



West Virginia Wesleyan Annual Security Report 2010

West Virginia Wesleyan operates its own Safety and Security force staffed by full and part-time professional security personnel as well as several carefully selected student officers. The primary purpose of the program is to provide a safe and secure living environment for members of the college community.

As required by federal law, through the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, campus crime statistics are published annually during October. Current statistics for West Virginia Wesleyan College are included in the designated section ([statistics](#)) or may be requested from the Office of Student Affairs, West Virginia Wesleyan College, 59 College Avenue, Buckhannon, WV 26201.

Complete policy statements related to the information contained herein are found in the 2009-2010 Student Handbook, which also includes Drug Free Workplace and Drug Free Schools and Communities standards.

A recent compliance requirement is a part of the Campus Sex Crimes Prevention Act. The sex offender registry for the state of West Virginia or for any county in the state can be found at www.wvstatepolice.com. You must click on SEX OFFENDERS and then scroll down and click on ALL COUNTIES or type in the specific county you want to search. You will then get a list and photo of each person registered, with additional background information.

Safety Tips

- Be Aware! Recognize that crime can happen; prevent it from happening to you.
- Report suspicious persons or activities to Campus Security at Ext. 8011.
- Use the buddy system and watch out for others.
- Do not prop open residence hall doors - not even for food deliveries or late arriving friends.
- Avoid walking alone at night and stay away from outlying campus areas.
- Use the campus escort service.

Responsibilities of Security Staff

WVWC operates its own Safety and Security force staffed by full and part-time professional security personnel as well as several carefully selected student officers. The primary purpose of the program is to provide a safe and secure living environment for members of the college community.

Wesleyan security officers do not have police authority or carry weapons, but do cooperate fully with local law enforcement agencies in response to on and off campus incidents. Off-campus conduct is subject to college judicial action. Police reports and written documentations are regularly cross-referenced for appropriate follow-up of off-campus behavior.

Security Officer Responsibilities Include:

- Monitoring and securing all campus- owned buildings, parking areas and walkways
- Campus crime deterrence through regular patrols of college property
- Enforcement of college policies
- Investigation and documentation of policy violation
- Cooperation with residence life staff in promoting a safe and secure environment
- Traffic regulation
- Escort service when requested
- Compiling information from daily incident logs, residence hall reports and police data for annual fall reporting of crime statistics
- Liaison with local police in crime prevention efforts, referral for crime investigation and general safety education

Reporting of incidents

Accurate reports of criminal acts should be promptly directed to any of the following staff persons or agencies:

Tommy Wingler Ext. 8011
Director of Security (or officer in charge)
email: wingler@wwc.edu

Alisa Mauk Lively Ext. 8441
Director of Campus Life/ Chief Judicial Officer (or RLC in charge)
email: lively_a@wwc.edu

Buckhannon Police 472-5723

Emergency 911

When reported situations are considered to be a threat to students or staff, either due to seriousness of the activity or immediacy, a timely warning will be communicated via eMO, with appropriate staff follow-up.

Confidential anonymous reporting is encouraged, with appropriate investigation to follow. Contact Mike Kuba, Dir. of Counseling and Wellness Center (Ext. 8090)

The Campus Security Office is open on a 24-hour basis. Officers are in radio contact while patrolling, at Ext. 8011, and are in direct contact with emergency services through the county-wide Communications Center. Campus buildings are on a regular locking schedule. Residence hall doors are kept locked at all times; residents have door access codes for entrance. Visitors to residence halls are escorted. Physical Plant staff are identified and have access to campus buildings only as supervised employees. Courtesy phones are located outside all residence halls and emergency phones are available in the Middleton parking area and in selected campus locations.

The Security Office is located on the 1st floor of Rockefeller Center.

SOCIAL RESPONSIBILITY STATEMENT

All individuals and/or groups of the West Virginia Wesleyan College community are expected to speak and act with respect for the human dignity of others, both inside and outside the classroom, and in all College-sponsored social, recreational, and academic activities either on or off campus.

West Virginia Wesleyan College will not tolerate any form of harassment or intimidation, including, but not limited to, sexual, racial, religious, handicap, or age discrimination. Using the telephone, mail, or electronic mail to intimidate or interfere with a person's basic rights is also a form of harassment. Attitudes of condescension, hostility, role-stereotyping, and sexual or racial innuendo weaken the health of the community and are considered harassment as well.

Wesleyan will not tolerate acts of hazing or the exploitation of individuals or groups. At the same time, the College affirms the principle of academic freedom and prohibits discrimination against individuals or groups because they express different points of view. However, the College affirms that freedom of expression does not justify violating human dignity. Intentionally or substantially interfering with the freedom of expression of others on College property or at College-sponsored activities is prohibited. If a student feels that he/she has been unfairly or inappropriately treated by any member of the Wesleyan community, it is suggested that the student do one or more of the following without fear of reprisal:

1. Discuss the matter with a trusted third party to help determine a course of action.
2. Approach the offending party directly and discuss the matter and its possible solutions.
3. Pursue facilitation with the offending party through a facilitator. The facilitator may be a faculty member, a department chair, the Dean of the Chapel, the Director of Intercultural Affairs, a staff member of the Counseling and Wellness Center, the Student Development Office or some other administrative member.
4. For reporting purposes, if this is a racial or ethnic incident, the facilitator will contact the Director of Intercultural Relations before the facilitation takes place.

Definitions for Code of Conduct

Student - a person registered to take or audit courses at the institution, either on a full or part-time basis.

Aggravated violation - a violation which resulted or foresee ably could have resulted in significant damage to persons or property, or which otherwise posed a substantial threat to the stability and continuance of normal College or College-related activities.

Distribution - sale or exchange for personal profit, or the giving to another with no thought of personal profit.

Fabrication - intentional and unauthorized falsification or invention of any information or citation in an academic activity or assignment.

Institution or College - West Virginia Wesleyan College.

Organization - campus groups who are recognized as following designated policies and procedures.

Reckless - conduct which one is reasonably expected to know could cause a substantial risk of harm to persons or property, or which would otherwise be likely to result in interference with normal College or College-sponsored activities.

College premises - buildings or grounds owned, leased, or operated by the College.

College-sponsored activity - any activity on campus; or any activity off campus which is expressly authorized or supervised by the College.

Will and shall - are used in the imperative sense.

Prohibited Conduct

Acts of Dishonesty

Intentionally furnishing false or misleading information to College personnel.

Complicity

Association with a violation of College policy (in contrast to direct involvement or perpetration), either by presence when the violation is committed or non-reporting of the act(s), can result in judicial referral. Students who anticipate or observe a violation of College policy are expected to, as a minimum action, remove themselves from the situation and are strongly encouraged to report the violation.

Climbing

Climbing trees or the outside of College owned facilities is strictly prohibited. The use of rappelling equipment on

College-owned property is also strictly prohibited.

Damage to Property

Intentionally or recklessly destroying, damaging, or misusing the property of others, including the property of the College, on College premises or at College-sponsored activities.

Disorderly Conduct

Any conduct which is disruptive, lewd, or indecent, regardless of intent, which breaches the peace of the community or offends basic sensibilities.

Disruption

Intentionally or recklessly interfering with normal College or College-sponsored activities, including but not limited to, studying, teaching, research, and College administration shall not be tolerated. In addition, intentionally interfering with the functions of Campus Safety and Security personnel or fire, police or emergency medical officials is prohibited.

Failure to Comply

Failure to comply with the directions of College officials, including residence hall staff or any other administrator, faculty person, or student acting in an official capacity (e.g.: Community Assistant, Student Security Officer, etc.), in the performance of their duties.

Fire Safety

Including but not limited to:

1. Intentionally/recklessly initiating, or causing to be initiated, any false report, warning, or threat of fire, explosion, or other emergency on College premises or at College-sponsored activities.
2. Intentionally or recklessly misusing or damaging fire safety equipment.
3. Unauthorized use or possession of fireworks on College premises.

Forgery

Unauthorized alteration or unauthorized use of any College document or personal instrument of identification, including misrepresenting age for the purpose of obtaining alcoholic beverages.

Freedom of Expression

Intentionally or substantially interfering with the freedom of expression of others on College property or at College-sponsored activities.

Harassment

Actions which are intended to annoy and/or alarm another. These include but are not limited to:

1. attempting or threatening to subject another person to unwanted physical or verbal contact;
2. following another person in or about a public place or places;
3. directing obscene language or gestures at another person or groups of people;
4. directing verbal abuse at another person.

Physical Assault

The act of intentionally or recklessly causing physical harm to any person on College premises or at a College-sponsored activity, or intentionally or recklessly causing reasonable apprehension of such harm will not be tolerated.

Sanctions

Knowingly violating the terms of a disciplinary sanction imposed in accordance with this Code or failure to complete assigned sanctions.

Sexual Assault

West Virginia Wesleyan College will not tolerate rape, sexual assault, or other forms of nonconsensual sexual activity. Rape and sexual assault under this policy shall include but are not limited to the following:

1. Any form of nonconsensual sexual intercourse committed by physical force, coercion, threat, or intimidation, actual or implied, by a person(s) known or unknown to the victim.
2. Any actual or attempted nonconsensual sexual activity, including, but not limited to, attempted intercourse, sexual touching, exhibitionism, or sexual language of a threatening nature by a person(s) known or unknown to the victim.
3. Nonconsensual activity shall include, but is not limited to, situations in which the victim is unable to consent because he/she is mentally incapacitated or is physically helpless due to drug or alcohol consumption, or is unconscious.

4. Victims of rape or sexual assault are encouraged to file a complaint as soon as possible after the alleged incident. The criminal justice system is an option for recourse, as well as the College's judicial process. Both processes can be undertaken concurrently. Local police can assist the victim in pursuing criminal action. Campus Safety and Security, Residence Life Staff, the Director of the Counseling and Wellness Center, the Vice President for Student Development and Enrollment Management or any other advocate may be contacted, who will then refer for appropriate College response. Members of the College community found to be in violation of this policy through the College's judicial system shall be subject to all sanctions contained in the Code of Conduct, including suspension, dismissal and removal from campus housing. All standards of procedural integrity contained in the Code of Conduct will be followed by all parties involved. The College affirms this policy for students, faculty and staff through educational prevention programs, its counseling and support services and its medical treatment facility.

Smoking

Smoking is only permitted outside of campus buildings. Smoking is prohibited in residence halls and college vehicles, offices, administrative units, and any College-owned facility.

Solicitation

The term "solicitation" is used to describe the sale of products or the seeking of funds, signatures, merchandise or supplies.

1. Door-to-door solicitation is not permitted in residence halls or fraternity houses.
2. On-campus organizations receiving permission from the Coordinator of Campus Activities and Conferences to solicit may do so in residence hall lounges and other public areas in campus buildings, as long as this solicitation is consistent with the educational purposes and policies of the College.

Sports

Primarily for safety reasons, playing with or driving hard balls, including golf balls, on College owned property outside of athletic facilities is prohibited. Skateboarding on College premises and roller-blading inside campus facilities is similarly prohibited.

Theft

Theft of property or of services on College premises or at College-sponsored activities is prohibited. The use of stolen property and/or knowingly possessing stolen property on College premises or at College-sponsored activities will not be tolerated.

Unauthorized Entry

Any unauthorized presence in or use of College premises, facilities, services, or property is prohibited.

Weapons

The use, possession, or unauthorized storage of any weapon on College premises or at College-sponsored activities is prohibited. Weapons include, but are not limited to, rifles, shotguns, handguns, ammunition, gun powder, fireworks, numb chucks, air rifles, air pistols, knives, BB guns, bow and arrows, dart guns, paint guns, slingshots, axes or hatchets, metal stars for throwing, blow guns, pipes, chains and "look-a-like" weapons, or anything used to inflict a wound or cause injury. All legal weapons must be registered and stored at the Office of Campus Safety and Security.

SEXUAL HARASSMENT

West Virginia Wesleyan College is committed to establishing and maintaining an academic environment in which all members of the campus community are protected from sexual harassment. Condescension, hostility, role stereotyping, dissemination of unsolicited and objectionable jokes, literature and/or photographs, and sexual innuendo weaken the health of the campus community. Sexual harassment compromises the integrity of higher education through hostility and intimidation. Sexual harassment undermines opportunities for students and staff alike, to develop strong, positive self-concepts including a sense of self-confidence which is essential to the ideals and mission of West Virginia Wesleyan College. Individuals who engage in sexual harassment seriously compromise their own integrity and credibility. Sexual harassment shall not be tolerated within the West Virginia Wesleyan College campus community.

Sexual Harassment Description

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or any other verbal, written or physical conduct of a sexual nature, when:

1. submission to that conduct is explicitly or implicitly made a term or condition for any individual's obtaining employment, services or education;

2. submission to or rejection of any unwelcome overtures is a factor in decisions affecting any individual's employment, services or education;
3. conduct has the purpose or effect of creating an intimidating or hostile environment for any individual's employment, services or education.

Initial Communication of Unwelcome Conduct

As the first step in preventing sexual harassment, the College finds that individuals believing themselves to be the target or focus of unwelcome actions or overtures which could in the mindset of the offended person progress to sexual harassment, have a responsibility to promptly and clearly communicate to the offending person that such conduct is unwelcome and that such offensive conduct should cease immediately. The College seeks to create an environment whereby campus community members appreciate their responsibility to first communicate what are often uncomfortable issues with individuals initiating offensive conduct, and if the conduct persists, to then involve College personnel who are identified within the Investigation and Reviews Procedures section set forth below. The College recognizes that there may be initial conduct by an offender which is so offensive or objectionable that immediate invocation of the Investigation and Reviews Procedures is required without requiring the offended individual's adherence to this section.

Investigation and Reviews Procedures

Students believing they have been sexually harassed should promptly report the conduct to either the Vice President for Student Development and Enrollment Management or the Vice President for Academic Affairs. Investigation of reported incidents of sexual harassment then shall be conducted by the executive officer, or designee thereof, in an expedient manner, while seeking to maximize confidentiality and consistent with principles of fair procedure as follows:

1. a written complaint signed and dated by the offended individual must be promptly provided to the investigator, setting forth all relevant facts;
2. individuals who make complaints founded in good faith will not be subject to any retaliation or disciplinary procedures by the College;
3. individuals against whom complaints are lodged will be promptly notified by the investigator of the complaint's lodging, and given a reasonable opportunity to offer a written response to the complaint;
4. if upon the investigation's conclusion, it is determined that the complaint is valid, the offender may be required to undergo appropriate counseling as a condition to maintaining employment or enrollment at the College, and depending upon the seriousness of the conduct, the offender may be subject to disciplinary action by the College, which could involve discharge from employment in cases where the offender is a faculty or staff member, or the dismissal from enrollment in cases where the offender is a student.
5. because a lengthy period of time between an alleged incident's occurrence and the conducting of an investigation may make fact-finding difficult or impossible, it is very important that individuals believing they have been sexually harassed initiate the Investigation and Reviews Procedures as soon after the incident's occurrence as possible.

Alcohol and Drug Policies

West Virginia Wesleyan College seeks to create an environment that promotes individual and community health and well-being. The illegal or abusive use of alcohol and other drugs jeopardizes this effort. Therefore, the College is committed to defining standards of behavior, enacting and enforcing policies, and complying with local, state, and federal laws. The Drug Free Workplace Act of 1989 requires information regarding the following:

1. the conduct that is prohibited under campus policy and sanctions that will be imposed for violations of the policies
2. the applicable legal sanctions under the local, state, and federal laws
3. the health risks associated with the use and abuse of alcohol and other drugs
4. the educational and treatment resources available on and off campus

The United Methodist Church, the College's sponsoring denomination, encourages abstinence from alcohol and illegal drugs and supports educational programs that inform and encourage abstinence. While abstinence from alcohol may be preferred, the College acknowledges other choices that students may make and works aggressively to educate students regarding community responsibility and Wesleyan's expectations for all members of the student body.

Alcohol

The College prohibits the use of alcoholic beverages by individuals who are not of legal age and the abuse of alcohol by individual community members of any age. Violations of local, state, and federal laws applying to alcoholic beverages are prohibited. Furthermore, the College prohibits the illegal use of drugs on College property or property used by any recognized student or College group. State and federal laws state that it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance. According to the federal Controlled Substance Act of 1970, this applies to drugs that have a high potential for abuse, may lead to chemical dependence, and are required by law to be prescribed or administered under the supervision of a physician.

Full compliance with the specific set of standards related to alcohol and other drug use is expected. Although Residence Hall staffs play an important role in monitoring student conduct, any member of the Wesleyan community may refer a student alleged to have violated this, or any policy, to the Vice President for Student Development and Enrollment Management (see "Case Referrals"). This policy will be strictly enforced, and all cases of alleged violations will be resolved in accordance with normal disciplinary procedures described in this handbook.

Underage Use

1. All individuals, College affiliated organizations, and social groups are to comply with local, state and federal laws concerning the possession, consumption, and distribution of alcoholic beverages and be aware of the legal ramifications of noncompliance. Noncompliance with any state or federal law is a violation of College policy and is subject to disciplinary action.
2. Furnishing alcohol to a person under the age of 21 is prohibited.
3. The possession and/or consumption of alcohol on College premises by persons under the age of 21, is prohibited.

Public Use of Alcohol

1. The purchase, sale or distribution of alcoholic beverages on College premises is prohibited.
2. Alcoholic beverages may not be used in any public facility or space on College premises, including public areas of residence halls, or at College-sponsored activities. The legal exercise of personal freedom within the privacy of one's own room and in accordance with College policy may not infringe upon the rights of others by creating an atmosphere objectionable to others who reside in the same room.
3. Only individual residence hall rooms are considered private; an open door causes an individual's room to be considered a public area.
4. Possession of an open container in any public area of the campus is prohibited. An open container includes, but is not limited to, open or unsealed cans and bottles, cups, wine sacks, and squeeze bottles.

Impairment/Public Intoxication

1. Public intoxication or the state of being drunk that leads to aggressive or disruptive behavior, the significant distortion of memory, the significant dulling of responses, reduction in the capacity to make reasonable judgments or the violation of the Code of Conduct is prohibited regardless of age and will be considered an aggravating factor.
2. The influence of alcohol does not relieve an individual of responsibility for his or her behavior. Behavior that causes or threatens to cause physical harm to oneself or others, harassment of others, damage to property, or general disruption is a violation of College policy.
3. All members of the College community are fully responsible for the alcohol related conduct of their guests.
4. Driving under the influence of alcohol, either on or off campus, is considered to be an extreme example of irresponsible behavior.

Mass Quantity, Distribution/ Possession

1. Kegs, beer balls, or other forms of a common supply of alcoholic beverages are strictly prohibited on College premises, including residence hall rooms.
2. A student of legal age who possesses more than a total of 192 ounces of alcoholic beverages or exceeds any one of the following, even though in the privacy of his/her residence hall room, will be in violation of the mass quantity regulation:
 - a) twelve, 16-ounce containers of beer or equivalent, two liters of wine, (2 half gallon), twelve, 12-ounce wine coolers, one liter of distilled spirits, (1 and ½ fifths)

Alcohol Paraphernalia

Alcohol paraphernalia, including but not limited to, empty alcohol containers, is strictly prohibited on College premises and in residence hall rooms.

Off Campus Conduct

Conduct which occurs off campus that is a violation of state, federal, or local law, or has a detrimental impact on the college may result in college judicial action.

Drugs

1. The possession, use, or distribution of illegal controlled substances is strictly prohibited on College premises.
2. The manufacture, delivery or possession with the intent to manufacture or deliver a controlled substance as prohibited by the WV Code (Vol. 17, Chapter 60A) is also strictly prohibited by the College. This applies to drugs that have a high potential for abuse, may lead to chemical dependence, and are required by law to be prescribed or administered under supervision of physician.
3. Drug paraphernalia is strictly prohibited. Drug paraphernalia includes, but is not limited to, rolling papers, roach clips, water bongs, pipes, etc. or anything fashioned for such use.

State and Federal Laws

State and federal laws prohibit the manufacture, possession, sale and trafficking of marijuana and other drugs. State law also controls the sale, distribution, possession and consumption of alcoholic beverages except in a licensed establishment.

Education and Treatment Resources

The Counseling Center staff provides educational, assessment, counseling, consultation, and support services for individuals and groups interested in the prevention and treatment of various addictions. The Counseling Center website offers on-line screening instruments for the two most frequently used drugs: alcohol and marijuana. Specific educational and assessment services for students are offered on a voluntary and mandatory basis. A course on Addictions is also offered on a regular basis by the Psychology Department. The Counseling Center, the Health Center, and the WWC Library have many resources, including books, videos, newsletters, and pamphlets for student, staff, and faculty use.

Off-campus resources

Appalachian Community Health Center	1-304-472-2022
Alcoholics Anonymous Meetings	1-800-333-5051
Chestnut Ridge Hospital Health Line	1-800-982-8242
Phoenix Psychological & Counseling Association	1-304-622-6404
Progressive Preventive Health Care	1-304-842-8852

The Judicial System

Chief Judicial Officer

The Vice President for Student Development and Enrollment Management delegates the daily management of the judicial system to the Chief Judicial Officer. The Chief Judicial Officer will:

1. Assign cases of alleged violation of regulations to the appropriate hearing body based upon the severity of the infraction, the nature of the regulation (i.e. fraternity/sorority, residence hall, traffic regulations, etc.), and the residence of the student(s) involved;
2. The Chief Judicial Officer or designee will determine the disciplinary charges to be filed.
3. Interview and advise parties involved in disciplinary proceedings.
4. Select, supervise, train, and advise all College Judicial Boards and advisors.
5. Serve as a person designated to conduct Disciplinary Conferences for lesser violations and, by choice of the student, as a hearing officer for serious violations of this Code. The Chief Judicial Officer may impose all sanctions provided in this Code.
6. Maintain all student disciplinary records.
7. Submit a statistical report each semester to the campus community reporting the number of cases resulting in disciplinary action and the range of sanctions imposed.

College Judicial Board

The College Judicial Board is composed of students selected by the Executive Committee of Community Council and the Chief Judicial Officer, faculty members chosen by Faculty Council, and administrative staff volunteers. For each hearing, there shall be a hearing panel consisting of two (2) students, two (2) faculty and/or administrative staff and one (1) faculty chair person. A panel member should disqualify himself/herself or may be disqualified from hearing a case if he/she is personally involved or biased, or has prior knowledge of the case to be heard. The hearing panel must deliberate until a decision is reached. When consensus is not possible, a majority vote will decide the case. The College Judicial Board may impose all sanctions contained in the Code of Conduct.

Hearing Officers

Residence Life Coordinators or designated members of the Student Development Staff may conduct Disciplinary Conferences involving students charged with minor violations of this Code or Residence Hall Policies.

Inter-fraternity Council and Panhellenic Council

The Inter-fraternity Council and Panhellenic Council may hear cases that deal directly with infractions of rules and policies related to the Greek system.

Case Referrals

Any member of the West Virginia Wesleyan College Community may refer a student or student group or organization suspected of violating this Code to the Chief Judicial Officer. Persons making such referrals are required to provide information pertinent to the case, and may be expected to appear before a College Judicial Board as the complainant. The statement of information will be used in disciplinary proceedings.

Hearing Referrals

The Chief Judicial Officer will review case referrals to determine whether the alleged misconduct might result in Dismissal, Suspension, a Permanent Disciplinary Record, or Disciplinary Removal from College Housing. Students subject to those sanctions may be accorded a hearing before the College Judicial Board. Other cases shall be resolved in informal Disciplinary Conferences as referred by the Chief Judicial Officer.

Students who are referred to a College Judicial Board hearing may elect instead to have their case resolved in a Disciplinary Conference with the Chief Judicial Officer. Admission of responsibility generally results in a Disciplinary Conference rather than a Judicial Hearing. The full range of sanctions authorized by this Code may be imposed in such instances, and the right to review will be applicable as specified in the reviews section of this handbook.

During certain times of the year (e.g., early in the semester, during final examinations, summer), when it is difficult for the College Judicial Board to convene because of scheduling, students subject to disciplinary action may be accorded a hearing by the Chief Judicial Officer or designee. The full range of sanctions authorized by this Code may be imposed in such instances, and the right of review will be applicable as described in the reviews section of this handbook.

Procedural Standards

The focus of inquiry in disciplinary proceedings shall be to determine the responsibility of those accused of violating disciplinary regulations. Formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures necessarily invalidate a decision or proceeding.

Disciplinary Conference Procedures

Disciplinary Conferences will be conducted by the Chief Judicial Officer, or assigned to a designee. A Disciplinary Conference normally consists of an informal, non-adversarial meeting between a student and the Chief Judicial Officer or designee. Those bringing charges of violation are not required to participate unless their personal testimony is essential to the resolution of a factual issue in the case.

1. Documentary evidence and written statements are relied upon and the student is allowed to respond to them at the conference.

2. Decisions reached in Disciplinary Conferences may not be reviewed as provided in this Code.
3. The Disciplinary Conference is normally not used in cases which might result in any form of separation from the College unless the Conference is elected by the student.

College Judicial Board Hearing Procedures

1. Pending action on charges of violation of College regulations, the status of a student may not be altered, nor may the right to be present in class or on campus be suspended, except as provided in Interim Suspension.
2. Students will be given a written notice of the hearing date and the specific charges at least three (3) days in advance, and will be accorded reasonable access to the case file, which will be retained by the Judicial Officer.
3. Students will be given a hearing before members of the College Judicial Board within seven (7) class days from the date of notice of the hearing. Students shall have the right to an advisor of their choice to assist and advise in presenting their case. Such advisors shall be members of the West Virginia Wesleyan College community (i.e. any student in good standing, faculty, or administrator). Advisors should disqualify themselves if they are biased or have prior knowledge of details of the case to be heard. Advisors shall be present to observe and advise the student and may not participate in the proceedings. Outside legal counsel will not be permitted unless there is pending criminal or civil action or the reasonable expectation that criminal charges shall be filed. In that case, the student's attorney may be present to observe and advise the student, but may not participate in the proceedings. The determination of the pendency of actions and participation guidelines will be outlined by the Chief Judicial Officer or designee.
4. Hearings shall be closed to the public.
5. All hearings of the College Judicial Board shall be audio-taped from the beginning of the hearing through deliberations. These tapes will be erased and/or destroyed upon completion of the appeal process.
6. Students shall have the right to present information on their own behalf, including the ability to present a reasonable number of witnesses as well as to refrain from presenting information against him or her self. The College Judicial Board may take note of the refrainment from testimony.
7. The College Judicial Board will render a decision solely on the information presented during the hearing and, in its review of the case, is not required to follow formal rules of evidence.
8. The College Judicial Board may exclude repetitious or irrelevant information at its discretion. Participants are expected to treat one another with courtesy and respect. Any person who disrupts a hearing may be dismissed by the College Judicial Board and the hearing would then continue in their absence.
9. Witnesses shall provide true and correct information and may be subject to charges of violation of College regulations upon providing false information.
10. Prospective witnesses shall be excluded from the hearing except during their own testimony.
11. In cases involving more than one accused student, either party may request separate hearings. The Chief Judicial Officer or designee will determine if the request will be granted.
12. An accused student shall have the right to question adverse witnesses, as determined by the Chief Judicial Officer.
13. The burden of proof shall be upon those bringing charges who must establish the responsibility of the accused student by a preponderance of evidence.
14. All parties shall be excluded from the deliberations of the College Judicial Board.
15. Decisions of the College Judicial Board will be by majority vote.
16. After considering the facts and reaching a decision, the College Judicial Board will consult the student's discipline file prior to determining the sanction.
17. The decision of the College Judicial Board must include a written summary of the testimony which will be sufficiently detailed to permit review in the appeal process.
18. The decision of the College Judicial Board shall be accompanied by a brief written opinion.
19. The decision will be conveyed to the accused student in a meeting with the Chief Judicial Officer within two (2) class days and will then be forwarded in writing to the student and other appropriate persons within seven (7) class days after the close of the hearing. The College Judicial Board may also choose to meet with the student immediately following the deliberation and inform the student of the findings.

Sanctions

Disciplinary Dismissal

Disciplinary dismissal is the permanent separation of the student from the College. Notification will appear on the student's transcripts. The student will also be barred from College premises. A copy of the notice is sent to the parent or guardian of all dependent students and to appropriate College personnel.

Suspension

Suspension is the separation of the student from the College for a specified period of time, after which the student may apply for readmission to the College. Permanent notification may appear on the student's transcript. The student shall not participate in any College-sponsored activity and shall be barred from College premises. A copy of the notice of suspension is sent to the parent or guardian of dependent students and to appropriate College personnel.

Interim Suspension

The Vice President for Student Development and Enrollment Management or designee may suspend a student for an interim period pending disciplinary proceedings or medical evaluation. Such interim suspension is to become immediately effective without prior notice whenever there is evidence that the continued presence of the student on the College campus poses a substantial threat to himself or others, or to the stability and continuance of normal College functions, or to the basic ideals and standards the College seeks to maintain. A student suspended on an interim basis shall be given an opportunity to return to campus at a given time for the purpose of a hearing before the College Judicial Board within three (3) class days, if possible, from the effective date of the interim suspension. The hearing shall then be held on the following issues only:

1. The reliability of the information concerning the student's conduct, including the matter of the student's identity.
2. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to the student or others or to the stability and continuance of normal College functions, or to the basic ideals and standards the College seeks to maintain.

Disciplinary Probation

A student is given written notice that he/she has been found in violation of a standard contained in College regulations that warrants significant corrective action. Further violation will subject the student to more severe judicial action. Probation shall be for a specified time period, and may involve conditions or restrictions, identified at the time the probation is assigned. Depending on the violation, disciplinary probation might include ineligibility to publicly represent the College in co-curricular activities, including (but not limited to) athletics, chorale, and theatre; loss of student employment; restrictions from participation in clubs, organizations, and activities including (but not limited to) community council, Greek life, intramurals, athletic contests and social events. Disciplinary probation might also include the removal from residential facilities and restrictions from entering non-academic buildings. An individual currently on academic or judicial probation may not pledge a Greek organization. A copy of the notice of disciplinary probation is sent to parent or guardian of dependent students and to appropriate College personnel.

Community Action

The student is given written notice that his/her conduct within the campus community is of a serious nature. This action shall be for a designated period of time and may lead to more severe judicial action if further violations occur. Community Action may be initiated by the Chief Judicial Officer or designee. Failure to complete assigned community action may result in the consideration of Disciplinary Probation.

Written Reprimand

The student is given written warning that any further misconduct may result in more severe disciplinary action. Letters of reprimand may be initiated by the Chief Judicial Officer or designee.

Restitution

The student is required to make payment to the College or to other persons, groups, or organizations for damages incurred as a result of a violation of College regulations.

Other Sanctions

Other sanctions may be imposed instead of, or in addition to, those specified above. Students may be subject to dismissal from College housing for violations which occur in the residence halls or elsewhere. In cases where this sanction is imposed, the student will receive refund of board charges prorated to the date of removal from College housing. Room rent will not be refunded. Alcohol and other drug violations may result in referral to the Counseling and Wellness Center for assessment and follow-up. Attending life skills workshops, community service work or educational projects may also be assigned as well as grade reduction or notation on the student's permanent record. Monetary fines, termination of student employment, restrictions on fraternity/sorority pledging/membership activities, restricted access to College facilities or equipment, and loss of College recognition or institutional means of support (for student organizations), are examples of sanctions which may be imposed.

Structured Mediation Procedure

The Chief Judicial Officer may refer cases involving interpersonal conflicts for structured mediation if the misconduct does not warrant suspension or dismissal, and if the conflicting parties agree to voluntary participation in all sessions outlined by the mediator.

Educational sanctions, intended to foster individual or community development, may be imposed by the Chief Judicial Officer. These sanctions become an addendum to the final agreement.

Non-compliance with the terms of the agreement or addendum will result in immediate referral to the College Judicial Board. The charge of non-compliance will be added to the existing charges.

An unsuccessful mediation will result in referral back to the Chief Judicial Officer and no penalties will be applied unless there is documentation of an additional incident. A College Judicial Board Hearing or Disciplinary Conference will be scheduled.

Student Organizations

Student organizations may be charged with violations of this Code. Failure of off-campus groups to follow Event Management or Social Responsibility Statement guidelines also constitutes a violation of this Code.

1. A student organization or its officers may be held collectively or individually responsible for violations of this Code by those associated with the organization.
2. All College procedures for responding to violations as defined in the Code of Conduct will apply.
3. Sanctions for organizational misconduct may include suspension of pledge-taking, denial of intramural participation or revocation of College recognition, as well as other listed sanctions.

Appeals

Any proceeding of the College Judicial Board may be reviewed by the Vice President of Student Development and Enrollment Management.

The following are acceptable grounds for appeal:

1. Insufficient evidence to warrant the judicial outcome;
2. Evidence of prejudicial error;
3. Discovery of new evidence which could affect the decision;
4. Excessive penalty;
5. Substantial violation of hearing procedures.

Students requesting an appeal must submit a letter to the Chief Judicial Officer within three (3) school days from receipt of the written decision. All information to be considered with the appeal must be included at this time. Failure to request an appeal within the allotted time will render the original decision final and conclusive.

Appeals shall be decided upon findings of fact and the opinion and upon written briefs submitted by the parties. Additional hearings shall not be conducted. In the event a key point is in contention, the Vice President for Student Development and Enrollment Management may call witnesses or otherwise seek to determine the facts.

The Vice President for Student Development and Enrollment Management may:

1. Deny the appeal;
2. Affirm the finding and the sanction imposed by the original College Judicial Board;
3. Request the case be reheard.

Deference shall be given to the determination of the College Judicial Board or the Chief Judicial Officer.

Decisions of the Vice President for Student Development and Enrollment Management which result in dismissal or suspension from the College may be appealed to the President of the College or designee.

A written brief in support of the appeal must be submitted to the Office of the President of the College within three (3) class days from the date of the letter notifying the student of the decision by the Vice President for Student Development and Enrollment Management.

The imposition of sanctions normally will be deferred pending the outcome of the appeal.

Disciplinary Records

1. A file on each student involved in a disciplinary action will be kept in the office of the Chief Judicial Officer. This file will contain a copy of all material relevant to the case and its disposition. This file will be cumulative in nature.
2. The file will be maintained in the Student Development Office until the student graduates from the College and then be archived. For students who withdraw from the College, disciplinary records will be retained in the file through the end of the year in which the student was initially expected to graduate and then be destroyed. If the student is readmitted to the College, such records will be maintained through the adjusted graduation date.
3. This file may be viewed by the Vice President for Student Development and Enrollment Management, Chief Judicial Officer or a designee. It may not be viewed by anyone outside the administrative or judicial system. This file may be examined during normal office hours by the student and opportunity to correct any errors will be given by the Chief Judicial Officer. With the permission of the student, this file may be shared with a professor or administrator who is recommending the student for a workshop, grant, award, etc. The file may also be shared with an advisor who is working with the student on an appeal or subsequent hearing.
4. This record will be confidential, and will only be released to a valid subpoena from the court.

Annual Review

The Vice President for Student Development and Enrollment Management is charged with the responsibility of conducting an annual review of the Code of Conduct. This review will include any suggested revisions approved by Community Council and the Campus Life Committee of Faculty Council. Ultimate approval of any revisions will be the responsibility of the Vice President and the President of the College.

Policy for Hazing Related Incidents

Participation in a co-curricular group can be one of the most meaningful and rewarding aspects of student life. Hazing is a hidden and serious problem across higher education and not unique to West Virginia Wesleyan College. The College seeks to promote a safe environment where students may participate in activities and organizations without compromising their health, safety or welfare. It is, therefore, the College's policy that **hazing is prohibited**. The impact of hazing activities can result in irrevocable harm to its victims, their families and the College community which undermines the value of these experiences for many individuals. Prevention of hazing is the responsibility of every member of the College community. Each organization, as well as each individual, must accept the personal obligation to uphold the basic community values of being just, civil and respectful of the rights of others, and College policies

Definitions

Organization - "Organization" will specify an athletic team, association, order, society, cooperative, club, student organization, fraternity, sorority or other similar group that is affiliated with the College and whose membership consists primarily of students enrolled at the College. "Organization" includes a local chapter, unit or other local division consisting primarily of students, regardless of the nature of the membership of the larger public or private organization.

Hazing - "Hazing is defined as an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example and not limited to, humiliating, intimidating, or demeaning treatment; destroys or removes public or private property; involves the consumption of alcohol, other drugs, or other substances; or violates any of the policies of the College."

Alcohol Consumption and Hazing

Any consumption of alcohol, other drugs, or other substances that is "an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization" is hazing. This definition is applied regardless of the level of pressure to drink and will be classified as a level one offense.

Disciplinary Oversight of Reported Incidents

The "committee on hazing" will oversee all reports concerning suspected hazing activities with individuals and organizations for an appropriate institutional response. The committee will determine the level of concern and then assign jurisdiction to address the reported violation. The committee reserves the right to adjudicate the case or defer to other prearranged procedures such as a "show cause hearing" with Greek life organizations or send the case to the College's judicial board system. A minor incident may be referred back to the advisor, coach, or self-governing

board for remediation of the reported concern and the abovementioned must reply back with a written report of corrective action to discourage any further violation. All records of hazing incidents will be kept with the Office of Judicial Programs to indicate problematic trends that will assist the institution in responding with an appropriate measure of the repeat offender. The "committee on hazing" will consist of the following: Vice President for Student Development and Enrollment Management, Greek Affairs Coordinator, Director of Athletics, Chief Judicial Officer, one faculty, and one student. All appointments are made by the Vice President for Student Development and Enrollment Management.

The Sunshine Policy of Hazing

Wesleyan's Interfraternity Council (IFC), Panhellenic Association (Panhel), and the Athletic Department have demonstrated bold leadership by co-sponsoring an adoption of a "Sunshine Policy" through which **"misconduct that exhibits hazing and classified as a "major violation" will have their actions made public upon a guilty verdict"**. The "committee on hazing" will approve the content of the write-up prior to web-site publication of the incident and will allow the advisor/coach of the offending organization to review the statement. The organization may request a hearing to suggest changes to the write-up before publication. After final approval of the content, the violation will be placed on Wesleyan's web-site under hazing. This policy is intended for all recognized co-curricular groups of West Virginia Wesleyan College.

The College's Goal

Wesleyan's goal, when possible, is to **educate and promote change within organizations that haze**. In most cases, fraternities and sororities that are caught hazing will be required to participate in the anti-hazing Compliance Program in which they will work with a consultant to revise their new member process. Athletic teams are subject to College policy and NCAA rules and will be dealt with by the Director of Athletics. In some hazing cases, however, it is neither feasible nor appropriate to seek change. In such cases, the offending organization will be closed and lose College recognition.

Statistics 2010

Criminal Offenses - On-campus	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	3	0	0	2	1	1	0
Sex offenses - Nonforcible (include only incest and statutory rape)	0	0	0	0	0	0	0
Robbery	0	2	0	0	0	0	0
Aggravated Assault	0	0	1	0	0	0	0
Burglary	5	7	8	7	10	13	14
Motor-vehicle theft	0	0	1	0	0	0	0
Arson	1	4	0	3	1	0	2
Caveat: (Regarding statistic arson: intentional fire set in Jenkins Hall kitchenette)							

Criminal Offenses - On-campus Residence Halls	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	3	0	0	0	0	1	0
Sex offenses - Nonforcible (include only incest and statutory)	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0
Burglary	5	7	8	7	10	13	14
Motor-vehicle theft	0	0	0	0	0	0	0
Arson	1	0	0	0	0	0	1

Criminal Offenses - Public Property	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	1	0	0	0
Sex offenses - Nonforcible (include only incest and statutory)	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor-vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0

Criminal Offenses - Noncampus	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter				0	0	0	0
Negligent manslaughter				0	0	0	0
Sex offenses - Forcible				1	0	0	0
Sex offenses - Nonforcible (include only incest and statutory)				0	0	0	0
Robbery				0	0	0	0
Aggravated Assault				0	0	0	0
Burglary				0	0	0	0
Motor-vehicle theft				0	0	0	0
Arson				0	0	0	0

Hate Crimes - On-campus	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Sex offenses - Nonforcible	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Any crime involving bodily injury	0	0	0	0	0	0	0

Hate Crimes - On-campus Residence Halls	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Sex offenses - Nonforcible	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Any crime involving bodily injury	0	0	0	0	0	0	0

Hate Offenses - Public Property	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0
Sex offenses - Nonforcible	0	0	0	0	0	0	0

Robbery	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Any crime involving bodily injury	0	0	0	0	0	0	0

Hate Offenses - Noncampus	2004	2005	2006	2007	2008	2009	2010
Murder/Non-negligent manslaughter					0	0	0
Negligent manslaughter					0	0	0
Sex offenses - Forcible					0	0	0
Sex offenses - Nonforcible					0	0	0
Robbery					0	0	0
Aggravated assault					0	0	0
Burglary					0	0	0
Motor vehicle theft					0	0	0
Arson					0	0	0
Any crime involving bodily injury					0	0	0

Arrests - On-campus	2004	2005	2006	2007	2008	2009	2010
Liquor Laws	5	0	0	2	6	1	1
Drug law violations	1	0	0	1	0	1	1
Illegal weapons possession	0	0	0	0	0	0	0

Arrests - On-campus Residence Halls	2004	2005	2006	2007	2008	2009	2010
Liquor law violations	3	0	0	2	1	0	0
Drug law violations	1	0	0	1	0	1	1
Illegal weapons possession	0	0	0	0	0	0	0

Arrests - Public Property	2004	2005	2006	2007	2008	2009	2010
Liquor law violations	44	20	5	10	8	0	0
Drug law violations	1	0	1	1	0	0	0
Illegal weapons possession	0	0	0	0	0	4	0

Arrests -Noncampus	2004	2005	2006	2007	2008	2009	2010
Liquor law violations				0	8	0	3
Drug law violations				0	0	0	0
Illegal weapons possession				0	0	0	0

Disciplinary Actions/Judicial Referrals - On-campus	2004	2005	2006	2007	2008	2009	2010
Liquor law violations	50	54	44	116	44	107	69
Drug law violations	11	3	14	22	14	16	8
Illegal weapons possession	0	2	8	2	0	0	4

Disciplinary Actions/Judicial Referrals - Public Property	2004	2005	2006	2007	2008	2009	2010
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Liquor law violations	4	0	0	0	0	4	0
Drug law violations	1	0	0	0	0	0	0
Illegal weapons possession	0	0	0	0	0	0	0

Disciplinary Actions/Judicial Referrals -Noncampus	2004	2005	2006	2007	2008	2009	2010
Liquor law violations				2	0	3	6
Drug law violations				0	0	0	0
Illegal weapons possession				1	0	0	0

Disciplinary Actions/Judicial Referrals -Residence Halls	2004	2005	2006	2007	2008	2009	2010
Liquor law violations					43	104	62
Drug law violations					0	13	8
Illegal weapons possession					0	0	1