.nih.gov/publications/alcoholoverdosefactsheet/overdosefact.htm>

For more information, visit [www.drugabuse.gov/](http://www.drugabuse.gov/) and [www.samhsa.gov/](http://www.samhsa.gov/)

**VIOLENCE AGAINST WOMEN ACT - VAWA**

VAWA requires institutions of Higher Education (IHEs) to provide definitions of their awareness programs, bystander intervention, ongoing prevention, primary prevention programs, and risk reduction programs. The below trainings have been categorized according to the letter designations below. All the training listed below encompasses TCC’s initiative to promote awareness of specific hazards and reduce risks as well as provide available prevention techniques in reducing and preventing crimes.

- ❖ (A) Awareness Programs: Community-wide or audience-specific programming, initiatives, and strategies that increase audiences’ knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration
- ❖ (B) Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking
- ❖ (OA) Ongoing Awareness Campaigns: Programming, initiatives and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.
- ❖ (PP) Primary Prevention Programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions
- ❖ (R) Risk Reduction: Options designed to decrease perpetration and bystander inaction and increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Below is a list of safety and security orientated training and events at TCC that were provided in **2022**.

Clery Act Awareness Training (A, B, OA)	Alcohol and Drug Awareness Program (A, OA, PP, R)
Campus Safety (A, B, PP, R)	Safety in the Classroom (A, OA, PP, R)
New Employee Orientation (A, OA)	National Night Out (A)
New Student Orientation (A, B, R)	Sexual Violence Awareness & Prevention: A Title IX training for Students (A, OA, PP, R)
Victims’ Rights (A, B, OA, PP, R)	Emergency Alert Technologies (A, OA, R)
Code of Conduct (A, OA)	Domestic Violence (A, B, OA, PP, R)
Bystander Intervention (A, B, OA, PP, R)	Alcohol Awareness Day (A, OA)
Evacuation Training (A, OA, PP)	Sexual Harassment (A, B, OA, PP, R)
Substance Abuse (A, OA, PP)	Online Clery CSA Training (A, B, OA, PP, R)

To educate our community about these crimes, TCC engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

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



TCC's educational awareness and prevention programs begin with TCC primary prevention programs. These programs are designed and intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur. TCC primary prevention programs are required for all new employees. All new employees receive online training that covers sexual harassment as well as how to recognize and report other types of sex and gender-based harassment, discrimination, and violence. New employees complete two online trainings: (1) "Report and Prevent Sexual Misconduct" training is required for all staff, faculty, supervisors, and targeted student workers; and (2) "Anti-Harassment, Discrimination and Retaliation for Colleges/Universities" training is required for all staff and faculty.

TCC educational outreach is a collaborative effort through the offices of TCC Department of Public Safety, Title IX office/ Women's Center and Office for Student Affairs.

#### Primary Prevention Programs:

- *Sexual Assault Awareness Week* - The Campus Student Center/Women's Center, in partnership with the LGBTQ Center, organized Sexual Assault Awareness Week 20xx (Aug. 28 through Sept. 1), which included a consent Crafter and various awareness tables.
- *Domestic Violence Awareness Month* – The Women's Center organized Domestic Violence Awareness Month (Month/Year). The program consisted of a variety of programs that increased awareness and knowledge of domestic violence/intimate partner violence, the resources available to survivors of domestic violence/intimate partner violence, and the components of a healthy relationship.
- *Sexual Assault Awareness Month* - The Women's Center launched a social media campaign educating students about consent and providing tips for how to support survivors of sexual violence.

#### Ongoing Prevention Programs:

- *"Healthy Relationships"* – Presentation on the red flag of unhealthy relationships and green flags of healthy relationships.
- *The Red Flag Campaign* – Awareness campaign for intimate partner violence done in partnership with Student Activities and Student Resource and Empowerment Center.
- *Resource Tables* – Covering general resources and topics including crime victim awareness, Title IX, Counseling and Psychological Services, and healthy relationships.
- *Fear to Freedom- Includes:*
  - *Bystander Intervention-*
  - *Stalking*
  - *Domestic Violence*
- *Close line Project-* survivors of Domestic Violence decorate T-shirts to celebrate their new experiences.



## **Education and Prevention Programs**

The College offered the following Primary prevention and awareness programs for all incoming **students** in **2022**

(\*DoV=Domestic Violence, DaV=Dating Violence, SA=Sexual Assault and S=Stalking):

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior Covered?</b>
Red Flag Campaign	10/06-1-/12 /2022	DVSA Tables – All Campuses	<b>SA, DoV, DaV, S</b>
Victim Resource Fair	11/17/2022	DVSA Tables – All Campuses	<b>SA, DoV, DaV, S</b>
Distress Event	12/06-12/9/2022	DVSA Tables – All Campuses	<b>SA, DoV, DaV, S</b>
Close line	04/10-14/2020	All Campuses	<b>SA, DoV, DaV, S</b>
Healthy Relationships	02/14/2022	All Campuses	<b>SA, DoV, DaV,S</b>
Fear to Freedom	04/12/2022	All campuses	<b>SA, DoV, DoV, S</b>

The College offered the following Primary prevention and awareness programs for all incoming **employees** in **2022**

(\*DoV=Domestic Violence, DaV=Dating Violence, SA=Sexual Assault and S=Stalking):

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
Safety/Active Threat Training	April 19, 2022; April 20, 2022; April 25, 2022; April 26, 2022; May 3, 2022 and May 5, 2022	Zoom Facilitated Sessions	A
Emergency Management Tabletop Exercises	June 2, 2022; June 21, 2022; June 23, 2022; August 10, 2022, and August 11, 2022	In Person Facilitated Sessions	A
Campus Safety & Student Conduct Training	June 29, 2022	In Person Facilitated Session	A
Active Shooter Training	August 10, 2022	Zoom Facilitated Session	A
Fall Virtual Orientation	August 16, 2022 August 18, 2022	Zoom Facilitated Session	A
Fall Orientation	August 20, 2022 August 22, 2022	Virginia Beach Campus Norfolk Campus	A
Norfolk Naval Shipyard Orientation Safety and Security	August 22, 2022	Zoom Facilitated Session	A
Safety/Active Threat Training	November 7, 2022	In Person Facilitated Session Virginia Beach	A
Active Threat Training (Security Officers)	November 16, 2022; November 30, 2022; December 8, 2022; December 15, 2022	In Person Facilitated Session District; Virginia Beach; Portsmouth; Chesapeake	A
Active Threat Training	November 22, 2022	In Person Facilitated Session	A
Active Threat Training	November 30, 2022	In Person Facilitated Session	A

# TCC'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

## Notice of Nondiscrimination

As a recipient of federal funds, Tidewater Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in education programs or activities, admission, and employment. Under certain circumstances, sexual harassment constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. The Title IX Coordinator is Dr. Jeanne Natali, whose office is located at the Virginia Beach Campus, and may be contacted by phone at 757-822-7296 or by email at [titleix@tcc.edu](mailto:titleix@tcc.edu).

## Purpose

The purpose of this Policy is to establish that Tidewater Community College prohibits sexual harassment and retaliation, and to set forth procedures by which allegations of sexual harassment shall be reported, filed, investigated, and resolved.

## Policy

Tidewater Community College is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. Accordingly, this Policy prohibits sex discrimination, which includes sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking. This Policy also prohibits retaliation. This Policy supplements the following general policy statement set forth by the Virginia Community College System: This College promotes and maintains educational opportunities without regard to race, color, national origin, religion, disability, sex, sexual orientation, gender identity, ethnicity, marital status, pregnancy, childbirth or related medical conditions including lactation, age (except when age is a bona fide occupational qualification), veteran status, or other non-merit factors. This Policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act), and Virginia law.

This Policy is not intended to substitute or supersede related criminal or civil law. Individuals are encouraged to report incidents of sexual and domestic violence, dating violence, and stalking to law enforcement authorities. Criminal and civil remedies are available in addition to the remedies that the College can provide.

## Applicability

This Policy applies to prohibited conduct by or against students, faculty, staff, and third parties, e.g., contractors and visitors involving a program or activity of the College in the United States. Conduct outside the jurisdiction of this Policy may be subject to discipline under a separate code of conduct or policy.

## Definitions

**Actual Knowledge.** Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a College's Title IX Coordinator [and/or any other official of the College who has authority to institute corrective measures on behalf of the College].

**Advisor.** An advisor is an individual who provides the complainant or respondent support, guidance, and advice. Advisors may be present at any meeting or live hearing but may not speak directly on behalf of the complainant or respondent, except to conduct cross-examination during a live hearing. Advisors may be but are not required to be licensed attorneys.

**Appeal Officer.** The Appeal Officer is the designated employee who reviews the complete record of the formal complaint and written statements of the parties during an appeal of a written determination. The Appeal Officer decides whether to grant the appeal and determines the result of the appeal.

**Campus.** Campus refers to (i) any building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used in direct support of, or in a manner related to, the College's educational purposes, and any building or property that is within or reasonably contiguous to the area described in clause (i) that is owned by the College but controlled by another person, is frequently used by students, and supports institutional purposes, such as a food or other retail vendor.

**Complainant.** A complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may file a formal complaint against faculty, staff, students, or third parties.

**Consent.** Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). An individual cannot consent who is under the age of legal consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Any sexual activity or sex act committed against

one's will, using force, threat, intimidation, or ruse, or through one's mental incapacity or physical helplessness is without consent.

- Mental incapacity means that condition of a person existing at the time which prevents the person from understanding the nature or consequences of the sexual act involved (the who, what, when, where, why, and how) and about which the accused knew or should have known. This includes incapacitation by using drugs or alcohol. Intoxication is not synonymous with incapacitation.
- Physical helplessness means unconsciousness or any other condition existing at the time which otherwise rendered the person physically unable to communicate an unwillingness to act and about which the accused knew or should have known. Physical helplessness may be reached using alcohol or drugs.

**Cumulative Evidence.** Cumulative evidence is additional evidence that has been introduced already on the same issue and is therefore unnecessary. The Hearing Officer has the discretion to exclude cumulative evidence.

**Dating Violence.** Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Deliberate Indifference.** Deliberate indifference refers to a response to sexual harassment that is clearly unreasonable in light of the known circumstances. The College's response may be found deliberately indifferent if the response restricts the rights to the Freedom of Speech and Due Process under the First, Fifth, and Fourteenth Amendments of the U.S. Constitution.

**Domestic Violence.** Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse, a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

**Due Process.** Due process is a right guaranteed by the Fifth and Fourteenth Amendments of the U.S. Constitution. Basic procedural due process guarantees that an individual receives notice of the matter pending that relates to the possible deprivation of a property or liberty interest and the opportunity to be heard. For example, students and employees facing suspension or expulsion/termination for disciplinary reasons must be given notice of the allegations against them prior to any hearing or determination of responsibility. Any disciplinary process must be fair and impartial. Additionally, the opportunity to respond must be meaningful.

**Education Program or Activity.** An education program or activity encompasses all the College's operations and includes locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Examples of education programs or activities include, but are not limited to, college-sponsored conferences, athletic events and sports teams, student organizations, and wi-fi network.

**Exculpatory Evidence.** Exculpatory evidence is evidence that shows, or tends to show, that a respondent is not responsible for some, or all of the conduct alleged in the notice of allegations. The College must provide the respondent with all exculpatory evidence.

**Final Decision.** A final decision is the written document that describes any sanctions imposed and remedies provided to the respondent and complainant, respectively, at the conclusion of the formal resolution process.

**Formal Complaint.** A formal complaint is a document filed and signed by a complainant or signed by the Title IX Coordinator that alleges sexual harassment against a respondent and requests the College to investigate the allegation of sexual harassment. The complainant must be participating in or attempting to participate in an education program or activity of the College when the formal complaint is filed. A complainant cannot file a formal complaint anonymously. The Title IX Coordinator may sign on a complainant's behalf in matters where it is in the best interest of the complainant or the College to do so.

**Freedom of Speech.** The freedom of speech is a right guaranteed by the First Amendment of the U.S. Constitution to express one's thoughts and views without unlawful governmental restrictions. As governmental entities, Colleges must not infringe on this right. This Policy expressly prohibits censorship of constitutionally protected expression.

**Hearing Officer.** A Hearing Officer is the presiding official of a live hearing who must issue a written determination on responsibility. Colleges may choose to hold live hearings with a single Hearing Officer or by committee.

**Inculpatory Evidence.** Inculpatory evidence is evidence that shows, or tends to show, that a respondent is responsible for some, or all of the conduct alleged in the notice of allegations.

**Preponderance of the Evidence.** A preponderance of the evidence is evidence that shows that the fact sought to be proved is more probable than not to be true. A preponderance of the evidence means evidence that is of greater weight or more convincing than the evidence that supports the contrary position.

**Relevance.** Relevance refers to evidence that tends to prove or disprove whether the respondent is responsible for the alleged conduct. In determining whether a question is relevant, the Hearing Officer must focus on evidence pertinent to proving whether facts important to the allegations in the formal complaint are more or less likely to be true.

**Remedies.** Remedies are actions taken or accommodations provided to the complainant after a determination of responsibility for sexual harassment has been made against the respondent. Remedies are designed to restore or preserve equal access to the College's education program or activity. Remedies may be disciplinary or non-disciplinary.

**Report of Sexual Harassment.** A report of sexual harassment occurs when anyone reports an allegation of sexual harassment to the Title IX Coordinator, or that reaches the Title IX Coordinator through a Responsible Employee. An individual need not be participating or attempting to participate in an education program or activity of the College to file a report. The respondent also does not need to be an employee, student, or otherwise affiliated with the College for a person to file a report against a respondent. A report of sexual harassment does not trigger an investigation or the formal or informal resolution process, but it does require the Title IX Coordinator to meet with the complainant and carry out the procedures described in Section T of this Policy.

**Respondent.** A respondent is an individual who has been reported to have engaged in conduct that could constitute sexual harassment as defined under this Policy. In most cases, a respondent is a person enrolled or employed by the College or who has another affiliation or connection with the College. The College may dismiss a formal complaint when the College has little to no control over the respondent but will offer supportive measures to the complainant and set reasonable restrictions on an unaffiliated respondent when appropriate.

**Responsible Employee.** A Responsible Employee is an employee who has the authority to take action to redress sexual harassment, who has been given the duty to report sexual harassment to the Title IX Coordinator or the Deputy Title IX Coordinator, or an employee a student could reasonably believe has such authority or duty. A Responsible Employee shall not be an employee who, in his or her position at the College, provides services to the campus community as a licensed health care professional, (or the administrative staff of a licensed health care professional), professional counselor, victim support personnel, clergy, or attorney.

**Review Committee.** A review committee is the committee consisting of three or more persons, including the Title IX Coordinator or designee, a representative of campus security, and a student affairs representative, that is responsible for reviewing information related to acts of sexual violence.

**Sex Discrimination.** Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, separates or denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in an education program or activity. The College's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment constitutes sex discrimination under Title IX when such response is deliberately indifferent.

**Sexual Assault.** Sexual assault is any sexual act directed against another person without consent or where the person is incapable of giving consent. Sexual assault includes intentionally touching, either directly or through clothing, the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual assault includes sexual violence.

**Sexual Exploitation.** Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual harassment offenses. Examples of sexual exploitation include prosecuting another person; non-consensual video or audio-taping of otherwise consensual sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex), and knowingly transmitting HIV or an STD to another.

**Sexual Harassment.** Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- **Quid Pro Quo:** The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly.
- **Hostile Environment:** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity of the College, including a student's educational experience or an employee's work performance.
- **Clergy Act/VAWA Offenses:** Sexual assault/sexual violence, dating violence, domestic violence, and stalking, as defined by this Policy.

**Sexual Violence.** Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape and sexual assault.

**Stalking.** 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. Such conduct can occur in person or online, but the conduct must involve an education program or activity of the College.

**Statement.** A statement is a person's intent to make factual assertions, including evidence that contains a person's statement(s). Party or witness statements, police reports, Sexual Assault Nurse Examiner (SANE) reports, medical reports, and other records may not be relied upon in making a final determination after the completion of a live hearing if they contain statements of a party or witness who has not submitted to cross-examination.

**Supportive Measures.** Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus environment, or to deter sexual harassment.

**Third Party.** A third party is any person who is not a student or employee of the College.

**Title IX.** Title IX means Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance.

**Title IX Coordinator.** The Title IX Coordinator is the employee or employees designated and authorized to coordinate the College's efforts to comply with its responsibilities under Title IX.

**Workday.** A workday is any day that the College is open for business. Workdays include days when classes are not held, but when employees are expected to be at work.

**Written Determination.** A written determination is the written decision by a Hearing Officer that a respondent is responsible or not responsible for a violation of this Policy by a preponderance of the evidence after a live hearing. A written determination also is the result of an appeal decided by an Appeal Officer.

## Retaliation

- a. No person may intimidate, threaten, coerce, harass, discriminate, or take any other adverse action against any other person for the purpose of interfering with any right or privilege provided by this Policy, or because the person has made a report or filed a formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, live hearing, or any other process described in this Policy.
- b. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy.
- c. Allegations of retaliation that do not involve sex discrimination or sexual harassment but are related to a report or formal complaint of sexual harassment for the purpose of interfering with any right or privilege provided by this Policy constitutes retaliation.
- d. Allegations of retaliation will be investigated and adjudicated as a separate code of conduct violation. Any person found responsible for retaliating against another person is subject to disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of violations of this Policy.

## Reporting Incidents of Sexual Harassment

- a. Members of the campus community who believe they have been victims of crimes may report the incident to campus or local police. All emergencies or any incident where someone is in imminent danger should be reported immediately to security or local police by dialing 911 or TCC Dispatch #757-822-7777.
- b. Whether or not a report is made to law enforcement, any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by reporting such conduct to a Responsible Employee to ensure that the Title IX Coordinator receives the verbal or written report. The Title Coordinator is solely responsible for overseeing the prompt, fair, and impartial investigation and resolution of reports and formal complaints filed with the College.



Official	Campus Address	Email and Phone Number
Dr. Jeanne B. Natali – Title IX Coordinator	1700 College Crescent, Virginia Beach, VA 23453	<a href="mailto:titleix@tcc.edu">titleix@tcc.edu</a> 757-822-7193
Beth Callahan – Deputy Title IX Coordinator	1700 College Crescent, Virginia Beach, VA 23453	<a href="mailto:titleix@tcc.edu">titleix@tcc.edu</a> 757-822-7751

- c. During non-business hours, members of the campus community should report alleged violations of this Policy to the Department of Public Safety, call the dispatch phone number, # 757- 822-7777.
- d. There is no time limit for reporting incidents of sexual harassment with the Title IX Coordinator. However, complainants should report possible violations of this Policy as soon as possible to maximize the College's ability to respond effectively to the report. Failure to report promptly also could result in the loss of relevant evidence.

### Confidentiality and Anonymous Reports

- a. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College must keep confidential the identity of any individual who has made a report or formal complaint of sexual harassment; any complainant or any individual who has reported to be the perpetrator of sexual harassment, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), or as otherwise required by law, or to carry out the purposes of this Policy, including the conduct of any investigation, live hearing, or judicial proceeding arising from any report or formal complaint.
- b. The College has a responsibility to respond to conduct that violates this, Policy. For this reason, most College employees may not keep secret a report of sexual harassment. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and as confidentially as possible. College employees must share such information only with those College and law enforcement officials who must be informed of the information pursuant to this Policy.
- c. Responsible Employees must report all alleged violations of this Policy obtained during his or her employment to the Title IX Coordinator as soon as practicable after addressing the immediate needs of the complainant. Other campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus security officers, student activities staff, human resources staff, and advisors to student organizations. As specified in TCC Policy 3111, Reporting Child Abuse or Neglect, all employees must report suspected child abuse or neglect to the Title IX Coordinator, Deputy Title IX Coordinator, Associate Vice President of Human Resources, or the employee's supervisor as soon as practicable, but no later than 24 hours after forming such suspicion, pursuant to VCCS Policy Number 3.14.6, Reporting Sexual Child Abuse or Neglect.
- d. If a complainant wishes to keep the report of sexual harassment completely confidential, it is recommended that he or she reports the alleged conduct to someone without a duty to reports incidents of sexual harassment to the Title IX Coordinator. Full-time employees may also contact the Employee Assistance Program. If the complainant requests that the complainant's identity is not released to anyone else, the College's response may be limited to providing supportive measures, if appropriate and reasonably available. When supportive measures are provided, the College will protect the privacy of the complainant to the extent possible while still providing the supportive measures.
- e. The College may pursue the formal resolution process even if the complainant requests the College to take no action. The Title IX Coordinator will notify the complainant in writing within five (5) workdays of the decision to pursue the formal resolution process when he or she is unable to maintain confidentiality or respect the complainant's request for no further action. The Title IX Coordinator will give the complainant's wishes due consideration.
- f. The College will accept anonymous reports, but its response may be limited to providing supportive measures if appropriate and reasonably available. The Title IX Coordinator (or campus security) will conduct a preliminary investigation in an effort to determine the respondent's identity. If the preliminary investigation fails to reveal the identity of the respondent, the Title IX Coordinator shall close the report because the College must have sufficient information to conduct a meaningful and fair investigation. If the identity of the respondent is revealed, the Title IX Coordinator shall proceed as otherwise provided in this Policy. The Title IX Coordinator will notify the complainant in writing of the result of the preliminary investigation promptly after the preliminary investigation.

## Immunity

The College encourages the reporting of incidents that violate this Policy. The use of alcohol or drugs should not be a deterrent to reporting a possible incident of sexual harassment. When conducting the investigation, the College's primary focus will be on addressing the alleged sexual harassment and not on alcohol and drug violations that may be discovered or disclosed. The College does not condone underage drinking or the use of illicit drugs; however, the College will grant immunity from disciplinary action based on the personal consumption of alcohol or drugs to individuals who report incidents that violate this Policy, provided that such report is made in good faith. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

## Timely Warnings

The College is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure, to the extent possible, that an alleged victim's name and other identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

## Interim Measures

- a. Immediate Suspension. Prior to the resolution of a formal complaint, the College may immediately suspend the respondent from an education program or activity when it determines that the respondent's continued presence poses an immediate threat to the physical health or safety of any person arising from the allegations of sexual harassment. Prior to such suspension, the College will conduct an individualized safety and risk analysis, focusing on the respondent and the specific facts and circumstances arising from the allegations of sexual harassment that justify the suspension. The College shall notify the respondent in writing of the specific facts and circumstances that make the immediate suspension necessary and reasonable and shall give the respondent the opportunity to challenge the decision immediately following the suspension.
- b. Administrative Leave. The College may place a respondent employee on administrative leave prior to the resolution of a formal complaint. Reasons to place an employee on administrative leave include but are not limited to, the continued presence of the employee may be harmful to the employee or other employees; may hamper an investigation into the employee's alleged conduct; or may disrupt the work environment.
- c. Mutual No Contact Order. The College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means. The College also will enforce orders of protection issued by courts on all College property to the extent possible.

## Supportive Measures

- a. The College will offer supportive measures to individuals whether or not a formal complaint has been filed, or whether the alleged incident is under investigation by a law enforcement agency. All requests for supportive measures will be provided if appropriate and reasonably available.
- b. Supportive measures may include, but are not limited to, course schedule adjustments, reassignment of duty, leaves of absence, alternative parking arrangements, rescheduling class work, assignments, and examinations; allowing alternative class or work arrangements, such as independent study or teleworking; escort services, increased security and monitoring of certain areas of the campus, and other similar measures. Provisions of supportive measures to either party will be kept confidential to the extent possible.

## Procedures to Follow After an Incident

Anyone who has experienced an incident of sexual harassment as defined by this Policy should take the following action:

- a. Find a safe place away from harm.
- b. Call 911 or if on campus, contact campus security.
- c. Call a friend, a campus advocate, a family member, or someone else you trust and ask her or him to stay with you.
- d. Go to the nearest medical facility/emergency room. It is important to seek appropriate medical attention to ensure your health and well-being, as well as to preserve any physical evidence.
- e. If you suspect that you may have been given a drug, ask the hospital or clinic where you receive medical care to take a urine sample. The

urine sample should be preserved as evidence. "Rape drugs," such as Rohypnol and GHB, are more likely to be detected in urine than in blood.

- f. For professional and confidential counseling support, call the Virginia Family Violence & Sexual Assault Hotline at 1-800-838-8238 or the South Hampton Roads Coordinated Crisis Response at 757-251-0144. Help is available 24 hours a day.
- g. You should take the following steps to preserve any physical evidence because it will be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protective order:
  - Do not wash your hands, bathe, or douche. Do not urinate, if possible.
  - Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if the incident involved oral contact.
  - Keep the clothing worn when the incident occurs. If you change clothing, place the worn clothing in a paper bag.
  - Do not destroy any physical evidence that may be found in the vicinity of the incident by cleaning or straightening the location of the crime. Do not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.
  - Tell someone all the details you remember or write them down as soon as possible.

### *Support Services*

- a. All students and employees will receive information in writing of available counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus.
- b. For information about available resources, contact the TCC Empowerment Center.

### *Education and Awareness*

- a. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual assault, domestic violence, dating violence, and stalking.
- b. The program, at a minimum, shall include:
  - A statement that the College prohibits sexual harassment, including sexual assault, domestic violence, dating violence, and stalking.
  - The definition of sexual harassment, including sexual assault, domestic violence, dating violence, and stalking.
  - The definition of consent.
  - Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than such individual.
  - Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
  - Information on possible sanctions, procedures to follow an incident of sexual assault, domestic violence, dating violence or stalking, disciplinary procedures, and the protection of confidentiality; and
  - Written notification about available resources and services and supportive measures available if appropriate and reasonably available.
- c. The College offers the prevention and awareness program to all new and existing students and employees.

### *Academic Freedom and Freedom of Speech*

- a. This Policy does not allow censorship of constitutionally protected expression. As a "marketplace of ideas," the College encourages intellectual inquiry and recognizes that such inquiry may result in intellectual disagreements. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from a student's educational experience or an employee's work performance. Verbal or written communications, without accompanying unwanted sexual physical contact, does not constitute sexual assault.
- b. In addressing all complaints and reports of alleged violations of this Policy, the College will take actions to comply with this Policy that recognizes and ensure the free speech rights of students and employees. This Policy does not apply to curricula, curricular materials, or abridge the use of any textbooks.

### *False Statements*

The College prohibits knowingly making false statements or knowingly submitting false information. Any individual who knowingly files a false report or formal complaint, who knowingly provides false information to college officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a report or formal complaint may be subject to disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff. An allegation that cannot be proven by a preponderance of the evidence is insufficient evidence of a knowing false statement.

### *Consensual Relationships*

Pursuant to VCCS Policy 3.14.2, consenting romantic or sexual relationships between employees and students for whom the employee has a direct professional responsibility are prohibited. Consenting romantic or sexual relationships between employees where one employee has a direct professional responsibility to the other is also prohibited. Consenting romantic or sexual relationships between other employees (not in a supervisory position), or with students for whom the employee does not have a direct professional responsibility, although not expressly prohibited, are strongly discouraged. The relationship may be viewed in different ways by each of the parties, in retrospect. Additionally, circumstances may change and conduct that was previously welcome may become unwelcome.

### *Handling Reports of Sexual Violence*

- a. The Title IX Coordinator will assist members of the campus community in reporting incidents of sexual violence to law enforcement authorities upon request. When allowable under Virginia law, the Title IX Coordinator will request the consent of the complainant (or alleged victim if different from the complainant) to report incidents of alleged sexual violence that occur on campus property to law enforcement.
- b. Under Virginia law, the College may determine that the disclosure of information to local law enforcement regarding the alleged incident of sexual violence, including personally identifiable information, is necessary to protect the health or safety of the complainant or other individuals. The College also is required to notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) when the alleged incident of sexual violence constitutes a felony.
- c. Upon receiving a report of an alleged act of sexual violence as defined in this Policy against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College's review committee within 72 hours to review the information reported and any information obtained through law enforcement records, criminal history record information, health records, conduct or personnel records, and any other facts and circumstances, including personally identifiable information, related to the alleged incident known to the review committee. The review committee may try to reach a consensus, but it is the law enforcement representative of the review committee that ultimately determines whether the disclosure of the information, including the personally identifiable information, is necessary to protect the health or safety of the alleged victim or other individuals. The College shall disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident immediately. The Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.
- d. If the report of an alleged act of sexual violence would constitute a felony, within 24 hours of the first review committee meeting, the law enforcement representative of the review committee shall notify the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence) and disclose the information received by the review committee, including personally identifiable information, if such information was disclosed pursuant to Section S2. The law enforcement representative usually will make this disclosure; however, any member of the review committee may decide independently that such disclosure is required under state law and within 24 hours of the first review team meeting shall disclose the information to the local Commonwealth's Attorney (or other prosecutor responsible for prosecuting the alleged act of sexual violence), including personally identifiable information, if such information was disclosed pursuant to Section S2. If the Title IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.
- e. Law enforcement will notify the local Commonwealth's Attorney within 48 hours of beginning an investigation involving a felonious act of sexual violence. Either local law enforcement agency, or the State Police will notify the Commonwealth's Attorney pursuant to an MAA/MOU.
- f. In addition to the procedures described in this Section, the College must follow the procedures described in Section T following a report of sexual violence.

### *Handling Reports of Sexual Harassment*

- a. Upon receiving actual knowledge of sexual harassment in an education program or activity of the College against a person in the United States, the College must respond promptly in a manner that is not deliberately indifferent. The College will treat complainants and

respondents equitably by offering supportive measures and by completing either a formal or informal resolution process before imposing any disciplinary sanctions or other corrective actions that are not supportive measures against a respondent. The Title IX Coordinator shall promptly provide a written notification of rights and options to complainants and respondents upon receipt of a report of sexual harassment. The written notification must include, where applicable:

- The available law enforcement options for investigation and prosecution.
  - The importance of collection and preservation of evidence.
  - The available options for a protective order.
  - The available campus options for investigation and resolution under the College's policies, including the complainant's option to file a formal complaint.
  - The party's right to participate or decline to participate in any investigation to the extent permitted under state or federal law.
  - The applicable federal or state confidentiality provisions that govern information provided by a complainant.
  - Information on contacting available on-campus resources and community resources, including the local sexual assault crisis centers, domestic violence crisis centers, victim support services with which the College has entered into a memorandum of understanding, or other support services.
  - The importance of seeking appropriate medical attention.
  - Discuss the College's obligation to disclose information about the report, including personally identifiable information, to campus/local law enforcement or to the local Commonwealth's Attorney, or both, if the review team determines that such disclosure is necessary to protect the health or safety of the complainant or others.
  - The possible interim measures that may be imposed when necessary, during the pendency of the investigative or resolution process.
  - The supportive measures available with or without filing a formal complaint when appropriate and reasonably available; and
  - An explanation to the complainant of the process for filing a formal complaint, including providing the complainant with a Formal Complaint Form, when applicable.
- b. The Title IX Coordinator must consider the complainant's wishes with respect to supportive measures.
- c. After providing the information described in Section T1, the Title IX Coordinator must close the report under this Policy if the conduct alleged in the report would not constitute sexual harassment as defined by this Policy, even if proved, or is outside the jurisdiction of the College, i.e., the conduct did not occur on campus or involve an education program or activity of the College, or the complainant decides against filing a formal complaint and the College honors the request. The Title IX Coordinator will notify the parties simultaneously in writing with the rationale for the decision to close the report.
- d. The Title IX Coordinator shall forward the report to the appropriate College official that will determine whether the conduct alleged in the report violates a separate policy or code of conduct.
- e. The Title IX Coordinator will document the action(s) taken and the rationale for such action(s).

### **Resolution of Formal Complaints**

- a. The College's Responsibility. The College must provide a prompt, fair, and impartial investigation, and resolution of alleged violations of this Policy. When resolving a formal complaint, the College will evaluate all relevant evidence objectively, including both inculpatory and exculpatory evidence, and will make credibility determinations without reference to a person's status as a complainant, respondent, or witness. The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. Finally, at all times prior to a determination of responsibility, the respondent will be presumed not responsible for the alleged conduct, the imposition of interim measures does not constitute a presumption of responsibility.
- b. Resolution Process Options. The College may resolve formal complaints either by a formal or informal resolution process.
- c. Suspending an Investigation. The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed its gathering of evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.
- d. Time Frame for Resolution of Formal Complaint. The resolution of any alleged violation of this Policy should be completed normally, within sixty (60) workdays of the filing of the formal complaint, unless good cause exists to extend the timeframe. For resolving formal

complaints, good cause includes but is not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or unavoidable scheduling conflicts. The 60-workday timeframe refers to the entire formal resolution process, which includes the initial determination, investigation, live hearing, determination of responsibility, and the imposition of sanctions and provision of remedies, if any. The 60-workday timeframe does not include appeals. If any step of the process must be suspended or delayed for any reason and more time is necessary, the Title IX Coordinator will notify the parties in writing and give the reason for the delay and an estimated length of the delay.

### **Formal Resolution Process**

- a. **Formal Complaint Form.** To initiate the formal resolution process, complainants must complete the Formal Complaint Form or other written and signed document that requests an investigation and submit it to the Title IX Coordinator. The Title IX Coordinator may sign a formal complaint, after due consideration of the complainant's wishes. In determining whether to sign a formal complaint, the Title IX Coordinator will consider the following factors:
- The seriousness of the allegation(s), including whether the allegation(s) include bodily injury, threats, or the use of weapons.
  - The complainant's or alleged victim's age.
  - Whether there have been other similar complaints of against the same respondent; and,
  - The applicability of any laws mandating disclosure.
- b. **Notice of Allegations to the Parties.** After receiving a formal complaint and as soon as practicable, the Title IX Coordinator will contact the parties to schedule an initial meeting. The correspondence must include the following information:
- A copy of the College's Title IX Policy against sexual harassment, including the process by which the College resolves allegations of sexual harassment.
  - Notice of the allegation(s), including sufficient details known at the time and with sufficient time to prepare a response before the initial meeting. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.
  - Notice that each party may be accompanied by an advisor of his or her choice at all meetings and the live hearing who may be, but is not required to be, an attorney, and that each party and advisor will have the opportunity to inspect and review evidence.
  - A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the formal or informal resolution process.
  - A statement that each party must notify the Title IX Coordinator in writing within five (5) workdays if he or she believes that the Title IX Coordinator has a conflict of interest or bias against the party.
  - A statement that the College prohibits knowingly making false statements or knowingly submitting false information during the resolution of a formal complaint, in accordance with Section 19 of this Policy.
- c. **Complainant's Initial Meeting with the Title IX Coordinator.** At this meeting, the Title IX Coordinator will:
- Determine whether an informal resolution is permissible, and whether the complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind.
  - Explain avenues for formal resolution and informal resolution of the formal complaint.
  - Explain that if the complainant chooses an informal resolution, that the complainant may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process but may not do so after the conclusion of the informal resolution process.
  - Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued.
  - Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence.

- Discuss confidentiality standards and concerns with the complainant.
  - Discuss non-retaliation requirements.
  - Refer the complainant to campus and community resources, including the local sexual assault crisis center, domestic violence crisis center, victim support service with which the College has entered into a memorandum of understanding, or other appropriate support services.
  - Inform the complainant of any interim measures that will be imposed and any supportive measures that will be provided to the complainant during the pendency of the investigative and resolution processes.
  - Discuss the right to a prompt, fair, and impartial resolution of the formal complaint.
  - Answer questions about the Policy and procedures.
- d Respondent's Initial Meeting with the Title IX Coordinator. During this meeting with the respondent, the Title IX Coordinator will:
- Determine whether an informal resolution is permissible, and whether the respondent wishes to pursue an informal resolution.
  - Explain avenues for formal resolution and informal resolution of the formal complaint.
  - Explain that if the respondent chooses an informal resolution, that the respondent may withdraw from the informal resolution process at any time prior to the conclusion of the informal resolution process and pursue a formal resolution process but may not do so after the conclusion of the informal resolution process.
  - Explain that records related to the informal resolution process will be maintained for a period of seven years and be made part of the record if a formal resolution process is pursued.
  - Explain the investigative process, including the right to discuss the allegations under investigation or to gather and present relevant evidence.
  - Discuss confidentiality standards and concerns with the respondent.
  - Discuss non-retaliation requirements.
  - Inform the respondent of any interim measures that will be imposed and any supportive measures that will be provided to the respondent during the investigative and resolution processes.
  - Refer the respondent to campus and community resources, as appropriate.
  - Discuss the respondent's the right to due process and a prompt, fair, and impartial resolution of the formal complaint; and
  - If the respondent is a student and the formal complaint involves an alleged act of sexual violence as defined in this Policy, explain to the respondent that the College will include a notation on the academic transcript if the respondent is suspended or dismissed after being found responsible, or if the respondent withdraws while under investigation, that the investigation may continue in the respondent's absence, if possible, while being afforded notice of all meetings and the live hearing, if applicable, and an opportunity to inspect, review, and respond to all the evidence.
  - Answer questions about the Policy and procedures.
- e Title IX Coordinator's Initial Determination.
- The Title IX Coordinator shall investigate the allegations in all formal complaints. The Title IX Coordinator must dismiss the formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this Policy even if proved, or is outside the jurisdiction of the College, i.e., the conduct did involve an education program or activity of the College, or did not occur against a person in the United States. The Title IX Coordinator shall forward the formal complaint to an appropriate College official that will determine whether the conduct alleged in the formal complaint violates a separate policy or code of conduct.
  - The Title IX Coordinator may dismiss the formal complaint if (i) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any of its allegations and the Title IX Coordinator determines that the College will honor the request; (ii) the respondent is no longer enrolled or employed at the College, or cannot be identified; or (iii) specific circumstances prevent the College from gathering sufficient evidence to determine whether the respondent is responsible for the conduct alleged in the formal complaint. If a complainant requests to withdraw a formal complaint, the Title IX Coordinator will consider the factors listed in Section 24a.
  - If the Title IX Coordinator dismisses the formal complaint, he or she will send written notice of the dismissal with specific reason(s)

for the dismissal to the parties, simultaneously, within five (5) workdays of completing the initial meetings. This decision may be appealed.

f Appointment of the Investigator and Conduct of the Investigation.

- Appointment of Investigator. After an initial determination to continue the formal resolution process or after failed informal resolution process, the Title IX Coordinator will appoint an investigator within five (5) workdays of completing the initial meetings. The Title IX Coordinator will provide the investigator's name and contact information to the complainant and respondent and will forward the formal complaint to the investigator. Within five (5) workdays of such an appointment, the investigator, the complainant, or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest or bias of the appointed investigator. The Title IX Coordinator will consider such information and will appoint a different investigator if it is determined that a material conflict of interest or bias exists.
- Contacting the Parties. The investigator will contact the complainant and respondent promptly. In most cases, this should occur within ten (10) workdays from the date of the investigator's appointment. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and recommendations of witnesses, including character and expert witnesses, to be interviewed for the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.
- Weighing of Evidence. As part of the investigation, the investigator must weigh the credibility and demeanor of the complainant, respondent, and witnesses, and ensure that credibility determinations are not based on a person's status as a complainant, respondent, or witness, the logic and consistency of the evidence, motives, and any inculpatory and exculpatory evidence.
- Withdrawal of a Student During an Investigation. The withdrawal of a student from the College while under investigation for an alleged act of sexual violence as defined by this Policy in most cases will not end the College's investigation and resolution of the complaint. The College shall continue the investigation, if possible, as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence, to inspect, review, and respond to all the evidence and the written investigative report prior to making a determination on responsibility.
  - Upon the student's withdrawal, the College shall place a notation on the student's academic transcript that states, "Withdrew while under investigation for a violation of Tidewater Community College's Title IX Policy." After the College has completed its investigation and resolution of the complaint, the College shall either (a) remove the notation if the student is found not responsible or (b) change the notation to reflect either a suspension or dismissal for a violation of the Policy if either was imposed.
  - The College shall end the investigation and resolution of the complaint if the College cannot locate the respondent and provide him or her notice and the opportunity to respond. In such cases, the College shall maintain the withdrawal notation on the student's academic transcript. Upon a final determination, the Title IX Coordinator immediately shall notify the registrar and direct that the appropriate notation is made.

g Inspection and Review of the Evidence. The parties will have the opportunity to inspect, review, and respond to all the evidence obtained during the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination of responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The investigator will send each party and each party's advisor, if any, a copy of the evidence subject to review. The parties will have ten (10) workdays to submit a written response to the evidence and the option to submit additional evidence, which the investigator will consider prior to the completion of the investigative report. Neither the parties nor their advisors may disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX formal resolution process. Nevertheless, the College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

h Investigative Report. The investigator will complete an investigative report that fairly summarizes relevant evidence, including but not limited to, all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant records, and a detailed report of the events in question. The investigative report shall include the following information to the extent possible:

- The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation.
- The names and gender of all persons alleged to have committed the alleged violation.
- A statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s).
- The dates of the report and formal complaint were filed.
- The dates the parties were interviewed.
- The names and gender of all known witnesses to the alleged incident(s);
- The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained.
- Any written statements of the complainant or the alleged victim if different from the complainant; and



- The date on which the College deferred its investigation and disciplinary process because the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process, if applicable.
- i Submission of the Investigative Report. The investigator will submit the investigative report to the Title IX Coordinator, who will send the investigative report to the parties and the parties' advisors, if any, simultaneously for review and written response as soon as possible, but no later than five (5) workdays after receiving the investigative report from the investigator. The parties will have ten (10) workdays to submit a written response to the investigative report to the Title IX Coordinator. The Title IX Coordinator will not consider the parties' written responses but will ensure that such statements are added to the record. Neither the parties nor their advisors may disseminate the investigative report or use such report for any purpose unrelated to the Title IX formal or informal resolution process.

### Conduct of Live hearing

- a. The Title IX Coordinator will appoint a Hearing Officer within ten (10) workdays after sending the investigative report to the parties and their advisors, if any. Within five (5) workdays after the appointment, the Hearing Officer will contact the parties to schedule a live hearing. The parties have five (5) workdays after being contacted by the Hearing Officer to notify the Title IX Coordinator in writing of any potential conflict of interest or bias of the Hearing Officer. The Title IX Coordinator will consider such information and will appoint a different Hearing Officer if the Title IX Coordinator determines that a material conflict of interest or bias exists. When the date, time, and place of the live hearing is confirmed, the Hearing Officer will notify the parties in writing simultaneously of the date, time, and place of the live hearing.
- b. No later than fifteen (15) workdays before the live hearing, each party must notify the Hearing Officer and the other party of: a) the name and contact information of the advisor, if new, or a statement that a party does not have an advisor available for the hearing, if applicable; b) the names and contact information of witnesses that will be called at the live hearing and the purpose of their testimony at the live hearing; c) whether a party intends to be subjected to cross-examination; d) a description of documents or other evidence and the purpose of such evidence that will be used at the live hearing; e) the specific remedy requested; and, f) whether a party requests that the live hearing occurs with the parties located in separate rooms with technology that enables the Hearing Officer and the parties to see and hear the party or the witness answering questions simultaneously. Only one party is required to make the request for separate rooms.
- c. The Hearing Officer will notify the Title IX Coordinator promptly that the College must appoint an advisor for a party when notified of the need for an advisor. The Title IX Coordinator will appoint the advisor promptly, but no later than ten (10) workdays prior to the live hearing. If a party appears at a live hearing without an advisor, the Hearing Officer shall delay the start of the live hearing until an advisor is available.
- d. The Hearing Officer shall ensure that all evidence obtained during the investigation to the parties is available at the live hearing.
- e. Rules of the Live Hearing.
- Evidence. The formal rules of evidence will not be applied except to determine whether the evidence or question presented is relevant or cumulative.
    - Either party may call character or expert witnesses.
    - Questions and evidence about a party's sexual predisposition or prior sexual behavior are not relevant, unless:
      - such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
      - the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
      - If the evidence or witness testimony is, on its face, not relevant or is cumulative, the Hearing Officer may exclude such evidence or witness statement(s), with the rationale for the decision in the pre-hearing determination. The parties may object in writing to such a determination within five (5) workdays of the determination. The Hearing Officer shall rule on the objection within five (5) workdays of receipt of the objection.
      - No party or witness statement shall be entered into evidence unless that party or witness submits to cross-examination.
  - Standard of Evidence. The live hearing will determine responsibility using the preponderance of the evidence standard.
  - Participation of Parties and Witnesses. Neither party may choose to "waive" the right to a live hearing, but parties and witnesses may choose whether to participate in the live hearing or submit to cross-examination.
  - Recording or Transcript. The Hearing Officer will arrange for the live hearing to be recorded. Each party will receive a copy of the recorded live hearing upon request. Parties may prepare a transcript of the recording at their own expense. Neither the parties nor their advisors may disseminate the record or transcript or use such record or transcript for any purpose unrelated to the Title IX formal resolution process or related civil proceeding.
  - Opening Statements and Closing Arguments. At the sole discretion of the Hearing Officer, the parties may make opening and/or closing

statements at the live hearing. The Hearing Officer will determine the time that is allotted for each.

- Pre-Hearing Determinations. No later than ten (10) workdays prior to the live hearing, the Hearing Officer shall decide (1) whether to exclude any of the proposed evidence or witnesses, and the basis upon which such evidence or witness is excluded; (2) whether to allow opening statements and closing arguments and the time allotted for both; and, (3) whether any additional evidence or witness statement shall be excluded because a party or witness will not be subjected to cross-examination.
- Rules of Conduct During the Live Hearing. All live hearings will be closed to the public and witnesses will be present only during their testimony. For live hearings that use technology, the Hearing Officer shall ensure that appropriate protections are in place to maintain confidentiality.
  - The College will require all parties, advisors, and witnesses to maintain appropriate decorum throughout the live hearing. Participants at the live hearing are expected to abide by the Hearing Officer's directions and determinations, maintain civility, and avoid emotional outbursts and raised voices.
  - Repeated violations of appropriate decorum will result in a break in the live hearing, the length of which shall be determined by the Hearing Officer. The Hearing Officer reserves the right in his or her sole discretion to appoint a different advisor to conduct cross-examination on behalf of a party after repeated violations of appropriate decorum or other rules related to the conduct of the live hearing.

f. Role of the Advisor.

- The role of the advisor at the live hearing is to conduct cross-examination on behalf of a party. The advisor is not to "represent" a party, but only to relay the party's cross-examination questions that the party wishes to have asked of the other party and witnesses so that parties never personally question or confront each other during a live hearing. A party shall not conduct cross-examination on his or her behalf.
- Each party may retain an attorney at his or her expense or designate a non- attorney advisor to accompany him or her at the live hearing. The advisor may provide advice and consultation to the parties or the parties' witnesses outside of the conduct of the live hearing to assist parties in handling the formal resolution process.
- A party's advisor must conduct cross-examination at the live hearing directly, orally, and in real time. Only relevant cross-examination questions and follow-up questions, including those that challenge credibility, may be asked. Advisors may not raise objections or make statements or arguments during the live hearing.
- The College shall appoint an advisor for the live hearing at no cost to a party when the party does not have an advisor. The appointed advisor may be but is not required to be a licensed attorney or anyone with formal legal training. Advisors may be faculty, staff, students, or volunteers from the local community.

g. Role of the Hearing Officer.

- The role of the Hearing Officer is to preside over the live hearing in a fair and impartial manner. After the live hearing, the Hearing Officer must issue a written determination regarding determination regarding responsibility using the preponderance of the evidence standard of evidence. The Hearing Officer will be the final decision- maker on all matters of procedure during the live hearing.
- Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Officer first must determine whether the question is relevant or cumulative and explain any decision to exclude a question that is not relevant or is cumulative.
- The Hearing Officer may question the parties and witnesses, but they may refuse to respond.
- The Hearing Officer must not rely on any statement of a party or witness in reaching a determination regarding responsibility if such party or witness does not submit to cross-examination at the live hearing. However, the Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- Within ten (10) workdays after the live hearing, or with good cause shown as soon as possible, the Hearing Officer will submit a written determination to the Title IX Coordinator. The Hearing Officer must make a finding of responsibility or non-responsibility for each allegation and describe the rationale for the finding based on an objective evaluation of the evidence presented at the live hearing. The written determination shall include the following:

- o Identification of the allegations potentially constituting sexual harassment defined under this Policy.
- o A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held. The description of the procedural steps also should include who performed the investigation and the process taken to inspect and review the evidence and disseminate the investigative report, including the adherence to mandated procedural timelines.
- o Findings of fact supporting the determination.
- o Conclusions regarding the application of this Policy to the facts.
- o A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any range of disciplinary sanction(s) to be imposed on the respondent, and whether (not which) remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant.
- o When applicable, a statement that a notation will be placed on the academic transcript that the respondent was suspended or dismissed for a violation of the College's Title IX Policy.
- o When applicable, a statement that the respondent may request the expungement of the notation on the academic transcript for good cause shown and after a period of three years.
- o The College's procedures and permissible bases for the complainant and the respondent to appeal. If the complainant or respondent does not contest the finding or recommended sanction(s) and/or remedies and does not file an appeal within the required time frame, the written determination shall be final.

#### *Actions Following the Written Determination*

- a. The role of the Title IX Coordinator following receipt of the written determination from the Hearing Officer is to facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.
- b. The Title IX Coordinator must provide the written determination to the parties simultaneously, with a copy to Human Resources, Conduct Officer, and/or other College officials, as appropriate. The appropriate college official, after consultation with the Title IX Coordinator, will determine the sanction(s) imposed and remedies provided, if any.
- c. The parties shall receive the final decision on the imposition of sanction(s), if any, and the provision of remedies, if any, simultaneously within ten (10) workdays of receipt of the written determination by the appropriate college official(s). The College must disclose to the complainant the sanction(s) imposed on the respondent that directly relate to the complainant when such disclosure is necessary to ensure equal access to the College's education program or activity.
- d. The Title IX Coordinator shall confer as necessary with employees, community resources, or other support services that will provide such remedies.
- e. Any sanctions to be imposed or remedies to be provided should begin after five (5) workdays of submitting the final decision unless a party files an appeal.
- f. If the respondent is a third party, the Title IX Coordinator will forward the written determination to the Director of Public Safety. Within ten (10) workdays, the Director of Public Safety shall determine and impose appropriate sanction(s), as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s) in the final decision, if any. The Title IX Coordinator may disclose to the complainant information as described above.

#### *Appeals*

- a. Within five (5) workdays of receipt of the final decision, either party may appeal the Hearing Officer's written determination regarding responsibility and the final decision related to sanctions and remedies. The complainant also may appeal against the College's dismissal of a formal complaint or any of its allegations therein within five (5) workdays of such dismissal. The appeal must be in writing and submitted to the Title IX Coordinator, who will appoint an Appeal Officer within five (5) workdays of receipt of the appeal. The Appeal Officer's decision is final.
- b. The Appeal Officer will grant an appeal only on the following bases:
  - Procedural irregularity that affected the outcome of the matter.
  - New evidence that was not reasonably known or available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter.
  - The Title IX Coordinator, investigator(s), or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

- c. Within five (5) workdays of receipt of an appeal request, the Title IX Coordinator will notify the other party that an appeal has been filed and implement appeal procedures equally for both parties.
- d. The Title IX Coordinator will compile the record, including the notice of allegations, evidence obtained, investigative report, live hearing recording, written determination, and final decision. The Title IX Coordinator shall forward the record with the appeal request to the Appeal Officer as soon as possible, but no later than ten (10) workdays of receipt of the appeal request.
- e. The Appeal Officer must not be the Hearing Officer, the investigator, or the Title IX Coordinator and be free from conflict of interest and bias.
- f. Upon receipt of the request for the appeal and the record, the Appeal Officer shall decide whether to grant the appeal, including the rationale for the decision, and notify the parties whether the appeal has been granted simultaneously. The decision shall be made within ten (10) workdays of receipt of the appeal request and record from the Title IX Coordinator.
- g. If the Appeal Officer decides to grant the appeal, he or she will notify the parties that they have five (5) workdays to submit a written statement in support of, or against, the outcome of the written determination, final decision, or dismissal of the formal complaint. The Appeal Officer may grant additional time for good cause to both parties.
- h. The Appeal Officer shall make the decision based on the record and the parties' written statements, if any. The Appeal Officer shall not receive additional statements or testimony from any other person.
- i. The Appeal Officer shall issue a written determination of the result of the appeal and the rationale for such result within ten (10) workdays of receipt of written statements, if any. The Appeal Officer shall provide the written determination to the parties simultaneously.
- j. At the conclusion of the appeal, the Title IX Officer shall facilitate the imposition of sanctions, if any, and the provision of remedies as provided in Section 26.

#### *Informal Resolution Process*

- a. The informal resolution process is available under the following conditions:
  - The complainant has filed a formal complaint of hostile environment sexual harassment involving parties with the same status (e.g., student-student or employee-employee);
  - The Title IX Coordinator has completed the steps described in Sections 24a through 24d; and,
  - The parties voluntarily request in writing to resolve the formal complaint through the informal resolution process.
- b. Within five (5) workdays after the receipt of the written request to start the informal resolution process, the Title IX Coordinator will appoint a college official to facilitate an effective and appropriate resolution ("Facilitator"). The Title IX Coordinator may serve as a Facilitator. Within five (5) workdays of such appointment (or receipt of the written request), the parties may identify to the Title IX Coordinator in writing any potential conflict of interest or bias posed by such Facilitator to the matter. The Title IX Coordinator will consider such information and will appoint another Facilitator if it is determined that a material conflict of interest or bias exists. Within five (5) workdays of the appointment (or receipt of the written request), the Facilitator will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed, but the College shall not conduct a full investigation as part of the informal resolution process.
- c. Within ten (10) workdays of receiving the written statements, the Facilitator will hold a meeting(s) with the parties and coordinate informal resolution measures. The Facilitator shall document the meeting(s) in writing. Each party may have one advisor of his or her choice during any meeting; however, the advisor may not speak on the party's behalf.
- d. The informal resolution process should be completed within thirty (30) workdays in most cases, unless good cause exists to extend the time. The parties will be notified in writing and given the reason for the delay and an estimated time of completion.
- e. Any resolution of a formal complaint through the informal resolution process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also respecting the due process rights of the respondent. Informal resolution process remedies include mandatory training, reflective writing assignment, counseling, written counseling memorandum by an employee's supervisor, suspension, termination, or expulsion, or other methods designed to restore or preserve equal access to the College's education programs or activities.
- f. At the conclusion of meetings, interviews, and the receipt of statements, the Facilitator will write a summary of such in a written informal resolution report and provide the parties with the informal resolution report simultaneously. The written informal resolution report shall include the notice of allegations, a meeting(s) summary, remedies provided, if any, sanctions imposed, if any, and whether the formal complaint was resolved through the informal resolution process. The Facilitator will forward the written informal resolution report to the Title IX Coordinator, when applicable.
- g. At the conclusion of the informal resolution process, if the formal complaint was resolved to the satisfaction of the parties, the parties will provide a written and signed statement as such for the record. The decision will be final, and the matter will be closed.

- h. At any time prior to resolving a formal complaint through the informal resolution process, either party may withdraw in writing from the informal resolution process and resume or begin the formal resolution process.
- i. If the formal complaint is not resolved through the informal resolution process, the Title IX Coordinator shall begin the formal resolution process at Section 24e of this Policy.
- j. The Facilitator shall not be a witness as part of the formal resolution process, but the written informal resolution report shall be part of the record.

### *Sanctions and Corrective Actions*

- a. The College will take reasonable steps to address any violations of this Policy and to restore or preserve equal access to the College's education programs or activities. Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.
- b. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education, a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, verbal or written warning, a no-contact order, written or verbal apology, verbal or written warning, probation, suspension, and expulsion from the College.
- c. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and corrective actions include required discrimination or harassment education, informal or formal counseling, reassignment, demotion, suspension, non-reappointment, and termination from employment.
- d. Third parties, e.g., contractors, or patrons from the general public, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary.
- e. Sanctions imposed do not take effect until the resolution of any timely appeal. However, the College may keep in place any interim measures when necessary.

### *Academic Transcript Notations and Expungement*

- a. If a student is found responsible for an act of sexual violence as defined by this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: "Suspended/Dismissed for a violation of Tidewater Community College's Title IX Policy." In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension and any conditions thereof, and when the students considered to be in good standing. The student shall be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator (or designee) shall meet with the student to confirm completion of the conditions and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript.
- b. If a student withdraws from the College while under investigation involving an act of sexual violence as defined by this Policy, the student's academic transcript shall be noted as follows: "Withdrew while under investigation for a violation of Tidewater Community College's Title IX Policy." Students are strongly encouraged not to withdraw from the College.
- c. The College shall immediately remove the notation from the student's academic transcript upon a subsequent finding that the student is not responsible for an offense of sexual violence as defined by this Policy. Upon such a finding, the Title IX Coordinator (or designee) shall direct the registrar to remove the notation from the student's academic transcript.
- d. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student's academic transcript after resolution of any timely appeal.
- e. The College shall expunge the notation from the academic transcript of any student for good cause shown and after a period of three (3) years.
  - a. Persons seeking to expunge the notation on an academic transcript shall submit a written request for expungement to the Vice President for Student Affairs no sooner than three years after the date the College placed the notation on the academic transcript.
  - b. The request for expungement must contain sufficient information to support a finding of good cause. For expungement purposes, good cause includes.
    - (1) the act of sexual violence did not involve serious bodily injury, the use of force, or threat, and the former respondent demonstrates remorse and/or rehabilitation; (2) the former respondent committed the Policy violation while under the age of 18 and the former respondent demonstrates remorse and/or rehabilitation; and (3) any other reason that, in interest of justice, the notation should be expunged.

- c. The Vice President for Student Affairs shall issue a written decision and the rationale for such decision within ten (10) workdays of receipt the request.
- d. If the request for expungement is denied, the former respondent may submit another request for expungement no sooner than three (3) years after the denial of the request. This decision is final.

### Record Keeping

- a. The Title IX Coordinator, Deputy Title IX Coordinator, if applicable, and any other employee as appropriate, e.g., HR Director, shall maintain in a confidential manner, for at least seven (7) years from the date of creation of the last record pertaining to each case, in paper or electronic files of the following:
  - The complete file for each sexual harassment investigation and formal resolution process, including (i) any determination regarding responsibility. (ii) any audio or audiovisual recording or transcript of the live hearing; (iii) any disciplinary sanctions imposed on the respondent; and (iv) any remedies provided to the complainant.
  - Records of any appeal and its result.
  - Records of any informal resolution process and its result.
  - All materials used to train Title IX Coordinators, investigators, Hearing Officers, Appeal Officers, and Facilitators for an informal resolution process.
- b. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. Records must explain why the College's response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College education programs or activities.
- c. If the College does not provide a complainant with supportive measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances, including whether such decision was made based on the complainant's request or desire for the College to take no action or to provide supportive measures.
- d. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken.

### Victim Witness Program

The Department of Public Safety is dedicated to assisting and providing services to victims and witnesses of crime, as governed by the Virginia Crime Victims Bill of Rights. The department strives to ensure victims and witnesses are provided with as much assistance as necessary. The goal is to reduce the impact of crime on victims, and witnesses through awareness of available services. Victims or witnesses of a crime have certain rights under the Virginia's Crime Victim and Witness Rights Act. However, there are specific steps that must be taken to receive these rights. Additional information can be obtained from "An Informational Guide to Virginia's Crime Victim and Witness Rights Act". This guide can be found at the local victim/witness program, Commonwealth Attorney's Office, Police or Sheriff's Department, or the Virginia Department of Criminal Justice Services. Locations of victim service programs in the State of Virginia can be found at: <https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/victims/virginia-victim-assistance-directory.pdf>. **The Public Safety department encourages anyone who has become a victim of a crime to report the crime to the Campus Security and or local police.** However, on occasion and depending on the nature of the crime, the victim may elect to refuse to press charges, regardless of if a report is filed. Upon written request, the college will disclose, to the alleged victim of a crime of violence or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the college. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### Rights of Victims and Confidentiality

Victims of sexual assault and other crimes can be compensated through the Virginia Criminal Injuries Compensation Fund <https://cicf.state.va.us>.

What may be covered?

- Find Eligibility and Benefits Information
- Wage loss.
- Domestic loss of support
- Funeral/Burial Expenses
- Installation of security systems, doors or locks
- Temporary lodging.
- Prescriptions

Prosthetic devices, such as eyeglasses or dentures  
Dental/Medical Expenses  
Relocation/Moving  
Crime Scene Clean-up  
The Fund does not reimburse property or stolen money.

You should apply if...

You had a physical or emotional injury due to a crime  
You were the payer of funeral expenses due to a crime  
The crime occurred in Virginia.  
The crime occurred outside the United States, but you are a Virginia resident  
The crime was reported to police.  
You have been cooperative with the police investigation and criminal court case  
You were not participating in illegal activity during the time of the crime.  
There is no income guideline to be eligible.

Personal identification of victims is never disclosed on any Annual Security report. Accommodations to keep personal identification of victims confidential will be maintained providing that maintaining such information does not impair the ability of the College to conduct a thorough investigation as provided by law. In certain circumstances, Tidewater Community College will issue "no contact" orders to accused of threatening, harassment, or other misconduct committed on and off campus to students. In addition, the Tidewater Community College Public Safety department can assist victims with obtaining protective orders. In arrest of offenders for domestic, dating, stalking, or sexual assault crimes the TCC Public Safety department will petition the local magistrate for an emergency protective order. These protective measures and advocacy assistance are available to victims whether they choose to report the crime to campus security or local law enforcement.

**QUICK SUMMARY PROCEDURES FOR REPORTING**

<b>Incident Being Reported</b>	<b>Procedures Institution Will Follow</b>
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide victim with access to medical care.</li> <li>2. Institution will assess immediate safety needs of victims.</li> <li>3. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department.</li> <li>4. Institution will provide victims with referrals to off-campus mental health providers.</li> <li>5. Institution will assess the need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> </ol>
<b>Sexual Assault (Cont'd)</b>	<ol style="list-style-type: none"> <li>7. Institution will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate.</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>9. Institution will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding timeframes for inquiry, investigation, and resolution.</li> <li>10. Institution will inform the victim of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is</li> <li>11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation</li> </ol>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victims.</li> <li>2. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department.</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to victims on how to preserve evidence.</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Institution will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim.</li> <li>2. Institution will assist victims with contacting local police if victim requests AND provide the victim with contact information for local police department.</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to victims on how to preserve evidence.</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Institution will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of victim.</li> <li>2. Institution will assist victims with contacting local police if victim requests AND provide the victim with contact information for local police department.</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to victims on how to preserve evidence.</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options.</li> <li>7. Institution will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate</li> </ol>





CHESAPEAKE CAMPUS:  
1428 Cedar Road, Chesapeake, VA 23510

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Fondling	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Incest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Statutory Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Hate Crimes or Incidents***	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Domestic Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Arrest	0	N/A	0	0	1	N/A	0	0	0	N/A	0	0
Weapon Arrest	0	N/A	0	0	1	N/A	0	0	0	N/A	0	0
Alcohol Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0

NORFOLK CAMPUS:  
300 Granby Street, Norfolk, VA 23510

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Fondling	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Incest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Statutory Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Robbery	0	N/A	1	0	0	N/A	0	0	0	N/A	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Motor Vehicle Theft	0	N/A	3	0	0	N/A	0	0	0	N/A	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Hate Crimes or Incidents***	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Domestic Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Arrest	0	N/A	0	0	0	N/A	2	0	0	N/A	0	0
Alcohol Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0

PORTSMOUTH CAMPUS:  
120 Campus Drive, Portsmouth, VA 23701

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Fondling	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Incest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Statutory Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	1	N/A	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	2	0	0	N/A	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Hate Crimes or Incidents***	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Domestic Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Referral	1	N/A	0	0	0	N/A	0	0	0	N/A	0	0

VIRGINIA BEACH CAMPUS:  
1700 College Crescent, Virginia Beach, VA 23453

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Fondling	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Incest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Statutory Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Hate Crimes or Incidents***	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Domestic Violence	0	N/A	0	0	0	N/A	0	0	1	N/A	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Fondling	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Incest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Statutory Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Hate Crimes or Incidents***	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Domestic Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0

REGIONAL AUTOMOTIVE CENTER (RAC):  
600 Innovation Drive, Chesapeake, VA 23320

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Fondling	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Incest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Statutory Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Hate Crimes or Incidents***	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Domestic Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0

VISUAL ARTS and Design CENTER (VADC):  
260 Bousch St, Norfolk, VA 23510

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Negligent Manslaughter	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Rape	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Fondling	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Incest	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Statutory Rape	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Robbery	N/A	N/A	N/A	N/A	0	5	0	0	0	0	0	0
Aggravated Assault	N/A	N/A	N/A	N/A	0	1	1	0	1	0	1	0
Burglary	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Motor Vehicle Theft	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Arson	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Hate Crimes or Incidents***	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Domestic Violence	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Dating Violence	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Stalking	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Alcohol Arrest	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Drug Arrest	N/A	N/A	N/A	N/A	0	0	2	0	0	0	0	0
Weapon Arrest	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Alcohol Referral	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Drug Referral	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
Weapon Referral	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0



TRI-CITIES CENTER:  
1070 University Blvd, Portsmouth, VA 23703

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Negligent Manslaughter	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Fondling	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Incest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Statutory Rape	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Robbery	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Aggravated Assault	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Burglary	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Motor Vehicle Theft	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Arson	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Hate Crimes or Incidents***	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Domestic Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Dating Violence	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Stalking	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Arrest	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Alcohol Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Drug Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0
Weapon Referral	0	N/A	0	0	0	N/A	0	0	0	N/A	0	0

Incident Reported	2022	2022	2022	2022	2021	2021	2021	2021	2020	2020	2020	2020
	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded	On-Campus	Non-Campus	Public Property	Un-founded
Murder	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
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	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
Aggravated Assault	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
Motor Vehicle Theft	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
Hate Crimes or Incidents***	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
Dating Violence	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
Alcohol Arrest	0	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Drug Arrest	0	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Weapon Arrest	0	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Alcohol Referral	0	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Drug Referral	0	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Weapon Referral	0	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A

TCC Alerts: [www.tcc.edu/alerts](http://www.tcc.edu/alerts)

### Register to Vote

All students are urged to register to vote in local, state, and national elections. Go to <http://www.elections.virginia.gov/Files/Forms/VoterForms/VoterRegistrationApplication.pdf> a printable Voter Registration Application. Note that Adobe Acrobat must be loaded to view the Voter Registration Application.

### Sex Offender Registry and Access to Related Information

The federal Campus Sex Crimes Prevention Act of 2000, enacted on October 28, 2000 and effective on October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. The Virginia State Police website, [www.vsp.state.va.us](http://www.vsp.state.va.us), provides information about registered sex offenders in the Commonwealth. Once you are on this website, click on Sex Offender Registry.



This information is provided as a part of Tidewater Community College's continuing commitment to safety and security on all TCC campuses in compliance with the Jeanne Clery Act. Concerns, questions, or complaints related to this document, or the applicable statutes should be directed to the Director of Public Safety either by mail at Tidewater Community College, 121 College Place, Suite 407 Norfolk, VA 23510; email at: [mpowell@tcc.edu](mailto:mpowell@tcc.edu); or by telephone at (757) 822-1797.