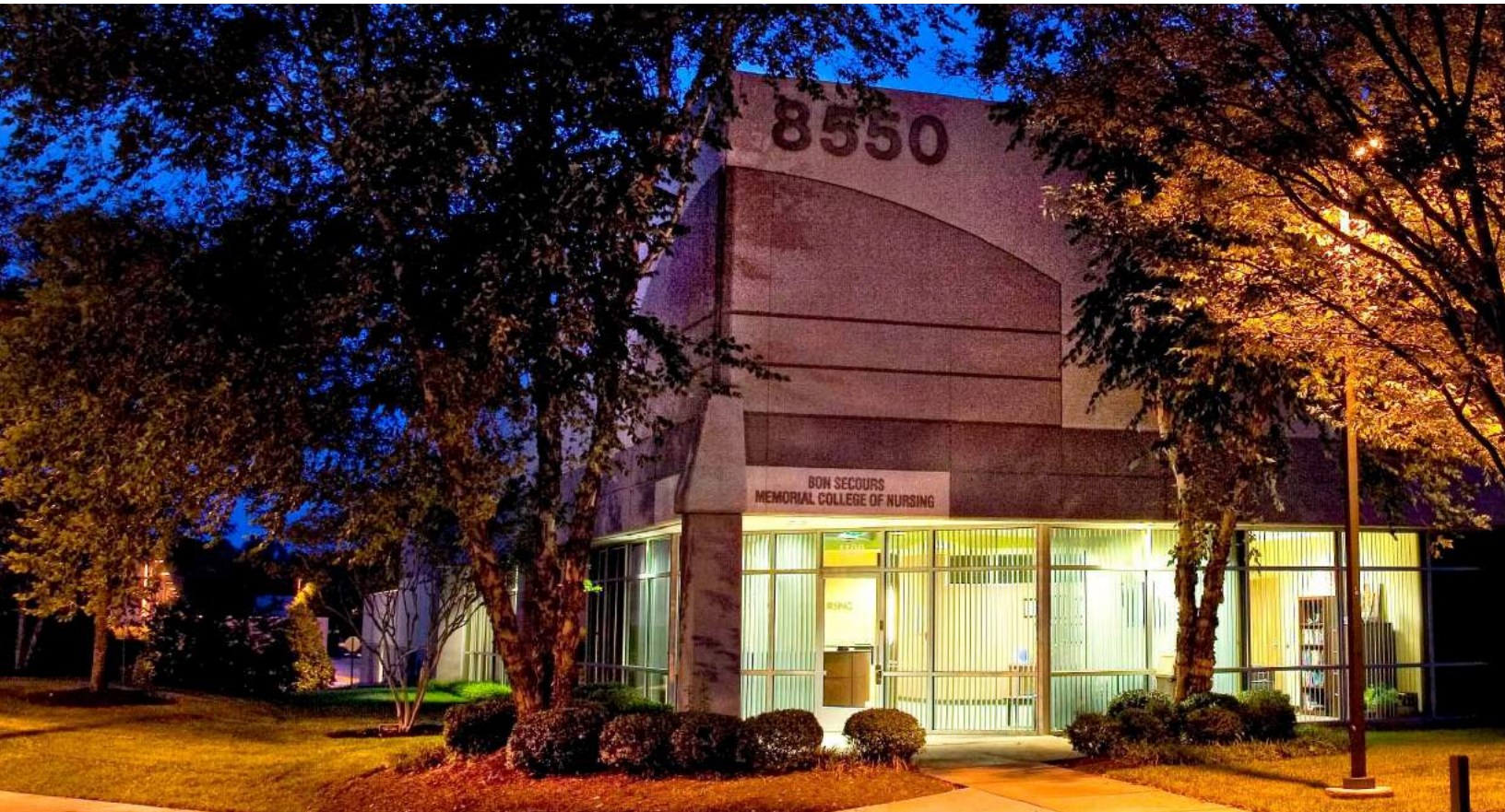


2019 CLERY ANNUAL SECURITY REPORT



 **Bon Secours**
Memorial College of Nursing

8550 Magellan Parkway | Suite 1100 | Richmond, Virginia 23227

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About this Report

In compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Bon Secours Memorial College of Nursing (BSMCON) publishes the Annual Security Report (ASR) to promote the safety and security of all its stakeholders, particularly its students, employees, and visitors. This report includes a list of crime statistics that BSMCON is required to report under federal law. These crime statistics are obtained both from the BSMCON crime statistics log as well as from the Henrico County Police Department (HCPD). The ASR also includes information about the availability of the report, crime definitions, procedure for reporting crimes and emergencies, campus security authorities, timely warnings, emergency response, campus access, drug and substance abuse, security awareness and crime prevention programs, sexual misconduct, means for obtaining registered sex offender information, and crime statistics for the past three years. This report is prepared annually by the Dean of Administration in collaboration with members of BSMCON's Administrative Cabinet; Campus Security; the Title IX Coordinator; the parent hospital's Director for Safety, Security, and Emergency Preparedness; and the HCPD.

Clery Act Geography and Availability of the Annual Security Report

The annual security report is published annually by October 1 through the BSMCON's website and includes Clery crime statistics within the College's Clery Act geography for the past 3 years. BSMCON's Clery Act geography is broken down into three parts: on-campus, public property, and non-campus buildings or property. BSMCON has only one campus located at 8550 Magellan Parkway, Suite 1100, Richmond, VA 23227. "On campus" includes all physical property owned or controlled by BSMCON which is contiguous to the above address. All sidewalks and streets adjacent to the above BSMCON campus location make up its public property geography. This includes the overflow parking lot located South of the 8555 Magellan Parkway building. The property located at 7900 Shradler Road, Suite 200, Richmond, VA 23294, which is used as additional classroom and skills lab space for BSMCON students, is the only non-campus property as defined by the Clery Act. For the remainder of this report, the above on-campus and non-campus properties will be referred to as Magellan Parkway and Shradler Road, respectively.

The annual security report is made available to all current students and employees. All enrolled students, prospective students, and employees are notified of its existence and afforded an opportunity not only to access it through the College's website, but also to request a copy as well. Paper and electronic copies are available upon request through the Dean of Administration. Notifications are made annually to students and employees via email.

Clery Crime Definitions

This section contains definitions of criminal offenses that BSMCON is required to report under the Clery Act.

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury, usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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, or personal property of another.

Bias – A performed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, or ethnicity/national origin.

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

Destruction/Damage/Vandalism of Property – 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.

Drug Abuse Violations – The violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Hate Crime – A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias.

The Hierarchy Rule – In the event two reportable crimes are committed during the same incident, for reporting purposes, only the highest offense is reported, except in cases where a sex offense or arson and another reportable crime has occurred during the same incident; in these cases, the crimes shall be reported as separate and accumulative offenses.

Homicide/Manslaughter by Negligence – The killing of another person through gross negligence.

Homicide/Murder/Non-negligent Manslaughter – The willful (non-negligent) killing of one human being by another.

Intimidation – To unlawfully place another person in the 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.

Larceny/Theft – (except motor vehicle theft) - The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks are excluded.

Liquor Law Violations – The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence or drunkenness.

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle, where automobiles are taken by a person not having lawful access.

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

Simple Assault – An 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.

Weapons Violations – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.

Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, including, but not limited to, sexual or physical abuse or threat of such abuse and not including acts covered under the definition of domestic violence.

Domestic Violence – A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabited with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

“Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person’s property.

“Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

“Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Procedure for Reporting Crimes and Emergencies

BSMCON encourages all crime victims to promptly report any incident to the Dean of Administration or any College official (as defined in the policy [ADM 9.02 Voluntary Reporting](#)). In the event such victims are unable to make a report, witnesses are encouraged to make a report on their behalf. All crimes should be reported by calling the Henrico County Police Department at (804) 501-5000 or by logging onto the College’s website at <https://www.bsmcon.edu/report-crime> where a Campus Security Authority (CSA) reporting form or an anonymous report can be completed and submitted to the Dean of Administration who also serves as the Campus Safety Administrator.

Students at clinical sites or other College-sponsored events – who are crime victims or witnesses - are encouraged to contact the local police department but also to make the College aware of the incident by contacting one of the CSAs.

Campus Security Authorities (CSAs)

Any BSMCON employee with significant responsibility for student and campus activities is a CSA. However, due to the small BSMCON size, every faculty and staff is provided instruction at the beginning of each academic year so they know what to do if a crime were reported to them. The College contracts with the Henrico County Police Department to provide off-duty police coverage for early morning and late evening security. More details about crime reporting at BSMCON can be found in the policy [ADM 9.02 Voluntary Reporting](#), which like all Clery-related College policies, may be accessed on the BSMCON’s policies webpage available at <https://www.bsmcon.edu/college-catalog-policies> and is also listed in the Appendix section of this ASR.

Timely Warnings

The BSMCON policy [ADM 9.01 Emergency Notifications, Timely Warning, and Crime Reporting](#) defines the process used by the campus for timely warnings, which are administered through the student information system - Campus Nexus - for students and Everbridge for employees. In the event of an emergency, all employees and students who have signed up for

emergency notifications through the Everbridge system and Campus Nexus Portal, respectively, will be sent a message (via text, email, or voice) to their preferred emergency contact devices. The message will state the emergency as well as any actions to be taken.

At the beginning of each Fall and Spring semester, students and employees are asked to log onto the Campus Nexus Portal and Everbridge system, respectively, to verify their emergency contact information and update it if necessary. During this process, they are also allowed to choose their preferred emergency contact methods.

Emergency Response

The Dean of Administration administers the College's mass emergency notification systems. In the event of an emergency, Everbridge is used to notify staff while Campus Nexus is used to alert students. In the absence of the Dean of Administration, emergency notifications are administered by the Associate Dean of Student Services. As described above, students and employees can register to receive notifications of emergency events. These notifications are only transmitted during emergencies and are an additional avenue of communication. In consultation with available Administrative Cabinet and campus security authorities, the Dean of Administration or their designees will make the decision of whether to issue a timely campus safety/crime warning or emergency notification on a case-by-case basis, considering the facts surrounding the incident, nature of the incident, continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

BSMCON tests evacuation operations annually. Tests, drills and exercises are conducted through fire alarm activations, safety related drills and exercises. These events provide an opportunity to combine the services of the campus community with police, fire, and emergency services personnel.

A Safety Manual is developed, maintained, and revised annually under the facilitation of the Dean of Administration - who is also the Campus Safety Administrator - to address safety concerns at the College, including emergency responses and evacuation plans. The College website houses a College Safety and Security page maintained by the Dean of Administration and available at <https://www.bsmcon.edu/campus-safety-and-security>. Additional information specific to students is also contained in a College Catalog, which is revised annually.

The College encourages all students, faculty, staff and visitors to take an active role in their own safety and security while on campus. They are all asked to follow the below guidelines in an effort to help maintain a safe environment for everyone at the College:

- Update emergency contact information whenever requested by the College.
- Walk in well-lighted and well-traveled areas after dark and if possible walk with a friend.
- Immediately report all suspicious persons, vehicles, or activities to 9-911 on house telephone.
- Keep informed. Check campus email for alert notices which pertain to specific security conditions on campus.
- Take advantage of informational and crime prevention programs sponsored on campus.
- Lock car and secure valuables when using campus parking facilities.

- Become familiar with emergency exits and the locations of fire alarms and fire extinguishers.
- Lock offices when not present.

College Buildings Access

During normal business hours (7:00am-5:00pm at Magellan Parkway), students are able to access the building through multiple entry points by swiping their College-issued door access card. On weekends and after 5:00pm on business days, students are required to enter through the main entrance for safety reasons. Faculty and staff are required to use door access cards to enter during building hours. Faculty, staff and students who forget their door access cards are required to enter through the main entrance and sign in. All Magellan Parkway visitors are required to enter through the main entrance and sign in at the Front Desk. Visitors are required to wear a visitor badge while on campus for identification purposes.

The main entrance to the Shrader Road building is on the front side on the first floor and has doors with an automatic locking system. These doors are automatically unlocked at 7:00am and locked back at 7:00pm Monday through Friday. If there is a need to unlock for evening or weekend programs, the College is able to do so by notifying the property management company. Once building access is obtained, there are both stairs and an elevator to the second floor which open into a small vestibule. There is another locked door with key pad entry. The front wall is glass so there is easy visibility to both the stairs and the elevator. Inside the main entrance to the 2nd floor suite is a reception desk that is manned 7:30am-4pm Monday-Friday. Additional personnel may be utilized for the reception desk for evening or weekend programs. The main door to the 2nd floor suite remains closed at all times and there is a buzzer to allow entry into the suite.

All building hours for the Magellan Parkway and Shrader Road buildings are posted on the College website and updated regularly as needed. More details about College buildings access can be found in the policy [ADM 9.08 Building Access](#), which is listed in the Appendix and may also be found on the BSMCON's policies webpage available at <https://www.bsmcon.edu/college-catalog-policies>.

Drug and Substance Abuse

The College strives to maintain an environment that promotes the health and safety of the community and the responsible choices and behaviors of its students and employees by assuring that a drug-free workplace is maintained and that students are unimpaired by the effects of drugs or alcohol. The College has established the Drug and Substance Abuse policy (ADM 9.09) in compliance with this commitment to the federal Drug-Free Workplace Act of 1988 (US Code Title 41, Chapter 10, Section 701) and the Drug-Free Schools and Communities Act of 1989. The full policy [ADM 9.09 Student Drug and Substance Abuse](#) is listed below in the Appendix and may also be found on the BSMCON's policies webpage available at <https://www.bsmcon.edu/college-catalog-policies>.

Accepted students must successfully complete a drug screening to fulfill admission

requirements. Positive results on admission drug screening will result in the student's immediate dismissal from the College. Students who are dismissed for this reason may not reapply until at least 6 months later. Reapplication is not a guarantee of readmission.

Due to the nature of nursing as a practice profession with responsibility for the care of human beings, it is expected that students will be in a condition fit for the competent and safe performance of their duties and that such a fit condition will be maintained throughout scheduled time to ensure safe, competent patient care. Faculty and staff of the College are held accountable for ensuring that students are fit for duty and for taking prompt, appropriate, and decisive action whenever a student appears to be impaired.

Upon notification to the Dean of Nursing or designee, students who are suspected of substance or alcohol abuse while enrolled in the program, either on or off campus while engaged in student activities, will be required to immediately submit to drug and alcohol testing through a contracted drug testing company. The student will be required to pay for testing. Refusal to undergo testing will result in dismissal from the program. Positive results on the drug test will result in the student's dismissal from the College. Any student who violates the [ADM 3.21 Student Rights and Responsibilities](#) as it relates to alcohol and drug use is subject to sanctions as listed in the policy.

The College cooperates fully with law enforcement authorities. Violations of this drug and alcohol policy and/or [ADM 3.21 Student Rights and Responsibilities](#) that are also violations of federal and local law may be referred to the appropriate agencies. In such situations, cases may proceed concurrently in the College disciplinary system and in the criminal justice system.

The REACH Student Assistance Program can provide confidential consultation and referral to students with problems or concerns related to alcohol and/or drug use. Students can contact REACH by dialing (800) 950-3434 or emailing at info@reach-eap.com. The Office of Student Success provides resources to BSMCON students through REACH EAP.

Crime Prevention and Security Awareness Programs

The College of Nursing provides “Critical Incident” training during new student orientation each semester. This training is facilitated by an off-duty Henrico County Police Officer. Topics covered during the training include, active shooter, active assault, edged weapons, explosions/fire, suicide, domestic issues, Title IX, Clery Act, Violence against Women Act, The Campus Sexual Violence Elimination Act, and Substance Abuse Prevention.

Twice a year in September and February, employees are provided with training on safety and security through the monthly Campus Forum. Topics covered during the September training – which is also facilitated by an off-duty Henrico County Police Officer - include vehicle and parking lot safety, building security, active shooter, and crime victim resources. In February, employees are provided with Title IX training, which is led during the monthly Campus Forum by a legal counsel who advises the College on higher education issues. All BSMCON employees are required to attend both of the above safety and security training sessions.

Sexual Misconduct

It is BSMCON's policy to address behavior that may violate Title IX of the Education Amendments of 1972; provisions of the Violence against Women Reauthorization Act of 2013; and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Student Sexual Misconduct policy (ADM 9.06) outlines the procedures established to address and report complaints of sexual misconduct and sex- and gender-based discrimination by students toward students, employees, or non-employees. The full text of the policy [ADM 9.06 Student Sexual Misconduct](#) is listed below in the Appendix and may also be found on the BSMCON's policies webpage available at <https://www.bsmcon.edu/college-catalog-policies>.

The College encourages students to report sexual assault promptly to local law enforcement agencies. The College also urges any person with knowledge of an incident of prohibited conduct to report the incident immediately to the College by contacting the College's Title IX Coordinator or any other College Official as described in policy [ADM 9.02 Voluntary Reporting](#) by email, telephone during regular office hours or by completing and submitting the Campus Security Authority Reporting form or an anonymous report from the College's website at <https://www.bsmcon.edu/report-crime>. All college administrators are required by law to file an official report. The College's Title IX Coordinator is:

Leslie Winston - Dean of Student Services and Title IX Coordinator - titleIXcoordinator@bshsi.org

Registered Sex Offender

The Campus Sex Crimes Prevention Act (CSCPA) requires institutions of higher education to advise the campus community where to obtain law enforcement agency information provided by the State concerning registered sex offenders. CSCPA mandates that any registered sex offender provide notice, as required under State law, to any institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student. States must advise registrants of these requirements and establish procedures to follow. States also must notify the institutions where a registered sex offender is employed, carries on a vocation, volunteers services or is a student.

The Commonwealth of Virginia State Police maintains a publicly available registry of information regarding possessors of child pornography, sex offenders, violent sex offenders and persons convicted of murdering a minor child. The registry information includes the offender's name; all aliases that he/she has used or under which he may have been known; the date and locality of the conviction and a brief description of the offense; his/her date of birth, current address and photograph; and such other information as the State Police may from time to time determine is necessary for public safety. This updated information is routinely checked via the campus student, staff and vendor databases. The web site address for obtaining information in the Commonwealth of Virginia is:

<http://sex-offender.vsp.virginia.gov/sor/>. The National Sex Offender Registry Web site maintained by the U.S. Department of Justice is found at <http://www.nsopr.gov/> . Policy ADM 9.07 Registered Sex Offender is listed below in the Appendix and also available on the College's website at <https://www.bsmcon.edu/college-catalog-policies>.

Three-Year Crime Statistics

The following section provides the three-year crime statistics as reported in the 2019 Campus Safety and Security Survey for the College :

2019 Campus Safety and Security Survey

Institution: Main Campus (233356001)
User ID: C2333561

Screening Questions

Please answer these questions carefully. The answers you provide will determine which screens you will be asked to complete for this data collection.

1. Does your institution provide On-campus Student Housing Facilities?

No.
 Yes. (If Yes is selected, you must enter the number of student housing facilities below and enter Fire Statistics for each facility.)

Number of On-campus Student Housing Facilities:

2. Does your institution have any noncampus buildings or properties?

Yes No

3. Have you combined statistics that you received from the local or state police with your institution statistics for this report? If you answer No to this question, you will be asked to provide the data you received from the local and state police separately.

Yes. Local and/or state law enforcement agencies provided us with statistics that we are combining with statistics collected by our campus security authorities.
 No. We are not combining the statistics because we cannot determine whether the statistics we obtained from local and/or state law enforcement agencies are for on-campus incidents or public property incidents.
 Not available. We cannot determine if the statistics we obtained from local and/or state law enforcement agencies are for our Clery geography.
 Not available. We made a good-faith effort to obtain statistics from local and/or state law enforcement agencies, but the agencies did not comply with our request.

Institution: Main Campus (233356001)
User ID: C2333561

Criminal Offenses - On campus

For each of the following criminal offenses, enter the number reported to have occurred On Campus.

Criminal offense	Total occurrences On campus		
	2016	2017	2018
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft (Do not include theft from a motor vehicle)</u>	0	0	0
k. <u>Arson</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Criminal Offenses - Noncampus

For each of the following criminal offenses, enter the number reported to have occurred in or on Noncampus buildings or property.

Criminal offense	Total occurrences in or on Noncampus buildings or property		
	2016	2017	2018
a. <u>Murder/Non-negligent manslaughter</u>		0	0
b. <u>Manslaughter by Negligence</u>		0	0
c. <u>Rape</u>		0	0
d. <u>Fondling</u>		0	0
e. <u>Incest</u>		0	0
f. <u>Statutory rape</u>		0	0
g. <u>Robbery</u>		0	0
h. <u>Aggravated assault</u>		0	0
i. <u>Burglary</u>		0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)		0	0
k. <u>Arson</u>		0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Criminal Offenses - Public Property

For each of the following criminal offenses, enter the number reported to have occurred on Public Property.

Criminal offense	Total occurrences on Public Property		
	2016	2017	2018
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0
k. <u>Arson</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Hate Crimes - On campus

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred On campus. Then break down each total by category of bias (e.g., race, religion).

Criminal offense	Occurrences of Hate crimes									
	2018 Total	Category of Bias for crimes reported in 2018								
	Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin		
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes									
	2017 Total	Category of Bias for crimes reported in 2017								
	Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin		
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes									
	2016 Total	Category of Bias for crimes reported in 2016								
	Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin		
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0

i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/ vandalism of property</u>	0	0	0	0	0	0	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Hate Crimes - Noncampus

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred in or on Noncampus buildings or property. Then break down each total by category of bias (e.g., race, religion).

Criminal offense	2018 Total	Occurrences of Hate crimes								
		Category of Bias for crimes reported in 2018								
		Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin	
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> <i>(Do not include theft from a motor vehicle)</i>	0	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0	0

Criminal offense	2017 Total	Occurrences of Hate crimes								
		Category of Bias for crimes reported in 2017								
		Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin	
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> <i>(Do not include theft from a motor vehicle)</i>	0	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0	0

Criminal offense	2016 Total	Occurrences of Hate crimes								
		Category of Bias for crimes reported in 2016								
		Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin	
a. <u>Murder/ Non-negligent manslaughter</u>										
c. <u>Rape</u>										
d. <u>Fondling</u>										
e. <u>Incest</u>										
f. <u>Statutory rape</u>										
g. <u>Robbery</u>										
h. <u>Aggravated assault</u>										

- i. Burglary
- j. Motor vehicle theft
- k. Arson
- l. Simple assault
- m. Larceny-theft
- n. Intimidation
- o. Destruction/damage/
vandalism of property

Caveat:
If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Hate Crimes - Public Property

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred on Public Property. Then break down each total by category of bias (e.g., race, religion).

Criminal offense	Occurrences of Hate crimes									
	2018 Total	Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin	
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes									
	2017 Total	Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin	
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes									
	2016 Total	Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin	
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0	0

h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/ vandalism of property</u>	0	0	0	0	0	0	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Institution: Main Campus (233356001)
User ID: C2333561

VAWA Offenses - On Campus

For each of the following crimes, enter the number reported to have occurred On Campus.

Crime	Total occurrences On Campus		
	2016	2017	2018
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Institution: Main Campus (233356001)
User ID: C2333561

VAWA Offenses - Noncampus

For each of the following crimes, enter the number reported to have occurred in or on Noncampus buildings or property.

Crime	Total occurrences in or on Noncampus buildings or property		
	2016	2017	2018
a. <u>Domestic violence</u>		0	0
b. <u>Dating violence</u>		0	0
c. <u>Stalking</u>		0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Institution: Main Campus (233356001)
User ID: C2333561

VAWA Offenses - Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

Crime	Total occurrences on Public Property		
	2016	2017	2018
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Arrests - On campus

Enter the number of Arrests for each of the following crimes that occurred On Campus.
Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of Arrests		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:
If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Arrests - Noncampus

Enter the number of Arrests for each of the following crimes that occurred in or on Noncampus buildings or property.
Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of Arrests		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>		0	0
b. <u>Drug abuse violations</u>		0	0
c. <u>Liquor law violations</u>		0	0

Caveat:
If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Arrests - Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.
Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of Arrests		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:
If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Disciplinary Actions - On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of persons referred for Disciplinary Action		
	2016	2017	2018
a. <u>Weapons carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Disciplinary Actions - Noncampus

Enter the number of persons referred for disciplinary action for crimes that occurred in or on Noncampus buildings or property for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of persons referred for Disciplinary Action		
	2016	2017	2018
a. <u>Weapons carrying, possessing, etc.</u>		0	0
b. <u>Drug abuse violations</u>		0	0
c. <u>Liquor law violations</u>		0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Disciplinary Actions - Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of persons referred for Disciplinary Action		
	2016	2017	2018
a. <u>Weapons carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Unfounded Crimes

Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

The total number of unfounded crimes should include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Arrests and disciplinary actions cannot be unfounded.

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may unfound a crime.

Count unfounded crimes in the year in which they were originally reported.

	2016	Number	2017	2018	
a. <u>Total unfounded crimes</u>	0		0		0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

BSMCON's Clery Act Geography Maps

BSMCON On-Campus: 8550 Magellan Parkway



BSMCON Non-Campus: 7900 Shrader Road



APPENDIX: BSMCON CLERY-RELATED POLICIES

As mentioned above, all policies may also be accessed through the BSMCON's policies webpage available at <https://www.bsmcon.edu/college-catalog-policies>. Since policies are updated from time to time, this is where the most current version of any policy may be found.

ADM 3.21 Voluntary Reporting

POLICY STATEMENT:

Bon Secours Memorial College of Nursing, BSMCON, seeks to:

- reinforce a sense of personal responsibility, respect for others, and mature behavior
- foster the development of professional standards.

As a member of the student body, the student is expected to meet the College's standards of personal and professional responsibility and accountability.

I. Rights

Every student has the right to:

1. Learn and pursue his or her educational goals without fear of unlawful discrimination, intimidation, prejudice, or threat.
2. Free inquiry, free expression and assembly, so long as he or she does not interfere with the rights of others or the operation of the College.
3. Learn in a safe environment that is free of disruption and is conducive to teaching and learning.
4. Be advised of the course objectives and how grades are assigned.
5. Inspect and review his or her student record within a specified time frame upon written request, and to expect confidentiality regarding this record.
6. Evaluate the curriculum and make recommendations for change.

II. Responsibilities

A student's acceptance of admission into the College of Nursing signifies that the student has an interest in learning and that he or she wants to be a part of this academic community. As such, the student will be required to:

1. Respect the learning environment and its members.
2. Devote the amount of time and effort necessary to meet the educational objectives.
3. Conduct himself or herself in a manner consistent with ethical, legal and professional standards.
4. Know and comply with College policies and guidelines.

At all times, a student must satisfy and comply with the College's academic standards, financial requirements and guidelines, and policies.

III. Student Conduct

The student is expected to conduct him or herself in an ethical and professional manner at all times both within the College and the community. The student's behavior must, at all times reflect:

1. integrity and honesty
2. the exercise of rational judgments
3. sensitivity and caring
4. self-control
5. acceptance of different beliefs, values and lifestyles
6. flexibility
7. willingness to accept guidance and direction

IV. Authority of College

The College is authorized to enforce the standards of conduct specified herein and to impose such disciplinary measures as are deemed appropriate in response to student conduct that reasonably may be expected to discredit or injure the College or its reputation, or that otherwise may endanger the safety and welfare of others. Such disciplinary sanctions include but are not limited to suspension and dismissal from the College of Nursing.

V. Conduct Subject to Disciplinary Action

Conduct that is subject to disciplinary action by the College includes, but is not limited to, the following:

- A. Endangering the safety and welfare of patients, students, faculty, or staff
- B. Substance abuse.
- C. Violation of local, state, or federal laws
- D. Misuse, destruction, or damage of College property
- E. Sexual harassment, assault, misconduct, physical and/or mental abuse or threat of such abuse of any person involved in educational or College activities, in the online environment, or in clinical areas
- F. All forms of dishonesty
- G. Unprofessional and/or disruptive conduct
- H. Inappropriate use of social media
- I. Conviction of an offense that would render the student unemployable by Bon Secours Richmond Health System
- J. Failure to comply with guidelines/policies of the College and/or the clinical agencies. Nothing contained herein shall preclude or otherwise affect the initiation or conduct of proceedings under the Honor Code, which relate to allegations of dishonesty

VI. Discipline for Misconduct

The College is authorized to impose at any time such disciplinary measures as are deemed appropriate, up to and including suspension and dismissal from the College. Penalties are not sequential and may be imposed at the College's discretion.

- A. Warning: A written or verbal notice to a student advising that he or she is violating or has violated the College rules and may be subject to more severe disciplinary action if

the behavior continues. May include a corrective plan of action that must be followed by the student.

- B. Probation: A written notice to a student advising that he or she has violated the College rules and will be dismissed if corrective action is not taken immediately.
- C. Restitution: Repayment in money or service for damage to or loss of the property of another.
- D. Suspension: Exclusion from enrollment as a student for a specified period of time not to exceed one year. During a suspension, a student may not participate in any College activities.
- E. Interim Suspension: Temporary separation of a student from the College to provide reasonable time for fact-finding and decision making in the situation.
- F. Dismissal: Termination of student status for an indefinite period. The conditions of readmission, if such is to be permitted, will be stated in a letter of dismissal.

VII. Reporting Procedure; Right of Removal

In the event that a student is suspected of violating any provision of this Policy, then the appropriate faculty or staff member promptly shall provide the student with verbal notice of the suspicion and an opportunity to tell his or her account of the incident, allowing for the student to also present his/her understanding of the incident verbally, through virtual means if necessary. If the faculty or staff member thereafter concludes that there has been a violation, a report shall be made to the Student Services Coordinator. The Student Services Coordinator will proceed with the process outlined below in coordination with the Dean of Student Services or Dean of Nursing as appropriate. Notwithstanding such reporting obligation, the faculty or staff member shall have the immediate right, where reasonably necessary in his or her discretion to preserve an appropriate learning environment and/or to protect the health and safety of the student or of others, to remove such student from the academic environment, from a clinical setting, or from any other College-related activity or function.

VIII. Investigation

Upon receiving a report of a suspected violation of this policy, the Student Services Coordinator, on behalf of the Dean of Student Services, shall provide the student with written notice of the allegations against him or her and, if the student denies the charges, an opportunity to rebut any such charges by presenting his or her version of what occurred verbally, through virtual means as necessary. The Student Services Coordinator is permitted up to ten (10) business days to complete an investigation of the allegation and provide the findings to the Dean of Student Services.

IX. Disciplinary Process

Upon receipt of the findings from the Student Services Coordinator, the Dean of Student Services will schedule a meeting to review the case with the accused student. The Dean of Nursing will join the Dean of Student Services as appropriate.

In the event that, after complying with such procedure, the student is found to have violated any provision of this Policy, then the Dean/s will impose such disciplinary sanctions as he or

she deems reasonable and appropriate under the circumstances, including but not limited to the disciplinary measures set forth in Paragraph VI above. Any such finding of a violation will be entered into the student's official record, together with a statement of the disciplinary sanctions imposed. Disciplinary sanctions, other than suspension and dismissal, will be removed from the student's record upon the student's graduation or permanent departure from the College.

In circumstances where there has been a potential confidentiality breach or social media violation the appropriate faculty or staff member should verbally alert the student regarding the concern and report this to the nursing program coordinator. The program coordinator will work with the Bon Secours HIPAA Privacy Analyst to conduct an investigation. If the student/s are found to have violated confidentiality or the BSHSI Social Media Policy, SYS.COM 001, the HIPAA Privacy Analyst in conjunction with the Dean of Nursing and/or program coordinator will determine disciplinary actions for the student/students involved.

Decision Standard - Decisions made in student conduct cases are determined on a preponderance of the evidence. A preponderance of the evidence is evidence that as a whole shows that the fact sought to be proved is more probable than not.

X. Appeal Procedure

Refer to ADM 1.06; Appeal of Academic or Administrative Decisions

XI. Retaliation

BSMCON has zero tolerance for retaliation against any individual who reports a suspected violation of the above policy in good faith. Incidents of retaliation violate the above policy and will be subject to disciplinary action.

Note: The titles of any personnel identified herein shall include their designees and, in the event of reorganization, their successors.

ADM 9.01 Emergency Notifications, Timely Warning, & Crime Reporting

Under the Clery Act, the College is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves a serious, immediate, or continuing threat to the health or safety of students or employees.

Emergency Notifications

The College will provide notification of any significant emergency or dangerous situation occurring on campus. Examples include, but are not limited, to:

- Fire within campus buildings;
- Outbreak of meningitis, norovirus or other serious illness;
- Approaching tornado, hurricane or other extreme weather conditions;
- Earthquake;
- Gas leak;
- Terrorist incident;
- Active shooter;
- Bomb threat;
- Civil unrest or rioting;
- Explosion;
- Nearby chemical or hazardous waste spill.

Timely Warning

Timely warning notices are specifically related to compliance with the Clery Act. The College will provide a warning to the college community of Clery Act crimes which pose a serious or continuing threat to students and employees as soon as pertinent information is available.

Timely warning will be sent via cell phone text messages and email. The Emergency Text Messaging System is available to students, faculty, and staff. The Emergency Text Messaging System is periodically checked to ensure timely delivery of accurate information.

Specific crimes requiring a timely warning include, but are not limited, to:

- Criminal homicide;
- Sex offenses;
- Robbery;
- Aggravated assault;
- Burglaries (occupied structures);
- Hate crimes;
- Persons with weapons with intent to use;
- Threat of violent crime.

Emergency notifications and timely warnings are designed to heighten safety awareness and to provide information that may lead to arrest and conviction of the offender when violent crimes against persons or substantial crimes against property have been reported. Every attempt will be made to distribute the Alert promptly; however, the release is subject to the availability of accurate facts concerning the incident.

The Dean of Administration, in consultation with the Administrative Cabinet of the College, determines the need to issue emergency notifications and timely warnings, as well as which segment(s) of the campus community receives notification.

The Campus Emergency Notification / Timely Warning format typically includes the following information:

1. A succinct statement of the incident including the time and location of occurrence.
2. Any connection to previous incidents.
3. Physical description and/or composite drawing of the suspect, if appropriate.
4. Date and time the Notification or Warning was released.
5. Other relevant and important information.
6. Appropriate safety tips and/or specific advice for the campus community.

In the case of an emergency, all employees and students who have signed up for emergency notifications through the Everbridge system and Campus Nexus Portal, respectively, will be sent a message (via text, email, or voice) to their preferred emergency contact methods. The message will state the emergency as well as any actions to be taken.

Reporting Crime on Campus:

Community members, students, employees, and guests are encouraged to report all crimes and public safety related incidents to the Dean of Administration or other college official in a timely manner. The College does not contract with a security service or local police to be present on campus between 9 am and 5 pm. During the fall and spring semesters, local police are contracted to provide security services prior to 9am and after 5pm as established by the Dean of Administration's office. These hours are communicated to the campus community via the college website. In the event of criminal activity, dial 9-11 on house telephone for help and report to a college administrator. Members of the campus community are urged to report any criminal activity related to campus operations to local police (Henrico County).

The Dean of Administration is responsible for maintaining a record of all crimes reported on campus and reporting that information in the Annual Security Report (ADM 9.03). All crimes may be reported by calling the Henrico County Police Department at (804)501-5000 or by logging onto the College's website at <https://www.bsmcon.edu/report-crime> for an anonymous report.

Security Awareness

The cooperation and involvement of everyone in the campus safety program is absolutely necessary for the program to succeed. Students, faculty, and staff must assume responsibility for their own personal safety and the security of their belongings by taking simple, common sense

precautions. Students, faculty, and staff should always report any suspicious activity to Administration.

The College encourages all students, faculty, staff and visitors to take an active role in their own safety and security while on campus. By following these guidelines, you can help maintain a safe environment for everyone at the college.

- Walk in well-lighted and well-traveled areas after dark and if possible walk with a friend.
- Immediately report all suspicious persons, vehicles, or activities to 9-911 on house telephone.
- Keep yourself informed. Check campus email for alert notices which pertain to specific security conditions on campus.
- Take advantage of informational and crime prevention programs sponsored on campus.
- Lock car and secure valuables when using campus parking facilities.
- Become familiar with emergency exits and the locations of fire alarms and fire extinguishers.
- Lock offices when not present.

ADM 9.02 Voluntary Reporting

The College Administration encourages anyone who is a victim or witness to any crime to promptly report the incident to the Dean of Administration or any College official*. Any member of the campus community who is the victim of a crime and does not want to pursue action within the College system or the criminal justice system may still want to consider making an anonymous report. The purpose of an anonymous report is to comply with the wish to keep the identity of the complainant private, while taking steps to ensure the future safety of everyone on campus. With such information, the College can keep an accurate written record of the number of reported incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College and reported in the Annual Security Report. All crimes may be reported by calling the Henrico County Police Department at (804)501-5000 or by logging onto the College's website at <https://www.bsmcon.edu/report-crime> where a Campus Security Authority (CSA) reporting form or an anonymous report can be completed and submitted to the Dean of Administration who also serves as the Campus Safety Administrator.

In keeping with the Clery Act, an official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. For the purposes of this policy, the issue to be addressed is campus safety and security. An official in this sense is then noted as a campus security authority.

*For the purposes of this policy, a "college official" is defined as, in addition to the Dean of Administration, the following offices:

- Vice President and Provost
- Dean of Student Services
- Dean of Administration
- Dean of Nursing
- Dean of Finance
- Director of Student Success
- Academic Advisor
- Career Counselor

Reporting to a Counselor

Faculty, staff, and students may also contact the REACH Student Assistance Program. Information regarding this program can be obtained from the Director of Student Success.

ADM 9.06 Student Sexual Misconduct

Purpose:

To address behavior that may violate Title IX of the Education Amendments of 1972; provisions of the Violence against Women Reauthorization Act of 2013; and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This policy also outlines the procedures established to address and report complaints of sexual misconduct and sex- and gender-based discrimination by students toward students, employees, or non-employees.

II. Policy Statement:

Bon Secours Memorial College of Nursing (the “College”) is committed to a working and learning environment free from sexual misconduct. Sexual misconduct is conduct of a sexual nature or conduct based on sex or gender that is nonconsensual or has the effect of threatening, intimidating, or coercing a person. Sexual misconduct may include sexual harassment, sexual assault, intimate partner violence or abuse, sexual exploitation, and sexual intimidation, as well as any form of sex- and gender-based discrimination. Sex- and gender-based discrimination is defined as unfairly treating an individual or group of individuals differently than others on the basis of sex or gender.

All members of the College community have an obligation to act responsibly in the realm of sexuality. Sexual misconduct, including sex- and gender-based discrimination, will not be tolerated. The College is committed to fostering a climate that is free from sexual misconduct through procedures that promote prompt reporting and the timely, fair, and impartial investigation and resolution of sexual misconduct cases. If reported and confirmed, the College will take all appropriate steps to eliminate sexual misconduct, prevent its recurrence, and address its effects.

This Policy describes prohibited conduct, explains what to do if you wish to make a complaint of sexual misconduct, sets forth procedures to be followed for promptly and equitably investigating and resolving such complaints, and identifies available resources.

It is a violation of this Policy to retaliate against any person making a report of sexual misconduct or against any person cooperating in the investigation (including testifying as a witness) of any allegation of sexual misconduct. Retaliation includes intimidation, threats, or harassment against any such reporting party or third party. Retaliation should be reported promptly and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of sexual misconduct.

III. Applicability:

A. This policy is applicable to students on campus and students attending any activities that are sponsored, initiated, authorized, or supervised by the College.

B. This policy is applicable to any student, employee, or non-employee who believes he/she is the victim of sexual misconduct by a student.

C. As long as the College has jurisdiction over the reported student, there is no time limit to invoke this Policy in cases of alleged sexual misconduct. Nevertheless, persons are encouraged to report alleged sexual misconduct as soon as possible in order to maximize the College's ability to respond promptly and effectively.

D. Any student, employee, or non-employee who believes he/she is the victim of sexual misconduct by a college or BSHSI employee should follow the procedures as laid out in this policy and BSV Policy SYS.HR.EMP.047.

E. Any member of the college community making an intentionally false accusation of sexual misconduct shall be subject to the provisions of this policy and BSV Policy SYS.HR.EMP.047.

F. All matters will be handled in compliance with BSMCON Policy ADM 3.01 the Family Educational Rights and Privacy Act (FERPA) and in accordance with guidance provided by the Department of Education's Office of Civil Rights.

IV. Definitions of Prohibited Conduct:

The prohibited conduct addressed in this policy applies to all students regardless of the sex, sexual orientation or gender identity of the complainant or respondent.

Sexual misconduct is a broad term encompassing any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. Sexual misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can be committed by men or by women, and it can occur between people of the same or different sex.

Sexual misconduct includes, but is not limited to, the following examples of prohibited conduct as defined in this Policy:

Sex- and Gender-Based Discrimination is unfairly treating an individual or group of individuals differently than others on the basis of sex or gender. Sex and gender based discrimination may include sexual misconduct as well as other discriminatory behaviors that do not constitute sexual misconduct. Examples of prohibited conduct that can represent discrimination based on sex, sexual orientation or gender identity include but are not limited to:

- Targeting an individual based on their sex or gender identity for negative and/or harmful treatment;

- Not allowing an individual to participate in a College activity based on sex or gender identity;
- Harassing a student based on their sex or gender identity leading to an interference with the students educational experience.

Sexual Harassment is unwelcome conduct, based on sex or on gender stereotypes, which is so severe or pervasive that it unreasonably interferes with a person's employment, academic performance or participation in College programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive. Sexual Harassment may include, but is not limited to, unwelcome sexual advances, requests for sexual favors, or acts of sexual violence.

In evaluating a complaint of Sexual Harassment, the perceived offensiveness of a particular expression, standing alone, may not be sufficient by itself to constitute Sexual Harassment. The conduct in question must be objectively intimidating, hostile or offensive and interfere with a person's right to equally participate in programs and activities of the College.

Sexual Exploitation means taking sexual advantage of another person without Effective Consent, and includes, without limitation, causing or attempting to cause the Incapacitation of another person in order to gain a sexual advantage over such other person; causing the prostitution of another person; recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts (including genitalia, groin, breasts or buttocks) of another person; allowing third parties to observe private sexual acts; engaging in voyeurism; and/or knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.

Sexual Assault is a form of sexual misconduct and represents a continuum of conduct from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. Examples of sexual assault under this policy include, but are not limited to:

- sexual intercourse (anal, oral, or vaginal). Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; or oral copulation (mouth to genital contact or genital to mouth contact);
- attempted sexual intercourse (anal, oral, or vaginal);
- intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts;
- any other intentional unwanted bodily contact of a sexual nature;
- use of coercion, manipulation, or force to make someone else engage in sexual touching, including breasts, chest, and buttocks.

Non-Consensual Sexual Contact is Sexual Contact that occurs without Effective Consent.

Non-Consensual Sexual Intercourse is Sexual Intercourse that occurs without Effective Consent.

Sexual Intimidation involves threatening another person that you will commit a sex act against them or engaging in indecent exposure.

Intimate Partner Violence or Abuse is physical violence, sexual violence, stalking and psychological aggression (including coercive acts) by a current or former intimate partner.

V. Reporting Incidents:

The College encourages students to report sexual assault promptly to local law enforcement agencies. The College also urges any person with knowledge of an incident of prohibited conduct to report the incident immediately to the College through contacting the College's Title IX Coordinator or any administrator by email, telephone, or during regular office hours. All college administrators are required by law to file an official report.

Leslie Winston - Dean of Student Services and Title IX Coordinator

titleIXcoordinator@bshsi.org

VI. Reporting Procedures:

Prompt reporting is encouraged. Persons may report allegations of sexual misconduct at any time, but are encouraged to make reports promptly in order to maximize the College's ability to obtain evidence and conduct a prompt, fair, and impartial investigation. Failure to report promptly any alleged sexual misconduct may result in a loss of relevant evidence and witness testimony and may impair the College's ability to respond and take appropriate action.

In accordance with the Clery Act, sexual assault is a crime that will, with the complainant's consent, be reported to the police. Sexual assault is never the victim's fault. Every attempt will be made to keep the student free from any suggestion that he/she is responsible or was "contributory negligent" or assumed the risk of being a victim of sexual assault. Victims of sexual assault are strongly encouraged to seek immediate medical attention at an area hospital or medical clinic. If the victim wishes, he/she will be assisted in seeking prompt medical attention.

If at all possible, the victim should not change clothes, shower, bathe, douche, or urinate. Emergency room personnel are trained to check for injuries, as well as collect physical evidence. It is important to preserve evidence as it may be necessary for the proof of criminal sexual misconduct should you decide to pursue charges through the Police Department or other relevant law enforcement authority.

Hospital personnel are obligated to contact proper authorities regarding the assault. Although not obligated to do so, victims of sexual misconduct are highly encouraged to take advantage of

victim's services to help them understand their options for off-campus proceedings and to receive counseling specific to their needs.

The College will do everything possible to provide a climate that is sensitive to and respectful and supportive of individual needs. The student will have access to existing campus counseling and support services and, when appropriate, adjustments will be made to academic schedules, etc.

All reports of sexual misconduct will be taken seriously and investigated promptly. The College strives to investigate and resolve all complaints without delay. Actual resolution time may vary depending on the complexity of the investigation and the severity and extent of the alleged misconduct.

The College will make every effort to safeguard the privacy and identities of persons who seek help and/or report sexual misconduct. While steps will be taken to protect the privacy of such persons, the College may need to investigate an incident and take action once an allegation is known, whether or not the person chooses to pursue a complaint. The College adheres to all federal, state, and local requirements for intervention, crime reporting, and privacy provisions relating to sexual misconduct.

Because of the sensitive nature of situations involving sexual misconduct and in order to assure efficient and confidential resolution of these issues while preserving the rights of all affected persons, the College has established the following procedures to address sexual misconduct complaints against students of the college. Any specific time limitations stated in this policy may be extended by mutual agreement or by extenuating circumstances.

Intake Meeting with Complainant

Upon receipt of notice of any allegation of sexual misconduct, the Title IX Coordinator will schedule an individual intake meeting with the complainant in order to provide the complainant with a general understanding of this policy and to identify forms of support of immediate interventions available to the complainant. The intake meeting may also involve a discussion of any accommodations that may be appropriate concerning the complainant's academic or College employment arrangements.

Complainant Wishes to Pursue Formal or Informal Resolution

At the initial intake meeting with the complainant, the Title IX Coordinator will seek to determine how the complainant wishes to proceed, i.e., whether the complainant wishes to pursue Formal Resolution, Informal Resolution, or does not wish to pursue resolution of any kind. If the complainant wishes to proceed with either Formal or Informal Resolution, the Title IX Coordinator will determine the name of the accused student and the date, location, and nature of the alleged sexual misconduct and will schedule an individual intake meeting with the accused

student in order to provide to the accused student a general understanding of the policy and to identify forms of support or immediate interventions available to the accused student. The College will provide an accused student with a written description of the allegations containing sufficient details about the complaint before conducting the initial interview, including the identities of the parties involved, the specific section of the code of conduct allegedly violated, the conduct constituting the potential violation, and the date/location of the alleged incident.

If the complainant wishes to proceed with Formal Resolution, the Title IX Coordinator will promptly prepare and forward a formal complaint to the Investigators for investigation, in accordance with the provisions below. The formal complaint will set forth the name of the accused student and the date, location, and nature of the alleged sexual misconduct or sex/gender discrimination, and should be signed by the complainant.

If the complainant wishes to proceed with Informal Resolution, the Title IX Coordinator will initiate the Informal Resolution proceedings in accordance with the provisions below.

Complainant Does Not Wish to Pursue Formal or Informal Resolution or Requests Confidentiality

If the complainant does not wish to pursue formal or informal resolution and/or requests that his or her complaint remain confidential, Title IX nevertheless requires the College to investigate and take reasonable action in response to the complainant's information. The Title IX Coordinator will inform the complainant, however, that the College's ability to respond may be limited. The Title IX Coordinator should inform the complainant if the College cannot ensure anonymity. The Title IX Coordinator reserves the authority to undertake an appropriate inquiry and take other reasonably necessary measures, including the interim measures described below.

Interim Measures

In all complaints of sexual misconduct and sex/gender discrimination, regardless of whether the complainant wishes to pursue Formal Resolution, Informal Resolution, or no resolution of any kind, the College will undertake an appropriate inquiry and take such prompt and effective action as is reasonably practicable under the circumstances to support and protect the complainant, including taking appropriate interim steps before the final outcome of the investigation and hearing, if any. Accordingly, at or after the intake meeting, after considering the relevant facts and circumstances, the Title IX Coordinator may impose a "no-contact" order, which typically will include a directive that the parties refrain from having contact with each other, directly or through proxies, whether in person or via electronic means, pending the investigation and, if possible, the hearing. The Title IX coordinator may also take any further protective action that he or she deems appropriate concerning the interaction of the parties pending the hearing, if any. When taking steps to separate the complainant and the accused student, the Title IX Coordinator will seek to minimize unnecessary or unreasonable burden on either party. Violation(s) of the

Title IX Coordinator's directive and/or protective actions will constitute related offenses that may lead to additional disciplinary action.

VII. Options for Resolution:

Informal Resolution

A complainant who wishes to file a formal complaint with the Title IX Coordinator's Office but who does not wish to pursue Formal Resolution may request a less formal proceeding, known as Informal Resolution. Informal Resolution provides an opportunity to resolve the problem in a less formal, but still professional and confidential manner. The accused student is required to attend the Informal Resolution proceeding.

When a complainant indicates a desire to pursue Informal Resolution, the Title IX Coordinator will prepare a written complaint, signed by the student, summarizing the alleged sexual misconduct, and provide a copy of the statement to the respondent. The Title IX Coordinator will schedule the Informal Resolution proceeding in a timely manner after the distribution of the statement to the parties.

An Informal Resolution proceeding provides an opportunity for the complainant to address the accused student in the presence of, and facilitated by, a presiding officer. The presiding officer shall be the Title IX Coordinator or his or her designee. The complainant may communicate his or her feelings or perceptions regarding the incident, the impact of the incident, and his or her wishes or expectations regarding protection in the future. The respondent will be allowed to rebut complainant's allegations (in writing or through testimony) and provide any information relative to the complaint.

Both the complainant and the respondent may bring an advisor to the Informal Resolution proceeding. Advisors may advise the party but not participate in any part of the process.

After the proceeding, the Title IX Coordinator or designee will timely conduct any further investigations of the complaint that are necessary in order to render a decision, which will be limited to one of the following:

The complaint is dismissed due to lack of information and/or inability to determine if an act(s) of sexual misconduct was committed.

The complaint is dismissed based on the conclusion that the behavior/acts in question do not constitute sexual misconduct.

The accused individual is responsible for some degree of sexual misconduct and a letter, warning, reprimand, or sanction is to be issued by the Title IX Coordinator or designee.

The Title IX Coordinator or designee will then notify the complainant and respondent of the outcome in writing. If the parties are satisfied with the outcome, documentation of the outcome

of the informal procedure will be filed in the Office of Student Services and no further action will be taken. If the parties are not satisfied with the outcome, the Title IX Coordinator or designee will advise the complainant and the respondent of his/her options, including Formal Resolution.

In order to promote honest, direct communication, information disclosed during an Informal Resolution proceeding must remain private while the Informal Resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the College.

Formal Resolution

A Formal Resolution involves a formal hearing before a review panel appointed by the Title IX Coordinator. When a complainant indicates a desire to pursue Formal Resolution, the Title IX Coordinator will prepare and forward the complaint to the Provost's Office for an investigation by such person or persons (the "Investigators") designated by the Title IX Coordinator and/or Provost. The Investigators are neutral fact-finders who typically conduct interviews with the complainant, the accused student, and third party witnesses. The Investigators will produce an Investigative Report that includes summaries of interviews with the complainant, the accused student, and any third party witness; any photographic, electronic, or forensic evidence; a detailed written analysis of the events in question; and a determination of whether there is good cause to grant a hearing. The Investigative Report will be distributed, concurrently, to the complainant, the respondent, and to the Title IX Coordinator. Both the complainant and the respondent shall have an opportunity to respond to the written Investigative Report at the Hearing, either with live testimony or via a written submission.

If the Investigators determine that a hearing should be held, a Notice of Hearing promptly will be delivered, concurrently, to both parties by the Title IX Coordinator. The Notice should state which alleged violations of this Policy and any other related misconduct should go forward for a hearing, and specify the time, date, and place the Hearing will be held. Every attempt should be made to schedule the Hearing within fifteen (15) business days of the Notice of Hearing.

If the Investigators determine no good cause exists to grant a hearing, the matter is concluded. Either party may appeal the good cause determination to the Provost, whose decision on the matter will be final.

Within five (5) business days of the date the Notice of Hearing was issued, or as soon as practicable, the Title IX Coordinator shall appoint a Hearing Panel consisting of three members: one faculty member, one administrative staff member, and one student. To ensure an impartial panel, no member may have had prior involvement in the complaint process or have direct or indirect supervisory or teaching responsibility for either party. The parties will be provided the names of persons serving on the Hearing Panel, in writing.

Either party may request the removal of a member of the Hearing Panel on the grounds of personal bias by submitting a written objection to the Title IX Coordinator or designee, copying the other party, and specifying the basis of the challenge no later than three (3) business days after the Title IX Coordinator provides the names of the persons serving on the panel. The Title IX Coordinator or designee will determine whether to sustain or deny the challenge. If the request is sustained, a replacement will be appointed to serve on the hearing panel. If the request is denied, the Title IX Coordinator or designee shall so indicate to in writing. The Title IX Coordinator's (or designee's) decision on the request is final.

Within five (5) business days before the Hearing, the Hearing Panel will be provided with a copy of the Investigative Report.

Within five (5) business days before the Hearing, each party will also provide the Title IX Coordinator (for distribution to the panel and the opposing party) a list of witnesses and any written evidence or exhibits the party plans to present. Each party is responsible for securing the presence of its own witnesses at the hearing.

In addition, both the complainant and the respondent shall be

- advised of the right to appear alone or with an advisor who may advise the party but not question witnesses or participate in any part of the hearing;
- allowed to examine, in advance, any written evidence or exhibits that the opposing party plans to submit;
- advised of the right to argue on his/her behalf, present evidence and witnesses, and provide questions for the panel to ask the witnesses present;
- advised of the right to appeal the decision of the panel.

The hearing will be closed to the public. The Title IX Coordinator or designee will serve as the hearing panel officer. The hearing officer will have the duty of maintaining order at the hearing and, therefore, will have the right to exclude any disruptive party or witnesses from the hearing. If the respondent fails to appear for the hearing, he/she waives the right for further appeal and the disciplinary action taken by the college cannot be appealed. The hearing panel may be taped or transcribed. In addition, the following will be observed:

Order of Presentation

- opening statement of complainant;
- opening statement of respondent;
- presentation of evidence, including witnesses, by the complainant. Hearing Officer will ask the previously submitted written cross-examination questions;
- presentation of evidence, including witnesses, by the respondent. Hearing Officer will ask the previously submitted written cross-examination questions;
- closing statement by respondent;

- closing statement by complainant;
- private deliberation by panel.

Only tangible evidence which all parties have had an opportunity to review in advance will be permitted to be introduced at the hearing.

Each party may question his or her own witnesses, and provide questions to the panel to ask the opposing party's witnesses. To the extent possible, cross-examination questions should be submitted in advance. The Title IX Coordinator may allow time for submission of cross-examination questions at the hearing, in his or her discretion. If a called witness does not appear, the hearing panel may consider their written or taped statements; the statement will be weighted accordingly by the hearing panel as there will be no opportunities to cross examine the witness making the written or taped statement. Witnesses will be excluded from the hearing room and at the appropriate time brought in individually before the panel.

The burden of proof will be a preponderance of evidence and the panel will decide if this standard is met by a simple majority vote.

The panel will recommend to the Title IX Coordinator, or designee, a sanction in accordance with this Policy.

The complainant and respondent will be notified in writing of the panel's decision, reasons for the decision, and any sanction imposed within ten (10) business days of the Hearing, and may be required to meet with the Title IX Coordinator or designee.

The complainant or respondent may appeal the finding of the hearing panel to the Provost. (See below.)

Legal proceedings:

A. Sexual Misconduct

Because sexual misconduct may constitute both a violation of College policy and criminal activity, the College encourages students to report alleged sexual misconduct promptly to local law enforcement agencies. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy, criminal investigations or reports are not determinative of whether sexual misconduct, for purposes of this Policy, have occurred.

The filing of a complaint of sexual misconduct under this Policy is independent of any criminal investigation or proceeding, and the College will not wait for the conclusion of a criminal investigation or proceedings to commence its own investigation and take interim measures to protect the College community, if necessary.

Any member of the college community who believes he or she is a victim of sexual misconduct by a student or any student who believes he or she was falsely accused of sexual misconduct may seek private legal consultation and file criminal and/or civil charges in the Commonwealth of Virginia, as appropriate.

B. Sex- or Gender-based Discrimination

Any member of the college community who believes he or she is a victim of sex- or gender-based discrimination by a student or any student who believes he or she was falsely accused of sex- or gender-based discrimination may seek private legal consultation and file criminal and/or civil charges in the Commonwealth of Virginia, as appropriate.

The filing of a complaint of sex- or gender-based discrimination under this Policy is independent of any criminal investigation or proceeding, and the College will not wait for the conclusion of a criminal investigation or proceedings to commence its own investigation and take interim measures to protect the College community, if necessary.

VIII. Sanctions:

In the instance that a student is found to be responsible for violating the College's student sexual misconduct policy, sanctions will be imposed. In general, the goal of the sanction is to educate, rehabilitate, or deter inappropriate behavior, rather than simply punish students.

The severity of the sanction will be in relation to the severity of the violation. Sanctions will be applied consistently so that students violating the same standard or policy receive similar penalties.

The following sanctions may be imposed:

1. Admonition: an oral or written statement to a student indicating that the behavior resulting in the reprimand is unacceptable and a violation of this Policy. Continuation or repetition of this conduct could result in further disciplinary action.
2. Probation: exclusion from the privilege of participation in college-related activities, including the holding of any student office for a specified period.
3. Suspension: exclusion from attending the college as a student for a definite period of time not to exceed one year.
4. Dismissal/expulsion: permanent separation from the college as a student.

Sanctions may be applied separately or in combination with another sanction. Previous behavior or conduct violations will be considered in determining a sanction.

In certain circumstances, a student may be referred for specialized help (e.g., psychological assistance, consultation with a counselor, and/or social service agencies) in lieu of or in combination with any of the aforementioned penalties. If this occurs, the student will be expected to periodically meet with the Dean of Administration, or designee, who will review the student's progress.

Denial of readmission may be imposed upon a student who has violated this policy and has withdrawn from the college prior to or during disciplinary proceedings.

The college reserves the right to pursue any and all legal remedies, and such rights and remedies are specifically reserved.

Sanctions imposed are not effective until the resolution of any timely appeal or the expiration of the time to appeal. However, if advisable to protect the welfare of the complainant and/or the College community, the Dean may determine that any probation, suspension, or expulsion be effective immediately and continue in effect until such time as the Provost may otherwise determine.

IX. Appeals:

Students may appeal the decision made and/or sanction given in the formal or informal procedure to the Provost. The basis for the appeal will be limited to these grounds:

1. Excessively severe sanction;
2. New or newly-discovered evidence that may substantially affect the outcome of the case;
3. Procedural error which substantially affected the outcome of the case.

The appeal must be submitted in writing to the Provost's office within ten (10) business days following the hearing panel or Dean's decision.

Failure to file a written appeal within the time period presumes the student's acceptance of the decision, and he/she waives his/her right to further appeal.

An appeal is not a re-hearing. It represents a procedural safeguard for the student and should not be used for anything other than that right and privilege. In the appeal process, the burden of proof rests on the student requesting the appeal. The student must show that it is more likely than not that one or more of the above grounds for appeal have merit. If there is adequate reason to believe that one or more of the grounds of appeal have merit, an appeal meeting will be scheduled by the Provost.

1. Once the student files an appeal, the Provost will be furnished a copy of the hearing file and records from the Office of Student Services.

2. Within ten (10) business days of receipt of the student's appeal, the Provost will notify the student of the date, time, and place of a meeting for the appeal.
3. During the appeal meeting, the Provost will review all information presented during the informal and formal procedures and give the student an opportunity to present information to support his/her appeal.
4. Within ten (10) business days of the appeal meeting, the student will be notified by the Provost of the decision.

X. Confidentiality; Final Outcome Letter

Documents prepared in anticipation of the hearing, including the Investigative Report, Notice of Hearing, pre-hearing submissions, documents, testimony, or other information introduced at the hearing, and any transcript of the hearing itself, may not be disclosed outside of the hearing proceedings, except as may be authorized or required by law. All written materials related to a complaint will be maintained under seal in a separate folder and not within the respondent's student file. However, upon a final decision that sexual misconduct or sex/gender discrimination has occurred, disciplinary action may include filing a copy of the decision in the student's file. Records will be maintained by the Office of Student Services for a period of five (5) years from the date of graduation of the respondent.

In addition to complying with Title IX and FERPA, the College is required to comply with the Clery Act. Under the Clery Act, both the complainant and the respondent must be informed of the hearing outcome, and the College may not impose any limitations on the re-disclosure of this information.

Accordingly, after the appeal or any time period for appeal has concluded, the Dean or designee will issue a written decision letter (the "Final Outcome Letter"), concurrently, to both the complainant and the respondent. As required by the Clery Act, the Final Outcome Letter will contain the name of the respondent, the violations of this Policy for which the respondent has been found responsible, and the sanction imposed, if any.

XI. Consensual Relationships

Consenting romantic and sexual relationships between student and employee, while not expressly forbidden by the College, are generally discouraged and deemed unwise.

XII. Education and Prevention

The College is committed to helping all students achieve a realistic understanding of the effects of sexual misconduct for themselves, victims, and society. Above and beyond potential disciplinary action resulting from sexual misconduct, the College recognizes the need and responsibility to provide information regarding sexual misconduct. The following activities and

services will be offered at the College in an effort to prevent sexual misconduct and sex/gender discrimination:

1. Publication of information on sexual misconduct and sex/gender discrimination and the prevention of sexual misconduct and sex/gender discrimination on the College website.
2. Information regarding College publications, courses, and training opportunities are routinely announced and disseminated throughout the college community.
3. The Title IX Coordinator will maintain a list of referral services that specialize in sexual assault. Students requesting assistance will be referred to the appropriate public agencies, while making every effort to protect the individual's confidentiality.
4. To assist college faculty and staff, Title IX Coordinator and Office of Student Success, maintains a list of referral services that specialize in sexual assault. Employees requesting assistance will be referred to the appropriate agencies, while making every effort to protect the individual's confidentiality.

XIII. Additional Definitions:

“Clery Act” means the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46.

The College has a designated Title IX Coordinator. Contact information for the Title IX Coordinator can be provided by contacting the Office of Student Services at the College.

“Complaint” means a written allegation of sexual misconduct, signed by the complainant, which includes a description and dates of the alleged act or acts of sexual misconduct and name of the respondent.

“Complainant” means an employee, student, or non-employee who files a complaint alleging that an incident or incidents of sexual misconduct have occurred.

“Effective Consent” means words or actions that show a knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Effective Consent cannot be gained by force, by ignoring or acting in spite of the objections of another, or by taking advantage of the Incapacitation of another, where the accused student knows or reasonably should have known of such Incapacitation. Effective Consent is also absent when the activity in question exceeds the scope of Effective Consent previously given.

“Employee” means full and part-time teaching faculty, administrative and faculty, classified staff, and wage employees.

“FERPA” means the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99.

“Force” means physical force, violence, threat, intimidation or coercion.

“Incapacitation” means the physical and/or mental inability to make informed, rational judgments. States of Incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol [or other drug] is involved, one does not have to be intoxicated or drunk to be considered Incapacitated. Rather, Incapacitation is determined by how the alcohol consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the accused student knew, or a sober, reasonable person in the position of the accused student should have known, that the complainant was incapacitated. Being intoxicated or drunk is never a defense to a complaint of Sexual Misconduct under this Policy.

“Investigators” mean the individuals designated by the Dean and/or Provost to conduct investigations of alleged Sexual Misconduct, and to determine whether or not there is good cause to grant a hearing, all as more particularly described below.

“Non-Employee” means individuals who are not employed by Bon Secours Memorial College of Nursing.

“Preponderance of Evidence” means the standard of judgment that indicates the weight of the evidence is sufficient to convince the fact-finder that the issue in question is more likely true than not.

“Respondent” means a person against whom a sexual misconduct complaint has been filed.

“Sexual Contact” means the deliberate touching of a person’s intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using Force to cause a person to touch his or her own or another person’s intimate parts.

“Sexual Intercourse” means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

“Sexual Misconduct” is a broad term encompassing “Sexual Exploitation,” “Sexual Harassment,” “Non-Consensual Sexual Contact,” and “Non-Consensual Sexual Intercourse,” as defined in this Policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex.

“Student” means any person currently enrolled in at least one credit or non-credit course offered by the College.

“Verbal misconduct” means direct propositions of a sexual nature, subtle and/or persistent pressure for sexual activity, conversation, jokes or stories of a sexist or sexual nature, sexual remarks about a person’s clothing, body, or sexual relations, or the display of sexually explicit

materials may constitute misconduct if shown to be unwelcome and sufficiently pervasive or severe a condition to affect academic performance or employment. Verbal misconduct may constitute sexual harassment.

XIV. Resources:

The College provides resources to students and employees regarding education and treatment programs for the awareness of rape, acquaintance rape and other forcible and non-forcible sexual offenses.

Educational modules pertaining to sexual assault and safety awareness are completed annually by all students enrolled at the College. Audio visual resources on safety awareness are available in the library. These may be used for curriculum infusion. Pamphlets regarding sexual assault are made available to students as well.

YWCA of Richmond, Richmond, VA 23219
Business: 804-980-7301
Hotline: 804-643-0888
Website: <http://ywcarichmond.org>

Chesterfield County Domestic Violence Resource Center
P.O. Box 40
Chesterfield, VA 23832-0040
804-768-4783
www.chesterfield.gov

Hanover Safe Place. Ashland, VA 23005
Toll Free: 888-370-SAFE (7233)
Local Hotline: 804-752-2702
www.hanoversafeplace.com

Safe Harbor
P.O. Box 17996
Richmond, VA 23226
804-249-9470
www.SafeHarborShelter.com

ADM 9.07 Registered Sex Offender Policy

The Campus Sex Crimes Prevention Act (CSCPA) requires institutions of higher education to advise the campus community where to obtain law enforcement agency information provided by the State concerning registered sex offenders. CSCPA mandates that any registered sex offender provide notice, as required under State law, to any institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student. States must advise registrants of these requirements and establish procedures to follow. States also must notify the institutions where a registered sex offender is employed, carries on a vocation, volunteers services or is a student.

The Commonwealth of Virginia's State Police maintains a publicly available registry of information regarding possessors of child pornography, sex offenders, violent sex offenders and persons convicted of murdering a minor child. The registry information includes the offender's name; all aliases that he/she has used or under which he may have been known; the date and locality of the conviction and a brief description of the offense; his/her date of birth, current address and photograph; and such other information as the State Police may from time to time determine is necessary for public safety. This updated information is routinely checked via the campus student, staff and vendor databases. The web site address for obtaining information in the Commonwealth of Virginia is: <http://sex-offender.vsp.virginia.gov/sor/>. The National Sex Offender Registry Web site maintained by the U.S. Department of Justice is found at <http://www.nsopr.gov/>.

ADM 9.08 Building Access

1. PURPOSE OF THIS POLICY

To enhance security in its buildings, Bon Secours Memorial College of Nursing (BSMCON) controls access to all buildings by limiting and controlling the use and function of both access cards and keys issued to all faculty, staff, students, contractors, outside vendors, as well as all other event participants. BSMCON does not have residential students.

2. GENERAL BUILDING ACCESS

BSMCON building access hours are posted on the College [website](#) and are updated regularly. Student access to the BSMCON main campus on Magellan Parkway is through their school-issued access cards and is limited to 7am through 5pm, Monday through Friday. Outside of these hours, students are required to enter through the main entrance. Access to the Shrader Road building requires students to be buzzed in by the Receptionist upon arrival. The Shrader Road building hours are 7am through 5:30pm, Monday through Friday. If necessary, the Dean of Administration in collaboration with the appropriate College leaders may adjust building hours to better suit a specific need(s). After-hours access to BSMCON buildings is limited to faculty, staff, students, and contractors who have been properly authorized in advance to enter a given building or set of buildings.

3. ACCESS CARD ACTIVATION AND KEY DISTRIBUTION

A. Students

The Building Coordinator activates card access in accordance with established College building procedures at the time of initial enrollment.

B. Faculty and Staff

In collaboration with Bon Secours Health System's Information Services (IS) Operations, the Building Coordinator at the main campus on Magellan Parkway and the Office Coordinator for the Shrader Road building will manage keys and access cards issued to faculty and staff that enable access to locked buildings in accordance with established College building procedures.

Keys issued to faculty and staff, other than those necessary to access the building(s) and personal spaces assigned to the requestor are not to leave campus and should be stored in a secure manner.

4. ACCESS CARDS DEACTIVATION AND REPLACEMENT

Access cards will be deactivated upon employee termination as well as when a student graduates or withdraws permanently from enrollment.

A. Lost or Stolen Access Cards

- i. Students or employees who lose or misplace an access card **must** report the loss immediately to the Building Coordinator during normal business hours.
- ii. The Building Coordinator will issue a replacement access card within seventy-two (72) business hours, unless it is returned within twenty-four (24) business hours of reporting.

5. OTHER ACCESS CARD AND KEY CONSIDERATIONS

A. Duplication of Keys

Any duplication of keys is strictly prohibited.

B. Additional Access Beyond Normal Access

Students or employees who need access to areas of the College for which they do not have issued access should contact the Building Coordinator for assistance.

C. Loss of Access; Termination

- i. Any individual who violates this policy or the terms or conditions of access is subject to disciplinary action, including but not limited to, loss of access privileges.

6. CONTRACTORS AND OUTSIDE VENDORS ACCESS

Contractor and vendor access to BSMCON buildings is governed by Bon Secours Health System's policies related to contractors and outside vendors. In addition, all contractors and vendors are required to sign in and out of all BSMCON buildings and work with the Building Coordinator for all other access-related needs. The building Coordinator or the appropriate BSMCON leader bears supervisory responsibility of any contractor or vendor under their purview.

7. RECORDS

Authorization records will be kept on file with the Building Coordinator's office, as appropriate.

ADM 9.09 Student Drug and Substance Abuse

I. Introduction

The College strives to maintain an environment that promotes the health and safety of the community and the responsible choices and behaviors of its students and employees by assuring that a drug-free workplace is maintained and that students are unimpaired by the effects of drugs or alcohol. The College has established this policy in compliance with this commitment to the federal Drug-Free Schools and Communities Act of 1989 and, as applicable, the Drug-Free Workplace Act of 1988 (US Code Title 41, Chapter 10, Section 701).

The law requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program, an institution of higher education must certify that it has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.

II. Policy

The risks associated with the use of illicit drugs and abuse of alcohol are numerous and include physical and mental impairment, emotional and psychological deterioration and devastating effects on family and friends. There are obvious risks such as suffering a hangover, being charged with driving under the influence or while intoxicated, and sustaining or causing personal injury. There are a number of less obvious risks associated with alcohol and other drug abuse that students and employees might not realize, including:

- Poor academic performance
- Poor job performance
- Poor social interactions
- Unwanted and inappropriate sexual activity
- Sexually transmitted diseases, including HIV/AIDS
- Pregnancy
- Jeopardizing future career prospects

In addition, alcohol and other drug abuse puts the user at considerable health risk, which can include nausea, vomiting, cancer, liver damage, elevated blood pressure, psychotic episodes,

hallucinations and, in some cases, death. In addition to the risk to the abuser of illicit drugs and alcohol are the risks to fellow classmates, the public and to unborn children.

All students and employees must adhere to definitions of substances (Appendix A) and alcohol (Appendix B) laws in state and federal laws concerning drug and alcohol use and are expected to conduct themselves in a manner consistent with College expectations. The College expressly prohibits the unlawful manufacture, distribution, dispensing, possession, or use of illicit drugs and alcohol by students and employees on College property or as part of any of its activities. College property is defined as: any building or property owned or controlled by the College or property that is within the same reasonably contiguous geographic area of the College and used by the College in direct support of, or in a manner related to, the college's educational purposes, including (i) property within the same reasonably contiguous geographic area of the College that is owned by the College but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor), and any (ii) property that is within the same reasonably contiguous geographic area of the college, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the college if the facility is used by the college in direct support of, or in a manner related to the college's educational purposes. Alcohol use by employees, students and guests is only permitted on College property at approved school-sponsored events within the limits of applicable law. Employees and students must ensure they consume alcohol responsibly at such permitted events.

In order to maintain a safe learning environment, it is expected that students will not be impaired by illicit drugs or alcohol during instruction or practicum work. Faculty, staff and students should report to administration their reasonable suspicion that a student is impaired by alcohol or drugs during practicum work. If, upon investigation and review of the report, the Dean of Nursing (or a designee) concurs that there is reasonable suspicion of impairment by alcohol or drugs, the student will be required to immediately submit to drug and alcohol testing through a contracted drug testing company. The Dean of Nursing may, but is not required to, seek consultation with a third party vendor for assistance with determining whether such reasonable suspicion exists and for administering the testing process. A student is impaired if he or she displays behavior or conduct which suggests that his/her ability to function mentally or physically in a safe and/or appropriate fashion is compromised or affected by drugs or alcohol. Observable signs that could create a reasonable suspicion of impairment include: physical signs such as swaying, holding onto things, dilated pupils, stumbling, slurring of speech or unusual appearance such as stained clothing, unusual odors, overall messy appearance. The student will be required to pay for testing. Refusal to undergo testing is treated as a positive test. Except as limited by applicable law, positive results on the test will result in discipline, up to and including the student's dismissal from the College. Students also may be subjected to testing in accordance with the policies of a practicum site, and a positive test resulting from the application of any such policy will result in discipline, up to and including the student's dismissal from the College.

Confidentiality of testing results will be maintained to the extent practicable given the need for investigation and enforcement of this and other policies. Any student who violates ADM 3.21 Student Rights and Responsibilities as it relates to alcohol and drug use is subject to sanctions as listed in the policy. If a student provides proof that a positive test was the result of prescribed medications (a copy of the prescription or verification from the healthcare provider that they are taking medication under supervision), the College will make record of such and consult with legal counsel as to the resolution of such matter.

Employees will be subject to testing in accordance with applicable policies.

State and federal laws prohibit the unlawful use, manufacture, possession, control, sale and dispensation of any illegal narcotic or dangerous drug. Penalties for drug offenses depend on the nature and severity of the offense but include imprisonment and fines of up to \$100,000. Similarly, applicable law prohibits the possession of alcohol by an underaged individual or the distribution of alcohol by an unqualified individual. These laws carry penalties for violations, including monetary fines and imprisonment. Penalties for misdemeanor alcohol offenses could include confinement of up to 12 months and/or fines of up to \$2,500. Penalties for felony alcohol offenses include imprisonment up to 5 years, jail time of up to 12 months and fines of no more than \$2,500.

The College will impose disciplinary sanctions on students and employees (consistent with local, state and federal law) for violations of this policy. Such sanctions may include, but are not limited to, suspension or expulsion from the College, employment counselings, or suspension or termination of employment by the College as provided by the progressive discipline policy covering College employees, and referral for prosecution.

Unless prohibited by applicable law, accepted students may be required to successfully complete a screening for illicit drugs to fulfill admission requirements. Except as limited by applicable law, positive results on admission drug screening will result in the student's immediate dismissal from the College. Students who are dismissed for this reason may not reapply until at least 6 months later. Reapplication is not a guarantee of readmission.

The College cooperates fully with law enforcement authorities. Violations of this drug and alcohol policy, applicable policies relating to employees, and ADM 3.21 Student Rights and Responsibilities that are also violations of federal and local law may be referred to the appropriate agencies. In such situations, cases may proceed concurrently in the College disciplinary system and in the criminal justice system.

The REACH Student Assistance Program can provide confidential consultation and referral to students with problems or concerns related to alcohol and/or drug use. Information about substance abuse and treatment programs is also available in the Office of Student Success. The Bon Secours Employee Assistance Program can provide free, confidential counseling and assistance with substance abuse and other issues.

Appendix A – Controlled Substance: definition of drug or substance found in section 54.1-3401 (<http://leg1.state.va.us/000/cod/54.1-3401.HTM>) and Schedules I and Schedules 2 of Sections 54.1-3446 through 3456 of the Code of Virginia (<https://law.lis.virginia.gov/vacodefull/title54.1/chapter34/article1>), as amended, and Section 202 of the Federal Controlled Substances Act (21 U.S.C. 81).

Appendix B – Alcohol: Any product as defined in The Alcoholic Beverage Control Act, Title 4.1 of the Code of Virginia, as amended (<https://law.lis.virginia.gov/vacodefull/title4.1/>)

III. Policy Distribution and Review

On an annual basis, the College will distribute this policy to each of its employees and students who are taking one or more classes for any type of academic credit (except for continuing education units).

The College will biennially review this policy to (i) determine its effectiveness and implement changes to it as needed, and (ii) ensure that discipline for violations of this policy are consistently enforced.

This policy implements the Drug Free Schools and Communities Act (20 U.S.C. 1145g).