Annual Security (Clery) Crime and Fire Safety Reports and Policies
January – December 2013
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Important Notice</td>
<td>5</td>
</tr>
<tr>
<td>Main Campus Overview</td>
<td>6</td>
</tr>
<tr>
<td>Safety &amp; Security</td>
<td>6</td>
</tr>
<tr>
<td>Policy for Reporting the Annual Disclosure of Crime Statistics</td>
<td>7</td>
</tr>
<tr>
<td>Officials with Significant Responsibility for Student and Campus Activities</td>
<td>8</td>
</tr>
<tr>
<td>Organization</td>
<td>9</td>
</tr>
<tr>
<td>Crime Prevention</td>
<td>9</td>
</tr>
<tr>
<td>Crime Prevention and Education Programs - 2013</td>
<td>9</td>
</tr>
<tr>
<td>Reporting and Response</td>
<td>11</td>
</tr>
<tr>
<td>Confidential Reporting Procedure</td>
<td>12</td>
</tr>
<tr>
<td>Campus Security Services:</td>
<td>12</td>
</tr>
<tr>
<td>Uniformed Patrols</td>
<td>12</td>
</tr>
<tr>
<td>Electronic Surveillance and Protection</td>
<td>13</td>
</tr>
<tr>
<td>Investigative Services</td>
<td>13</td>
</tr>
<tr>
<td>Escort Service</td>
<td>13</td>
</tr>
<tr>
<td>Safety and Security in the Residential Community &amp; Stone Center, Access and Maintenance</td>
<td>14</td>
</tr>
<tr>
<td>Safety &amp; Security at the Stone Center</td>
<td>14</td>
</tr>
<tr>
<td>Firearm Policy</td>
<td>15</td>
</tr>
<tr>
<td>Alcohol and Other Drug Policy (Student)</td>
<td>15</td>
</tr>
<tr>
<td>Definitions</td>
<td>15</td>
</tr>
<tr>
<td>Purpose</td>
<td>16</td>
</tr>
<tr>
<td>Resources</td>
<td>17</td>
</tr>
<tr>
<td>Penalties</td>
<td>17</td>
</tr>
<tr>
<td>Alcohol Usage Guidelines</td>
<td>18</td>
</tr>
<tr>
<td>Student Code of Conduct - &quot;I. Violation of the Alcohol Policy&quot;</td>
<td>18</td>
</tr>
<tr>
<td>Drug Usage Guidelines</td>
<td>21</td>
</tr>
<tr>
<td>Student Code of Conduct - &quot;L. Possession, use or delivery or coordinating the delivery of illicit drugs, as defined by the Alcohol &amp; Illicit Drug Policy.&quot;</td>
<td>21</td>
</tr>
<tr>
<td>Use of Breathalyzers</td>
<td>21</td>
</tr>
<tr>
<td>Alcohol Amnesty</td>
<td>22</td>
</tr>
<tr>
<td>Sanctions for Alcohol Violations</td>
<td>22</td>
</tr>
<tr>
<td>Sanctions for Drug Violations</td>
<td>26</td>
</tr>
</tbody>
</table>
IMPORTANT NOTICE
This is a copy of Wheeling Jesuit University’s Annual Security (Clery), Crime and Fire Safety Reports and Policies. This report includes statistics for the previous three years (2011-2013) concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Wheeling Jesuit University; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and fire safety policies. Campus Safety & Security will send an email to enrolled students and employees on an annual basis to notify them that the report and available to be viewed. A physical copy of the report can also be obtained by contacting the Office of Campus Safety & Security at 304-243-2486, the Director at 304-243-4453 or by accessing the following web site:

http://www.wju.edu/about/hr/safety/

The crime and resident hall fire statistics for 2011, 2012, and 2013 can also be found in appendixes at the end of this report.
Main Campus Overview

Wheeling Jesuit University
316 Washington Ave
Wheeling, WV 26003

Wheeling Jesuit University (then Wheeling College) was founded in partnership between the Catholic Diocese of Wheeling-Charleston and the Society of Jesus of the Maryland Province in 1954. Wheeling Jesuit, the youngest of the nation's 28 Jesuit institutions, was incorporated as Wheeling College on September 25, 1954. Workers laid the cornerstone for Donahue Hall on November 21, 1954. The College, staffed by 12 Jesuits and four lay professors, opened its doors to the first class of 90 freshmen on September 26, 1955. Formal dedication ceremonies for Wheeling College were held on October 23, 1955 with more than 2,000 people in attendance. Archbishop John J. Swint turned over the deed to all college properties and buildings to the Maryland Province of the Society of Jesus on February 11, 1957. Wheeling Jesuit University is the only Catholic institution of higher learning in West Virginia, and has a special educational focus to seek and find God in all things -- in chapel and classroom, in liturgy and laboratory. The main campus encompasses approximately 65 acres of land and 12 buildings.

WJU PT Program at the Stone Center -- 1025 Market Street, Wheeling, WV 26003
In 2013, the Physical Therapy Department was moved to a location in the Stone Center, downtown Wheeling at 1025 Market Street for instruction for the doctorate in Physical Therapy program. The relocation of the program to the Stone Center allowed the University to increase the number of students in the program while providing added space for labs, study areas and classrooms. Due to the downtown location, the Physical Therapy program’s free clinic is more accessible to the resident of Wheeling who benefits most from this care.

Safety & Security

The Office of Campus Safety & Security is the office charged with the protection and preservation of campus safety and security on University property. Security personnel are available to assist students and visitors to the campus; regulate and enforce traffic and parking regulations; enforce University policies/behavioral expectations; make rounds of the campus; and inspect campus for safety/maintenance concerns. Officers do not have law enforcement authority but can enforce University policies and have a close working relationship with off-campus police authorities. Students and other members of the University Community should be familiar with campus safety and security procedures. In order to reach a security officer, persons can call extension 2486 from an on-campus phone or 304-243-2486 from any other phone. The Campus Safety & Security Office is located in the annex of Swint Hall and the Director’s Office is located in Swint Hall 209. Any student who would like to have a security escort across campus at any time, 24 hours a day, can contact Campus Safety & Security at 304-243-2486. A Security will walk students from anywhere on campus to another place on campus.
The University enjoys an excellent working relationship with the Wheeling Police Department and Ohio County Sheriff’s Office, both of whom regularly patrol the campus.

Campus security officers have the authority to detain anyone involved in violations against campus policy on campus. If offenses violating Wheeling Jesuit University Code of Conduct and regulations are committed by a student, Security will refer the individual to the conduct process overseen by the Dean of Student Development. Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations is monitored and recorded. This information is provided to the Dean of Students’ Office for any action or follow-up that may be required.

The Director of Campus Safety & Security reports directly to the Vice President for Administration / Chief Financial Officer who in turn reports to the President of the University. The Director is responsible for the achievement of the office’s mission.

If a Wheeling Jesuit University student is involved in an off-campus offense or an offense being investigated by off-campus authorities, the Director may assist with the investigation in cooperation with the Wheeling Police Department (WPD). WPD routinely works and communicates with the Director on any serious incident occurring on campus.

Wheeling Jesuit University operates no off-campus student organizations. The University does provide live-in management of an adjacent off-campus apartment complex known as the Cardinal Commons, 234 Washington Avenue, Wheeling, WV 26003; the University does not own Cardinal Commons but is the lessee of this property, per an agreement with Bedway Corporation. Because it is off-campus, Safety & Security does not have jurisdiction. Junior and senior students have the option to live in the neighborhoods surrounding Wheeling Jesuit University, although most students reside in campus housing.

**Policy for Reporting the Annual Disclosure of Crime Statistics**

The Director of Campus Safety & Security prepares The Annual Security and Fire Safety “Clery” Report to comply with the 1990 Congress approved Crime Awareness and Campus Security Act which amended the Higher Education Act of 1965. The Jeanne Clery Act requires higher education institutions to make public their campus security policies, and it requires that crime and fire data are collected, reported, and disseminated to the campus community. The Clery Act is intended to provide prospective students and employees, current students and their families, and the rest of the Wheeling Jesuit University community accurate, complete, and timely information about safety on campus so that they can make informed decisions. The full text of this report can be located on our website at http://www.wju.edu/about/hr/safety/.

This report is prepared in cooperation with the Dean of Student Development. Additionally, our internal organization including Student Development, Residence Life, Student Activities, the Counseling Center, and Human Resources all contribute greatly to the overall conduct process and its success. Each entity provides updated information on their efforts and programs to comply with the Act. Campus violations, arrest and referral statistics include those matters reported to the
Safety & Security, designated campus officials and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses which are not required to be reported. A procedure is in place to anonymously capture crime statistics disclosed confidentially. Each year by October 1st, an email notification and an e2campus alert notice will be made to students, faculty, staff and administrators. Prospective students and employees at Wheeling Jesuit University receive information where they can view the statistics from the Admissions Office and the Human Resources Department respectively.

**Officials with Significant Responsibility for Student and Campus Activities**

Campus violations are typically reported through Safety & Security or Residence Life. In some instances members of the Wheeling community may choose to file a report elsewhere. All reports are shared with the Dean of Student Development and Director of Campus Safety & Security who together have the authority and the duty to take action or respond to particular issues on behalf of the institution. These authorities are obligated to provide information for this report. For reporting purposes at Wheeling Jesuit University, Campus Security Authorities have been designated as:

<table>
<thead>
<tr>
<th>Dean of Student Development 304-243-2350</th>
<th>Director of Campus Safety &amp; Security 304-243-4453</th>
<th>Director of Residence Life 304-243-2257</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Dean / VP for Academic Affairs 304-243-2321</td>
<td>University President 304-243-2233</td>
<td>Director of Athletics 304-243-2291</td>
</tr>
<tr>
<td>Chief of Staff, President’s Office 304-243-2232</td>
<td>VP for Administration / Chief Financial Officer 304-243-2389</td>
<td>Sr. Vice-President for Mission &amp; Ministry / Title IX Coordinator 304-243-2484</td>
</tr>
<tr>
<td>Associate Vice-President for Administration 304-243-8159 304-243-2399</td>
<td>Associate Director of Athletics 304-243-2174</td>
<td>Associate VP for Academic Affairs 304-243-2213</td>
</tr>
</tbody>
</table>

University pastoral and professional counselors are encouraged to tell their clients about the reporting procedures outlined in this document. As noted below, confidential reports / anonymous reports are extremely valuable in order to prevent further victimization and to obtain a more accurate portrait of campus crime. In certain instances, a crime victim may be reluctant to file a report fearing the process and / or loss of his/her anonymity. In such circumstances, crime victims are encouraged to consider making a confidential report to one of the designated Campus Security Authorities. At a minimum, crime victims will receive valuable counseling and referral information. Confidential reports are important because they provide valuable information that will enhance the safety of the community-at-large and they help provide a more accurate portrait of actual campus crime.
**Organization**

The Office of Campus Safety & Security is comprised of the Director, an Assistant Director, and nine full time and part-time Security Officers. Security Officers provide a twenty-four hour presence on the University campus using foot and motorized patrol. Each shift is closely supervised by either the Director (weekdays, during office hours) or the Assistant Director (evenings and weekends) with the authority and responsibility to assure that the policies and procedures of the Office are followed.

All Campus Security officers are certified National Safety Council first aid caregivers and trained on Automatic External Defibrillators (AED's). Recertification in these programs occurs as required.

A Security Officer can be reached by calling 304-243-2486.

**Crime Prevention**

Crime prevention and following University policies is a cooperative effort requiring the entire Wheeling Jesuit community to actively participate in identifying conditions that may promote crime and policy violations. Campus Safety & Security is in close contact with administrators, faculty, staff, and students throughout the year to maintain and enhance campus safety.

Issues of personal safety, residential security, office safety, active shooter response, and vehicle theft prevention are but a few of the topics presented to students and employees in various formats.

Wheeling Jesuit conforms to the mandates of State and Federal law pertaining to victim’s rights in the handling of all cases. To enhance community and student safety, it is recommended that after dark, people should walk with friends or someone they trust or know well. Escort services are offered around the clock by Security Officers; students and employees can contact Security for an escort at any time.

**Crime Prevention and Education Programs - 2013:**

<table>
<thead>
<tr>
<th>Name of program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Subject(s) Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Student Orientation</td>
<td>8/12/13 and 8/23/13</td>
<td>Troy Theater, Swint Hall</td>
<td>Safety &amp; Security</td>
</tr>
<tr>
<td>New Student Orientation</td>
<td>9/12/2013</td>
<td>Troy Theater, Swint Hall</td>
<td>Hypnotic Intoxication</td>
</tr>
<tr>
<td>New Student Orientation</td>
<td>9/2013-11/2013</td>
<td>Online Program</td>
<td><em>Think About It</em></td>
</tr>
<tr>
<td>Active Shooter Table Top Exercise</td>
<td>5/20/2013</td>
<td>CET – Discovery Center</td>
<td>Active Shooter Training</td>
</tr>
<tr>
<td>First Aid/AED</td>
<td>August</td>
<td>CET</td>
<td>Life Saving</td>
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</tr>
<tr>
<td>RA – Security Training</td>
<td>8/15/13</td>
<td>NTTC Auditorium</td>
<td>Safety &amp; Security</td>
</tr>
<tr>
<td>RA – Fire Safety Training</td>
<td>8/15/13</td>
<td>Whelan Hall</td>
<td>Fire Safety Training</td>
</tr>
<tr>
<td>New Student &amp; Parent Orientation</td>
<td>5/31/13, 6/19/13, 6/26/13, 6/28/13, 7/29/13</td>
<td>NTTC Auditorium</td>
<td>Safety &amp; Security</td>
</tr>
<tr>
<td>Emergency Preparedness &amp; Active Shooter Response</td>
<td>7/10/13, 7/15/13, 8/1/13, 8/16/13</td>
<td>NTTC Auditorium</td>
<td>Employee Training</td>
</tr>
<tr>
<td>Faculty Training – Responding to Student Concerns</td>
<td>8/20/13</td>
<td>Acker G10 Auditorium</td>
<td>Faculty training</td>
</tr>
<tr>
<td>Erin Cooksey – Alcohol Education Speaker</td>
<td>9/8/13</td>
<td>Troy Theater</td>
<td>Student athlete alcohol education</td>
</tr>
<tr>
<td>New Student Orientation</td>
<td>1/13/2013</td>
<td>B-room, Swint Hall</td>
<td>Safety &amp; Security</td>
</tr>
<tr>
<td>Dealing With Annoying, Disruptive or Dangerous Students &amp; Employees</td>
<td>8/15/2013 &amp; 10/1/2013</td>
<td>Whelan Hall Conference Room</td>
<td>Safety &amp; Security</td>
</tr>
</tbody>
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**SEXUAL MISCONDUCT - 2013:**

Every year during New Cardinal Days, fall orientation for new students, the Division of Student Development in coordination with the Ohio County Sexual Assault Help Center and Ohio County Prosecuting Attorney's Office sponsors sexual misconduct program. Programs on sexual misconduct prevention and awareness are conducted throughout the month and early during new students’ time on campus.

<table>
<thead>
<tr>
<th>Name of program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Subject(s) Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Think About It</em></td>
<td>Summer mandatory internet training</td>
<td>Incoming students homes</td>
<td>Sexual Misconduct, Alcohol &amp; Other Drugs</td>
</tr>
<tr>
<td>New Student Orientation</td>
<td>8/23/2013</td>
<td>NTTC Auditorium</td>
<td>Sexual Misconduct Policy</td>
</tr>
</tbody>
</table>
Resident Adviser Training  8/19/2013  Donahue 128  Sexual Misconduct Policy & Training  
New Student Orientation  8/23/2013  Troy Theater, Swint Hall  Peer Theater Presentation & Discussion  
New Student Orientation  8/29/2013, 9/5/2013, 9/19/2013 and  NTTC Auditorium  Welcome to the Party Sexual Misconduct  
New Student Orientation  9/2013-11/2013  Online Program  Think About It  
Sexual Misconduct Policy Consultation  12/12/2013  Whelan Hall Conference Room  Employee Training  
Sexual Harassment & Misconduct Board Training  12/12/2013  Swint 209  Employee Board Training  

In addition, employees attended the following professional development trainings:

**EMPLOYEE TRAINING - 2013:**

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Sponsor &amp; Topics Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ohio County Sexual Assault Response Team Meeting</td>
<td>2/4/2013 &amp; 4/8/2013</td>
<td>Ohio Valley Medical Center</td>
<td>Ohio County Response Team / Sexual Misconduct</td>
</tr>
<tr>
<td>Webinar: FERPA Compliance</td>
<td>2/27/2013</td>
<td>Online, NTTC Auditorium</td>
<td>Paperclip Communications / FERPA</td>
</tr>
<tr>
<td>WV Sexual Violence Prevention &amp; Resources Training Toolkit for College Campuses</td>
<td>4/23/2013</td>
<td>Fairmont State, Clarksburg, WV</td>
<td>Sponsored by WV FRIS / Sexual Misconduct</td>
</tr>
</tbody>
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**REPORTING AND RESPONSE**

Community members, students, faculty, staff, administrators and guests are encouraged to report all crimes and campus violations to the Wheeling Jesuit University Campus Safety and Security in a timely manner. Incidents, suspicious circumstances, and other related information can be reported to an
officer on patrol or by calling 304-243-2486. The Office of Campus Safety & Security continually promotes the reporting of incidents in programs such as freshman orientation, and Resident Assistant crime prevention presentations and whenever the opportunity arises.

It is the policy of the Campus Safety & Security to respond to all requests for services, to write a security report, and to conduct follow-up investigations. The Director coordinates investigations with the local police, when necessary. Victims of crimes against persons, such as robbery or sexual misconduct, are encouraged to seek confidential counseling services from the Counseling Center at 304-243-2081.

The Director Campus Safety & Security is the University’s agent for the purpose of making timely warnings and the collection of statistical data concerning criminal offenses to be included in this annual report. Campus Safety & Security also issues periodic electronic bulletins of suspicious or criminal activity occurring on and around the campus through ecampus2 alerts and email with suggestions of ways to avoid the occurrence of similar incidents. Alerts are transmitted over the University eCampus2Alert online and texting alert system. All members of the Wheeling Jesuit University community are urged to read these notices carefully, and to be guided by the information presented. Anyone with information warranting a timely warning should report the circumstances to a Security Officer, by phone 304-243-2486 or in person to the Director in Swint Hall 209.

CONFIDENTIAL REPORTING PROCEDURE

If students or employees are victims of a crime and do not want to pursue action within the University's Conduct System or the criminal justice system, they may still want to consider making a confidential report. Anyone can file a report on the details of an incident without revealing their identity. The purpose of a confidential report is to comply with a person’s wish to keep the matter confidential, while taking steps to ensure the future safety of self and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime or violation 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 security (Clery) and fire safety reports for the institution. Written reports can be submitted anonymously to the following campus locations: Safety & Security Office (Swint Annex, across from the Post Office), Director of Campus Safety & Security (Swint 211hallway door), Dean of Student Development (Swint 207 hallway door), Area Coordinator Offices (entryways of Kirby/Sara Tracy residence hall, Ignatius residence hall and Campion/McHugh residence hall). Person(s) wishing to file anonymous reports are encouraged to provide as much detail as possible in the report.

Anonymous reporters of Sexual Misconduct are encouraged to use the Sexual Misconduct Incident Report Form, available online at http://www.wju.edu/about/hr/policies/attachments/SMIRF.pdf

CAMPUS SECURITY SERVICES:

UNIFORMED PATROLS
Uniformed security officers patrol on foot or in a small-motorized vehicle (i.e. security cart) twenty-four hours a day, seven days a week.

Desk attendants are provided at the entry of residence halls during times of high traffic and increased volume of non-campus visitors. Residence Life hires desk attendants from 7pm-11pm (Thursday, Friday & Saturday) and Campus Safety & Security from 11pm-3am (Friday & Saturday).

**Electronic Surveillance and Protection**

Video cameras are placed at the entry of the main doors in each residence hall and in various locations on the ground and first floors of Swint Hall. Footage can be reviewed within a specific time period to aid in campus investigations and can be seen in real time in the main Campus Safety & Security office. Video cameras also monitor the parking lots of Steenrod Apartments. A fire alarm system in University buildings protects the campus from fire emergencies.

**Investigative Services**

The Director of Campus Safety & Security is trained to conduct initial investigations using techniques to protect the victims and to preserve evidence. The Director, in collaboration with Student Development staff, provides support for victims throughout the process of any subsequent criminal or university conduct proceedings. The Department of Campus Safety and Security maintains a close partnership with the investigative units of the Wheeling Police Department and the Ohio County Sheriff’s Department.

Wheeling Jesuit University added emergency text messaging to the e2Campus Notification System (LENS) in August, 2009. Text messaging will be used when imminent threats to the Wheeling community are identified. This is a free service to students and employees of the University; however community members must register every academic year to gain use of this valuable information system. To see the instructions on how to register go to the Cardinal Online web site at http://www.wju.edu/services/ and click on “Emergency Alerting Services.” “Incident Alerts” and “Crime Prevention Notices” are distributed on campus by timely warning and e-mail messages and are accessible through student emails and eCampus2Alerts. They inform the University community of situations that present a potential hazard on campus or in the surrounding community.

A daily log of crimes occurring on the Wheeling Jesuit campus is available 24 hours a day every day in the main Campus Safety & Security office located in the Swint Annex in Swint Hall.

**Escort Service**

Escorts are also provided by uniformed security officers to students, employees and guests of the University any time of day; community members who feel uncomfortable walking to their cars or residence areas alone are encouraged to call for an escort. Escorts can be requested via our 24 hour security line at 304-243-2486.
SAFETY AND SECURITY IN THE RESIDENTIAL COMMUNITY & STONE CENTER,
ACCESS AND MAINTENANCE

All residence halls on campus can be entered by electronic access card readers. All students and employees are encouraged to program the campus emergency telephone number 304-243-2486 during their orientation to the University.

To enhance safety on campus, a security officer is assigned to patrol all of campus every hour; this includes walking through the residence halls. On-call residence life staff also monitors the residence halls nightly from 7pm-12midnight (Sunday-Thursday) and 7pm-2:00am (Friday-Saturday). Residence Life and Safety & Security staff works closely to secure the residence halls. A front desk attendant also staffs each residence hall during time of high visitor traffic (mostly Friday and Saturday evenings); desk attendant staff also works closely with residence life and security personnel to keep the residence halls secure.

Wheeling Jesuit University’s main campus offers traditional residence halls, residence halls with double rooms with private bathrooms, quad style housing, and a small apartment complex (located a few blocks east of campus). On-campus housing can accommodate up to 920 students. The University also manages an adjacent apartment building, Cardinal Commons, built in 2014; this complex provides priority housing for Wheeling Jesuit University graduate and adult students and undergraduates requiring year-round housing. Cardinal Commons is managed by but not owned by the University.

Security safeguards within the residence halls include restricted access and guest registration during high traffic times. Crime prevention programs include orientation workshops, individual floor meetings, residential community–wide presentations, and educational programs. Access to Wheeling Jesuit University housing facilities is limited to residents, escorted guests and selects University employees. Entry is monitored on a 24-hour basis through card-key security systems, and desk attendant staff during high traffic times. Video surveillance is also used at main entrances.

Professional residence hall area coordinators and student resident advisors, who are all members of the University’s Residence Life staff, live on campus and provide 24-hour staff coverage. Student room doors should be locked at all times even when occupied. Most importantly, residents are reminded to observe building security procedures and to notify Residence Life staff or Campus Safety & Security of any unfamiliar faces or unusual incidents within either the residence halls or apartments. Annually in August and again in January all residence life staff members in the halls undergo comprehensive training for both prevention and response regarding safety and security issues. As part of their responsibilities for campus security, both student and professional staff participate in lectures and seminars associated with topics such as substance abuse, response and prevention of sexual misconduct, and community security.

SAFETY & SECURITY AT THE STONE CENTER

A campus security officer is on duty at the Stone Center (1025 Market Street, Wheeling, WV 26003) on Monday through Friday from 6:00pm to 12:00midnight. Escorts are provided to student parking by
security. An access card is required for entry into the building as well as the elevator. There are also various card access readers in the building for student safety.

**FIREARM POLICY**

The possession and/or use of firearms, explosives, ammunition, fireworks, and/or weapons or storage of any such device on University premises or at University sponsored activities is strictly forbidden. This includes, but is not limited to firearms, air rifles, slingshots, swords, hunting knives, etc.

**ALCOHOL AND OTHER DRUG POLICY (STUDENT)**

Wheeling Jesuit University strives to maintain an environment that promotes the health and safety of the community and the responsible choices and behaviors of its members concerning the use of alcohol. The University recognizes that the consumption of alcohol in moderation by persons of legal drinking age can be a component of the social environment at the University. Therefore, students of legal drinking age are granted the privilege of responsible alcohol use on campus. The University strives to maintain an environment free of illicit drug use. Participation in behaviors related to use, distribution or possession of illicit drugs is not condoned within the campus community.

The University has adopted policies and standards to promote healthy and legal use of alcohol and the prevention of illicit drug use. Such policies are only one part of the University's efforts to encourage responsible choices and behavior; employees and students have shared responsibility for preventing alcohol abuse and illegal alcohol and illicit drug use at university affiliated events both on campus and off and assuring compliance with the Drug-Free Schools regulations.

**DEFINITIONS**

- **Alcohol:** ethyl alcohol whatever its origin; includes synthetic ethyl alcohol but not denatured alcohol
- **Beer:** any beverage obtained by the fermentation of barley, malt, hops, or any other similar product or substitute, and containing more alcohol than that of nonintoxicating beer.
- **Illicit Drugs:** any substance that alters the mind in a psychoactive way and is illegal in the eyes of the law and punishable with criminal justice; includes but is not limited to marijuana/hashish, cocaine (including crack), heroin, hallucinogens, inhalants, or prescription-type psychotherapeutics used non-medically.
- **Intoxication:** having one's faculties impaired by alcohol or other drugs to the point where physical or mental control or both are markedly diminished.
- **Manufacture:** to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle, or fill an original package with any alcoholic liquor.
- **Sale:** any transfer, exchange or barter in any manner or by any means, for a consideration, and shall include all sales made by principal, proprietor, agent or employee.
- **Selling:** includes solicitation or receipt of orders; possession for sale; and possession with intent to sell.
• Public area: any place, building or conveyance on campus to which the public and/or members of the Wheeling Jesuit University community have, or are permitted to have access, including lobbies, and corridors of residence halls and on campus streets and walkways; does not include places of residence for students assigned to said residence.

• University Break Period: anytime outside of the fall and spring academic semesters in which University housing is officially closed, including Thanksgiving Break, Winter Break, Spring Break, Easter Break, throughout summer housing (between the spring and fall semesters) and in the few weeks and/or days before the start of the fall semester and the end of the spring semester in which some students are allowed to move into campus housing early or to move out of campus housing later than normal.

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

PURPOSE

The risks associated with the use of illicit drugs and the 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 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, (e.g., admission to law school and employment with the federal government)

In addition, alcohol and illicit 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, whether on or off campus, must adhere to local and federal laws concerning alcohol use and are expected to conduct themselves in a manner consistent with University expectations. The University will not tolerate the unlawful manufacture and/or illegal purchase, consumption, possession, or distribution of alcohol to or by any student.

Local and federal laws prohibit the unlawful use, manufacture, possession, control, sale and dispensation of illicit drugs. These laws carry penalties for violations, including monetary fines and imprisonment. The unlawful manufacture, distribution, dispensation, possession or use of an illicit drug
by a student on University property or as any part of a University-sponsored program on or off campus is strictly prohibited.

Any student who violates the Student Code of Conduct as it relates to alcohol and illicit drug use is subject to sanctions as outlined therein. See also the Penalties for violation of federal and local jurisdiction standards related to drugs and alcohol.

The University cooperates fully with law enforcement authorities. Violations of the Wheeling Jesuit University Alcohol and Illicit Drug Policy and/or the Student Code of Conduct 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 University conduct system and in the criminal justice system.

RESOURCES

Wheeling Jesuit Counseling Center:
Suite 101 Whelan Hall
304- 243-2081

Wheeling Jesuit Health Center:
208 Swint Hall
304-243-2275

Hillcrest Outpatient Services:
Suite 501 Valley Professional Center South
2101 Jacob Street
Wheeling, WV 26003
(304) 234-8517

Crossroads Counseling Services:
255 West Main Street
St. Clairsville, OH 43950
(740) 695-9447

Alcoholics Anonymous:
(304)231-5867 or 800-333-5051

The University's Dean of Student Development’s Office is also available to assist students seeking alcohol and/or other drug rehabilitation services.

PENALTIES

The intent of the following information is to provide knowledge of possible sanctions for citations and/or arrest for illicit drugs and/or alcohol use known to be available; penalties under federal, state, and local laws are separate from University sanctions for on campus conduct proceedings. Students who will seek professional license after graduation should note that some professional licensing agencies could consider alcohol and other drug convictions in determining licensure.
Current information about West Virginia State Code can be found on the West Virginia Legislature Website.

Alcohol: Underage purchase of alcohol or misrepresentation of age is subject to a fine up to $500 and three days in jail or probation. Purchase of alcohol for those underage is subject to a fine up to $500 and up to 10 days in jail. Public intoxication is subject to a fine up to $100 and up to 60 days in jail or completion of an alcohol education program or counseling. Driving under the influence of alcohol, or other drugs (includes DUI), depending on circumstances, is subject to incarceration of from 24 hours to 10 years, a fine of $100 to $5,000, and license suspension of from six months to life.

Illicit Drugs: Under state law, conviction for possession of a controlled substance is subject to incarceration for up to six months and a fine up to $1,000. Sentences can be double for second or subsequent offenses. Manufacture, possession, or delivery with the intent to manufacture or deliver a controlled substance is subject to, depending on the substance classification, up to 15 years imprisonment and/or a $25,000 fine upon conviction. Sentences can be doubled for subsequent offenses and mandatory prison terms result for convictions involving distribution of controlled substances to minors or within 1,000 feet of the University or other school. Federal sanctions for illegal possession of a controlled substance vary with the conviction, substance possessed, and the quantity of the substance. First conviction is subject to up to one-year imprisonment and a fine of at least $1,000 but no more than $100,000 or both. After one prior drug conviction, the penalty is at least 15 days in prison, not to exceed two years and a fine of at least $2,500 but no more than $250,000 or both. After two or more prior drug convictions, the penalty is at least ninety days in prison, not to exceed three years, and fined at least $5,000 but not more than $250,000 or both. Those convicted of illegal possession of a controlled substance are also subject to denial of federal benefits, such as work-study, student loans, grants, contracts, and to loss of professional licenses and disqualification for a commercial driver's license, for up to one year for the first offense, for life for the second offense.

Alcohol Usage Guidelines

Wheeling Jesuit University strives to promote legal, informed and healthy choices about the use of alcohol and drugs on and off-campus by all members of the community. Wheeling Jesuit University is subject to the same local and state laws that govern all citizens, including those concerning the possession, use, sale and distribution of alcohol; acts that violate these laws are in direct conflict with University regulations. Suspected student violations of the University Alcohol and Illicit Drugs Policy are processed through the student conduct system under the direction of the Dean of Student Development and/or his/her designee and will be subject to sanctions up to and including dismissal from the University.

Student Code of Conduct - "I. Violation of the Alcohol Policy"

a. Possession of containers that previously contained alcoholic beverages.
   (Empty alcohol containers cannot be used as decorations; such containers will be considered an open container and deemed as proof of consumption and a violation of the alcohol policy. The policy applies to all students, regardless of age).
b. Possession of common source containers, whether full or empty, of alcohol such as kegs, beer balls, or boxed wine.

c. Participation in and/or being in the presence of drinking games.

d. Possession of alcoholic beverages by persons under 21 years of age.

e. Consumption of alcoholic beverages, including:
   a. Consumption of alcoholic beverages by persons under 21 years of age;
   b. Consumption of alcoholic beverages or possession of an open container by persons 21 years of age or older in any public area, unless it is an official University approved event, including public space within a residence hall. Containers in which the original seal has been broken or containers that are not able to be permanently sealed constitute an open container.

f. Intoxication by any person, regardless of age.

  Social drinking must never be undertaken to the detriment of, or in violation of, the rights of others. As such, students are reminded that it is their responsibility to be sober at all times. The University will not tolerate public drunkenness since intoxicated students act in a manner inconsistent with the values of the University, pose a threat to themselves, and can make life unpleasant for those with whom they live. Any student found in an intoxicated condition will be subject to appropriate sanctions. Determination as to whether or not a student is intoxicated may be made on the basis of use of a breathalyzer and/or the following factors including, but not limited to:

  Whether a student is:
  • unable to walk without assistance
  • speaking incoherently
  • unconscious
  • vomiting
  • emitting a strong odor of alcohol
  • behaving in a loud and/or disorderly manner)

  g. Sale, distribution or provision or attempts to sell, distribute or provide alcoholic beverages to or by anyone under 21 years of age.

  h. Possession and of alcoholic beverages in a student room in which at least one assigned resident is under 21 years of age and/or persons under the age of 21 are present.

    Per a campus policy change effective Fall 2014, students age 21 and over cannot possess/consume alcohol in their assigned residence if they have an assigned roommate who is under the legal drinking age or if underage persons are present in the room. Students of legal drinking age should seek assistance from the Office of Residence Life if it is important to them to request a room change that would make alcohol use permissible in their room.

  i. Consumption of alcoholic beverages in a student room in which at least one assigned resident is under 21 years of age and/or persons under the age of 21 are present.

    Per a campus policy change effective Fall 2014, students age 21 and over cannot possess/consume alcohol in their assigned residence if they have an assigned roommate who is under the legal drinking age or if underage persons are present in the room. Students of legal
drinking age should seek assistance from the Office of Residence Life if it is important to them to request a room change that would make alcohol use permissible in their room).

j. Bringing alcohol into a University residence not assigned to the person bringing in the alcohol. Students regardless of age are not permitted to bring alcohol into residence rooms in which they are visiting. Only residents assigned to a room may provide alcohol to other persons in their assigned room, in accord with the University Alcohol Policy).

k. Possessing more than the permissible maximum amount of alcohol allowed per 21 year old resident per room.
One case of beer (or like beverage) per 21 year old resident is allowed; a case of beer is defined as a purchased box of 24-30 bottles/cans of beer. No more than the equivalent of half gallon or two 750 mL bottles of hard liquor per 21-year old resident is allowed. Additional restrictions on the amount of alcohol allowed in a residence hall room and/or quad maybe applied at the discretion of the University. Visitors, regardless of age, may not bring alcohol into a room in which they do not reside).

l. Possession and/or use of alcohol in University residences during University Break Periods, regardless of age.
Alcohol use and/or possession of any kind is not permitted in University housing outside of the regular academic semesters when housing is officially "closed" for the regular, undergraduate terms; such times include Thanksgiving Break, Winter Break, Spring Break, Easter Break, during summer housing, and in the few days/weeks either just before fall housing opens or after spring housing closes but students have permission to be in housing. A zero tolerance policy for alcohol use is in place during these times. Students unable to abide by this policy should seek alternative housing arrangements off-campus; violators maybe subject to immediate housing suspension).

m. Violation of the Alcohol Policy in the Rathskeller.
The RATT is a social gathering place for students and other members of the University community. The RATT operates under a State liquor license and serves beer, malt beverages, and soft drinks during specified hours of operation in accord with local and state laws, and provides a venue for healthy, responsible and legal alcohol consumption. Violators of the Alcohol Policy in the RATT will face conduct action starting at a Level 3 (Conduct Probation) or Level 4 (Suspension) offense; employees who do not enforce the Alcohol Policy are subject to employment termination and conduct action. All alcoholic beverages must be purchased and consumed in the RATT. Individuals who wish to purchase, consume or have alcohol while in the RATT will be required to receive a hand stamp, wristband, or other means to designate them of legal drinking age. RATT personnel have the right and responsibility to refuse entry or to serve alcohol to anyone deemed to be intoxicated or exhibiting inappropriate behavior due to suspect alcohol use).

n. Violation of the Alcohol Policy at an approved University Sponsored Event or at the Ignatius Rock.
"Alcohol Use at the Ignatius Rock" -- Students aged 21 or over may request use of the lawn hillside known as the "Ignatius Rock" during specified times to host social events in accord with University Alcohol Policy and in line with responsible, legal use of alcohol. Students should allow up to one week to process such a request via the online registration form. Request will be
approved by the Dean of Student Development and/or his/her designee. / "Alcohol Use at a University Sponsored Events" -- Campus-wide guidelines for registering for permissible alcohol usage at public and private University sponsored social events can be found in an online registration form. All events must be registered with and approved by the Dean of Student Development and/or his/her designee; this includes events in accord with the Athletic Event Tailgating Policy involving alcohol use. Event organizers should allow up to two weeks for a review of their requested event; as needed, members of the Alcohol and Other Drug Review Committee will be called to review event request).

**Drug Usage Guidelines**

The use, possession, and/or distribution of illicit drugs and/or drug paraphernalia of any kind is prohibited on campus. Wheeling Jesuit University does not permit marijuana for any purpose; students who qualify under local law to use marijuana for medical purposes may not possess, store, use or share marijuana on University owned or controlled property or during University sponsored events.

**Student Code of Conduct - "L. Possession, Use or Delivery or Coordinating the Delivery of Illicit Drugs, as Defined by the Alcohol & Illicit Drug Policy**

- a. Possession of paraphernalia including any item typically used to inhale/ingest/inject/mask drugs, regardless of whether the item has been used for illegal purposes.
- b. Possession of drugs.
- c. Use of drugs.
- d. Misuse, abuse, and/or sale of prescription drugs.
- e. Distribution (any form of exchange, gift, transfer or sale) of drugs.
- f. Serving as a co-conspirator in drug related activity on campus; includes aiding in and/or knowingly endorsing acts of distribution.

**Use of Breathalyzers**

The University reserves the right to ask that students suspected of excessive alcohol use cooperate with the use of breathalyzers to assist University personnel in making sound decisions to ensure the safety and well-being of the student in question. Students refusing to cooperate and/or and who refuse off-campus medical treatment when determined necessary by the University, are subject to immediate Interim University Suspension; in such cases, students will be asked to leave campus immediately, pending the outcome of a conduct hearing. If the student cannot safely leave campus alone, he/she will be asked to wait in the Security Office until a responsible adult can come to campus to assist him/her; $50/hour will be charged for such supervision.

Students not of legal drinking age can request the use of a breathalyzer to prove that they have not consumed alcohol; every effort will be made to honor such requests. It is the responsibility of students to be aware of University policies, and by not requesting use of a breathalyzer, students may be held responsible for violating the University alcohol policy. If a student does request a breathalyzer and a positive test result for the consumption of alcohol occurs, the student will be charged with additional policy violations.
**ALCOHOL AMNESTY**

Student health and safety are of primary concern at Wheeling Jesuit University. As such, in cases of intoxication, alcohol poisoning, or drug-related medical emergencies, Wheeling Jesuit University always encourages individuals to seek medical assistance for themselves or others.

Students who seek medical attention for themselves related to the use of drugs or alcohol will not be formally charged with a violation of the Wheeling Jesuit University Code of Conduct related to that use, provided that the student subsequently completes an assessment and any other recommended treatment from the Dean of Student Development and/or his/her designee. Failure to complete such assessment may result in additional sanctions being applied.

Students who seek medical attention for someone else related to the use of drugs or alcohol will not be charged with a violation of the Wheeling Jesuit University Code of Conduct related to that use.

Students who initiate reports of alleged sexual misconduct will not be formally charged with a violation of the Wheeling Jesuit University Code of Conduct related to alcohol and/or other drug use.

The Alcohol Amnesty policy does not excuse or protect students who repeatedly violate the University’s Student Code of Conduct, in which case the University reserves the right to take conduct action on a case by case basis regardless of the manner in which the incident was reported. Additionally, the University reserves the right to adjudicate any case in which the violations are flagrant violations of the Student Code of Conduct and put the University community at risk. The University continues to reserve the right to notify parents as per the Parental Notification policy.

**SANCTIONS FOR ALCOHOL VIOLATIONS**

The sanctions listed are guidelines and may be altered at the discretion of the Dean of Student Development and/or his/her designee; the list is not exclusive nor does it represent the maximum or minimum action that may be taken to address a particular concern. Sanctions may also be combined with other sanctions when violations of other tenets of the Student Code of Conduct occur at the same time; in such instance, the highest Level of violation will apply. Sanctions may be modified based on the severity of the incident, the impact on the community, and the student’s individual conduct history; actions that lead to harm to self, others and/or property are considered may result in an immediate Level 4 or Level 5 offense. Sanctions are based on accumulation of student violations throughout time of study at Wheeling Jesuit University and students placed on a Level are subject to remain at that Level during the remainder of their time of study at the University.

**Possession or consumption of alcohol; violating permissible alcohol use guidelines**

First Offense - Level 1

- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- Letter to parents/guardian
Second Offense - Level 2

- Optional alcohol assessment by the University Counseling Center.
- $150 fine
- Letter to parents/guardian
- Alcohol education and/or educational activity.

Third Offense - Level 2 or 3

- Placement on Conduct Probation
- Mandatory completion of alcohol assessment by the University Counseling Center (if not already completed).
- Campus social restrictions.
- $300 fine.
- Letter to parents/guardian
- Alcohol education and/or educational activity.

Fourth Offense - Level 3 or 4

- Placement on Conduct Probation
- Suspension from the University and/or housing.
- Loss of housing selection privileges for on-campus or off-campus housing selection processes.
- Campus social restrictions.
- $600 fine
- Letter to and meeting with parents/guardian.
- Alcohol education and/or educational activity.

Additional offenses will jeopardize a student’s status at the University

**Distribution of alcohol to underage persons**

First Offense - Level 2 or 3

- Placement on Conduct Probation
- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- $150-$300 fine
- Campus or community service.
- Letter to parents/guardian
- Alcohol education and/or educational activity.

Second Offense - Level 3 or 4

- Placement on Conduct Probation
- Suspension from the University or housing.
- Mandatory completion of alcohol assessment by the University Counseling Center (if not already completed).
- Loss of housing selection privileges for on-campus or off-campus housing selection processes.
- Campus or community service.
- Campus social restrictions.
- $300-$600 fine.
- Letter to and meeting with parents/guardian.
- Alcohol education and/or educational activity.

Additional offenses will jeopardize a student’s status at the University.

**Alcohol impairment/abusive use violations**
(e.g. driving under the influence of alcohol, disruptive or violent behavior, drunkenness or intoxication)

**First Offense - Level 2, 3 or 4**

- Placement on Conduct Probation.
- Suspension from the University or housing.
- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- Mandatory completion of alcohol assessment by the University Counseling Center (if not already completed).
- $150-$300 fine.
- Letter to and/or meeting with parents/guardian.
- Campus or community service.
- Alcohol education and/or educational activity.

**Second Offense - Level 3 or 4**

- Placement on Conduct Probation.
- Suspension from the University or housing.
- Reassignment of campus housing.
- Loss of housing selection privileges for on-campus or off-campus housing selection processes.
- Letter to and/or meeting with parents/guardian.
- Campus or community service.
- Campus social restrictions.
- $300-$600 fine.
- Letter to parents/guardian
- Alcohol education and/or educational activity.

Additional offenses will jeopardize a student’s status at the University.

**Possession or use of a keg or other large, common source of alcohol**
(includes having quantities of alcohol exceeding maximum allowance)
First Offense - Level 3 or 4

- Placement on Conduct Probation.
- Suspension from the University or housing.
- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- Mandatory completion of alcohol assessment by the University Counseling Center (if not already completed).
- $300-$600 fine.
- Letter to and/or meeting with parents/guardian.
- Campus or community service.
- Alcohol education and/or educational activity.
- Loss of housing selection privileges for on-campus or off-campus housing selection processes.

Second Offense - Level 4

- Suspension from the University or housing.

Additional offenses will jeopardize a student’s status at the University.

Alcohol Policy Violations Occurring in the Rathskeller

First Offense - Level 3 or 4

- Placement on Conduct Probation.
- Suspension from the University or housing.
- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- Mandatory completion of alcohol assessment by the University Counseling Center (if not already completed).
- $300-$600 fine.
- Letter to and/or meeting with parents/guardian.
- Campus or community service.
- Alcohol education and/or educational activity.
- Loss of housing selection privileges for on-campus or off-campus housing selection processes.

Second Offense - Level 4

- Suspension from the University or housing.

Additional offenses will jeopardize a student’s status at the University.

Alcohol Policy Violations Occurring During University Break Periods

First Offense - Level 3 or 4
• Placement on Conduct Probation.
• Suspension from the University or housing.
• Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
• Mandatory completion of alcohol assessment by the University Counseling Center (if not already completed).
• $300-$600 fine.
• Letter to and/or meeting with parents/guardian.
• Campus or community service.
• Alcohol education and/or educational activity.
• Loss of housing selection privileges for on-campus or off-campus housing selection processes.

Second Offense - Level 4

• Suspension from the University and/or housing.

Additional offenses will jeopardize a student’s status at the University.

Alcohol Policy Violations at an Approved University Sponsored Event or at the Ignatius Rock.

First Offense - Level 3 or 4

• Placement on Conduct Probation.
• Suspension from the University or housing.
• Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
• Mandatory completion of alcohol assessment by the University Counseling Center (if not already completed).
• $300-$600 fine.
• Letter to and/or meeting with parents/guardian.
• Campus or community service.
• Alcohol education and/or educational activity.
• Loss of housing selection privileges for on-campus or off-campus housing selection processes.

Second Offense - Level 4

• Suspension from the University or housing.

Additional offenses will jeopardize a student’s status at the University.

Sanctions for Drug Violations

The sanctions listed are guidelines and may be altered at the discretion of the Dean of Student Development and/or his/her designee; the list is not exclusive nor does it represent the maximum or minimum action that may be taken to address a particular concern. Sanctions may also be combined
with other sanctions when violations of other tenets of the Student Code of Conduct occur at the same time; in such instance, the highest Level of violation will apply. Sanctions may be modified based on the severity of the incident, the impact on the community, and the student's individual conduct history; actions that lead to harm to self, others and/or property are considered may result in an immediate Level 4 or Level 5 offense. Sanctions are based on accumulation of student violations throughout time of study at Wheeling Jesuit University and students placed on a Level are subject to remain at that Level during the remainder of their time of study at the University.

**Possession of drug paraphernalia**

First Offense - Level 2 or 3

- Placement on Conduct Probation.
- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- $150-$300 fine.
- Letter to and/or meeting with parents/guardian.
- Campus or community service.
- Drug education and/or educational activity.

Second Offense - Level 3 or 4

- Placement on Conduct Probation.
- Suspension from the University and/or housing.
- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- Reassignment of campus housing.
- Loss of housing selection privileges for on-campus or off-campus housing selection processes.
- Letter to and/or meeting with parents/guardian.
- Campus or community service.
- Campus social restrictions.
- $300-$600 fine.
- Letter to parents/guardian
- Alcohol education and/or educational activity.

Additional offenses will jeopardize a student's status at the University.

**Use or possession of illicit drugs.**

First Offense - Level 3-4

- Placement on Conduct Probation
- Suspension from the University and/or housing.
- Reassignment of campus housing.
- Loss of housing selection privileges for on-campus or off-campus housing selection processes.
- Mandatory completion of an online educational program (if not already completed). Student is responsible for paying all costs (up to $75) associated with program completion.
- $300-$600 fine.
- Letter to and meeting with parents/guardian.
- Campus or community service.

Additional offenses will jeopardize a student’s status at the University.

**Distribution (any form of exchange, gift, transfer or sale) of illicit drugs; serving as a co-conspirator, aiding in and knowingly endorsing acts of illicit drug distribution.**

First Offense - Level 4-5

- Immediate Suspension and/or Expulsion from the University.

**AUTHORIZATION**

Alcohol and Other Drug Review Committee, Dean of Student Development, Senior Vice-President for Mission and Ministry provides minimal annual review and edits to the University’s Alcohol and Illicit Drug Policy (last review - August 1, 2014). The AOD Review Committee meets a few times of year and in addition to reviewing the AOD policy, the committee also reviews University AOD use and statistics via the conduct process, and plans for educational and outreach programs. The AOD Policy can be found in detail in the Wheeling Jesuit University Student Handbook at www.wju.edu/studenthandbook. Wheeling Jesuit University’s Biennial Review and Drug and Alcohol Prevention Program Report is also available online, or in hard copy by request.

**ALCOHOL AND OTHER DRUG POLICY (EMPLOYEE)**

Wheeling Jesuit University’s Employees Workplace Practices: Drug and Alcohol Policy is updated regularly and can also be found online at http://www.wju.edu/about/hr/policies/hr_drug.asp

Wheeling Jesuit University is dedicated to being in full compliance with the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free School and Communities Act Amendments of 1989. As a recipient of federal contracts and grants, the University certifies to all funding agencies that it promotes and provides a workplace free from illicit drugs and alcohol use by complying with the statutory requirements stipulated in both federal and state laws.

**POLICY STATEMENT**

Wheeling Jesuit University strives to maintain a drug and alcohol free workplace and prevent the unlawful possession, use or distribution of drugs and alcohol by students and employees on campus and in the workplace. The University prohibits the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance ion University property and at all University functions and programs, whether on or off campus.
DEFINITIONS

- "Workplace" - Any site for the performance of work done in connection with a specific federal grant or contract as described within the Act.
- "Alcohol" - Generally focused on "intoxicating beverages" with the exact definition of "intoxicating" varying from state to state. In West Virginia it is a blood alcohol absorption level in excess of 0.08.
- "Controlled Substances" - Defined in Schedule I through V of the Act and includes any drug whose production, possession, importation and distribution has been declared by the Controlled Substance Act to be illegal for sale or use except but those that may be dispensed under a physician's prescription.
- "Drugs" - Shall be defined as those outlined in the Controlled Substance Act.
- "Illegal Drugs" - Shall be defined as drugs that are unlawful to possess, manufacture, sell, or use.
- "Conviction" - Shall include a finding of guilt, including a plea of nolo contendere, imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- "Physician prescription" - Authorization by a physician licensed within the state to disperse drugs and medication, the use of which is assigned to one (1) individual specifically named on the prescription.

NOTIFICATION

- It is the responsibility of the Human Resources Department to ensure that all new employees are informed of this policy upon entrance to the University and annually thereafter. All employees are required to abide by its terms as a condition of employment.
- It is the responsibility of the Dean for Student Development, or his / her designee, to insure that all incoming students are informed of this policy upon admittance to the University and annually thereafter.

NOTICE OF CONVICTION AND SANCTIONS

- Employees who violate this policy, while on campus as well as any place where a University employee works or performs work activities as well as sponsored activities and events both on and off campus, including satellite work sites such as NTTC's Virginia office, either during assigned work hours or after, will be evaluated on a case by case basis and may be subjected to satisfactory completion of an assessment / rehabilitation program, disciplinary action up to and including termination, as per the University's Corrective Action policy, and referral for prosecution. The Human Resources Department will report all subsequent convictions to the appropriate federal funding agency within five (5) days of receiving such notification.
- Employees are required to notify the Human Resource Department of any drug-related criminal convictions for violations occurring outside the workplace no later than five (5) days following the conviction. Employees will be evaluated on a case by case basis and may be subjected to satisfactory completion of an assessment / rehabilitation program and/or disciplinary action up
to and including termination. The Human Resources Department will report the conviction to the appropriate federal funding agency as required.

- Students who violate this policy will have a record of the offense forwarded to the Dean for Student Development, or his / her designee. Students who violate any other external drug and alcohol laws will be governed by the student handbook on a case by case basis and subjected to possible satisfactory completion of an assessment / rehabilitation program, referral for prosecution and possible disciplinary action up to an including expulsion.
- Both the Division of Student Development and the Human Resource Department will be responsible for ensuring that all sanctions against students and employees are issued within thirty (30) days of receipt of notice. Both offices are ultimately responsible for ensuring adherence to this Policy. An annual review of this Policy to determine effectiveness, revisions, and consistency will be completed by a committee convened by the University’s Compliance Team. A report of the Committee’s finding, including recommendations, will be forwarded to both offices.

LEGAL SANCTIONS

Local and federal laws prohibit the unlawful use, manufacture, possession, control, sale and distribution of any illegal narcotic or dangerous drugs. These laws carry penalties for violations, including monetary fines and imprisonment. Employees may be subject to employment sanctions per the University’s Corrective Action Policy and criminal sanctions per federal, state, and local statutes.

HEALTH RISK

The risks associated with the abuse of drugs or alcohol is numerous and include physical and mental impairment, and affect on an employee’s professional and personal life. Abuse of drugs or alcohol can negatively impact job performance and attendance and can jeopardize continued employment. Drug or alcohol use can create a health risk for the user, and a safety risk for the user, co-workers and other members of our community.

AVOIDANCE AND ASSISTANCE

Wheeling Jesuit University maintains a drug and alcohol abuse prevention program and offers, to all students and employees, the opportunity for education, counseling and referrals for those with alcohol and drug-related concerns and issues. Information on the possible health effects or drug and alcohol use, referrals, rehabilitation services and sanctions is distributed annually to every student and employee and is available in the Student Wellness Center, the Counseling Center, and the Human Resource Department.

AUTHORIZATION

The Director of Human Resources, in conjunction with the President of the University or his designee, has the authority to approve changes or exceptions to this policy at any time with or without notice, provided such changes are in compliance with legal or regulatory requirements, University compliance program requirements, and other policy guidelines.
EMERGENCY RESPONSE:

Wheeling Jesuit University will take all steps necessary to isolate and mitigate any emergency or dangerous situation that may affect the campus community. All emergencies normally get reported to Campus Safety & Security which in turn dispatches security officers to the situation. These officers along with Residence Life members (if occurring in student housing) will make early assessments determining the size and scope of the emergency. If the emergency is confirmed to be present and an immediate threat to the Wheeling Jesuit community, the Director of Campus Safety and Security will be notified and a mass notification notice will be sent to the community. Some types of immediate threats generally are:

a. Natural disasters that will directly and adversely affect the community.
b. An active shooter or hostile armed intruder / robber in or around campus.
c. Bomb threat or explosion.
d. Civil disturbance that could have a serious effect on the Wheeling Jesuit University community.
e. Terrorist attack.
f. Chemical or biological accident or attack.
g. Gas leak, water main break or a power loss that could have serious effect on the campus or surrounding communities.
h. Fire event.

EMERGENCY RESPONSE MANUAL


Hard copies are available upon request to the Office of Campus Safety & Security.

EVACUATION

Wheeling Jesuit University draws upon a nationally recognized standard of the Incident Command System (ICS) developed by the Federal Emergency Management Agency. This system is widely used at the federal, state, local community levels, and at the college and university level. This system lends consistency, efficiency and effectiveness to the manner in which the university shall respond to an immediate emergency and/or a situation that may require the evacuation of campus. Specific procedures are in place to respond to an immediate emergency or dangerous situation involving the health and safety of the Wheeling Jesuit community to include evacuation. When buildings are ordered to be evacuated it is university policy that all faculty, staff and students exit the building to the predesignated rally points at the direction of university police or student life members. These procedures are delineated in Wheeling Jesuit University’s general and fire evacuation plan which can be found in the University’s Emergency Preparedness Manual, available online at http://www.wju.edu/about/hr/forms/EMERGENCYMANUALARCHIVE_10172013.pdf. Moreover, these
guides and information will be distributed to all faculty, administrators, and staff on campus annually, by October 1st.

Students, faculty, administrators and staff may be directed to assembly areas after evacuating a building. If a building evacuation is necessary the following procedures should be followed. General evacuation procedures include the following directions for occupants of any University building. If a building evacuation is necessary, Campus Safety & Security will respond to all emergency situations. They will notify appropriate first responders as needed. Occupants of all floors will immediately evacuate the building when requested to do so. In the event of an emergency evacuation follow all the instructions below:

a. Remain calm and go to the nearest stairwell, walk on the right side. Walk, do not run. Exit out of the building. Go to the building’s designated Rally Point. (* Note: Elevators will not be in service during a fire alarm condition.)
b. Assist in the evacuation of the building. Give any disabled occupant information to Campus Police or the responding agency upon exiting.
c. Close all doors when leaving rooms.
d. Do not re-enter the building until the all clear has been announced, this occurs after the responding agency gives their all clear and Campus Police has completed a safety survey.
- Residence Halls: Campus Security and the Student Life Staff will assist in the complete evacuation of the building and control the occupants in the residence hall’s designated rally point until the emergency has been abated (see specific building evacuation procedures).
- Academic Buildings: Campus Security will assist in the complete evacuation of the building and control the occupants in the building’s designated rally point until the emergency has been abated (see specific building evacuation procedures).

MASS NOTIFICATION (E2CAMPUS) AND TIMELY WARNING POLICIES
The University uses e2campus as our mass notification system to disseminate immediate threats to the Wheeling Jesuit community. Wheeling Jesuit University added emergency text messaging to the e2Campus Notification System (LENS) in August, 2009. Text messaging will be used when imminent threats to the Wheeling community are identified. This is a free service to students and employees of the University; however community members must register every academic year to gain use of this valuable information system. To see the instructions on how to register go to the Cardinal Online web site at http://www.wju.edu/services/ and click on “Emergency Alerting Services.” “Incident Alerts” and “Crime Prevention Notices” are distributed on campus by timely warning and e-mail messages and are accessible on the main University web site when they are needed. They inform the University community of situations that present a potential hazard on campus or in the surrounding community.

The mass notification system will send a text message to a cellular phone alerting the registered individual of the immediate threat. The size of the message that can be sent to the cellular phone is limited so additional messages will continue to be passed as the situation develops. Additionally information / incident alerts will also be disseminated through the Wheeling Jesuit email system. Use of
the text messaging system helps reach community members who may be out on the campus traveling from one place to the other.

a. Timely Warning - The intent of a timely warning regarding a criminal incident is to enable the community to protect themselves. The warning will be issued as soon as pertinent information is available. The timely warning will be released even if all the facts surrounding the incident are not known. Timely warnings must be issued for any Clery Act crimes (see section 23) which occurs on Clery geography and is:
   a. Reported to campus security authorities or local police agencies and
   b. Is considered by the institution to represent a serious or continuing threat to the students and employees.

Note: Other crimes even if not Clery reportable can be sent out as a timely notice when the institution determines the warning would have merit. These warnings should not be posted in locations that would make the community have to search for them or have to request them.

b. These notification systems will be activated without delay when the situation becomes known and there is a confirmation of an immediate threat to the campus. There could be situations when notification might compromise the efforts of those responding to the event which may dictate holding the message until an appropriate time later.

c. The responsibility to assess the criminal situation and disseminate the mass notification message lies with the Office of Campus Safety & Security. Safety & Security has the means to access the situation and initiate appropriate calls to the department and University leadership. Once the Director has verified, as best they can, an immediate threat is continuing the activation of the mass notification process will begin. Critical information may come from many different sources, such as the Wheeling Policy Department, the Ohio County Sheriff’s Office or other state or city government agencies, etc. All information will be accessed and evaluated with respect to impact and threat to the University. The Office of Safety & Security is staffed 24 hours a day every day of the year. After the initial immediate threat alerts have been disseminated additional information will be updated as the situation develops. A series of alert messages will be used as the situation evolves and as additional information becomes available. A chronology of events and procedures will generally follow this sequence:
   a. Event or incident.
   b. First responders (Campus Safety & Security) dispatched.
   c. Expansion of the situation and security needs (local perimeters if needed).
   d. Calls for additional support of Wheeling Police Department or Ohio County Sherriff’s Office.
   e. Director notified.
   f. Analysis of the critical information if serious and continuing threat remains send the warning(s).
   g. Begin e2campus notification if there is a serious or continuing threat.
   h. Establish command post (if appropriate), according to Emergency Manual.
i. React, coordinate, implement, and mitigate the effect.

j. Continue operations and disseminate additional messages as needed.

d. The key positions at the University who interact throughout this process are:
   b. Director of Campus Safety & Security
   c. Director of Residence Life and on-call professional residence life staff members.
   d. Vice President of Administration.
   e. Sr. Vice-President for Mission & Ministry and University Chief of Staff.
   f. Dean of Student Development.
   g. Any designated representative by the Vice Presidents and per the Emergency Manual.

e. The mass notification systems that we use; e2campus, public address, and incident alert, are messages that can be stratified by population and or location. Undergraduate students, faculty, staff and administrators, and alumni can be reached by using the proper group addresses. The dissemination of emergency information to the larger community is a collaborative effort between those mentioned above and the public relations leadership. Discussions then take place about the impact of a message release and what information needs to be released.

f. The University tests its mass notification systems twice a semester. Each standalone system is tested and evaluated to see if they will be able to perform their intended functions when needed.

g. The Office of Campus Safety & Security conducts “in service” training monthly at staff meetings. Subjects covered are WJU policies, WV law, building security and other appropriate topics.

**DEPARTMENT OF PUBLIC SAFETY: ANNUAL IN-SERVICE TRAINING**

<table>
<thead>
<tr>
<th>Date/ Location</th>
<th>Topic(s)</th>
</tr>
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<tbody>
<tr>
<td>Monthly 2013, second Tuesday</td>
<td>Security Officer Staff: WJU policies, WV Law, building security</td>
</tr>
<tr>
<td>7/10/13, 7/15/13, 8/1/13 and 8/16/13 in NTTC Auditorium</td>
<td>All Employees: Active Shooter, Response to Bomb threat</td>
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**MISSING STUDENT NOTIFICATION**

The purpose of this policy is to establish procedures for the University’s response to reports of missing students, as required by the Higher Education Opportunity act of 2008. This policy applies to students who reside in campus housing.

**POLICY STATEMENT**

A Wheeling Jesuit University residential student is "determined to be missing" when a missing person report investigation concludes that the student has been absent from the University for a period of 24 hours or longer without any known reason. The Director of Campus Safety & Security, or designee, in
conjunction with the Dean of Student Development, or designee, will make the official determination of whether a student is deemed missing.

**PROCEDURE FOR DESIGNATION OF CONFIDENTIAL EMERGENCY CONTACT INFORMATION**

All residential students have the opportunity annually to identify an individual or individuals to be contacted by the Dean of Student Development not later than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student. This information is maintained confidentially and will be available only to the Director of Campus Safety & Security, Dean of Student Development and Director of Residence Life. The administration of the University reserves the right to notify the parents of a student under the age of 21 if they are reported missing.

For those under the age of 18 and not an emancipated individual, the University is required to notify the emergency contact as well as the custodial parent or guardian no more than 24 hours after the student is determined to be missing.

**PROCEDURE FOR OFFICIAL NOTIFICATION FOR MISSING STUDENT**

a. Any concerned person who has information that a residential student may be a missing student must notify the Campus Security Department or Director of Residence Life as soon as possible so that an official determination may be made about whether or not the student is missing.

b. The Campus Security Department and Residence Life Staff will gather all essential information about the residential student from the reporting person and from the student’s acquaintances. Appropriate staff will include the residential director on call, the director of residence life, the dean of students and the director of campus security.

c. If the above actions are unsuccessful in locating the student in a reasonable time, or it is apparent immediately that the student is a missing person (e.g. witnessed abduction) the student will be determined as a missing student.

At this time the Director of Campus Safety and Security or his/her designee will notify the Wheeling Police Department that the University has a missing student. The Dean of Student Development and/or his/her designee will notify the emergency contact of the missing student and the appropriate officials in administration at the University. In addition, the University reserves the right to notify the parents of a student under the age of 21 if they have been determined to be missing.

**RESIDENCE LIFE**

In keeping with the mission of the University, its educational goals and assumptions, the Office of Residence Life strives to support the growth and development of Wheeling Jesuit University students. The Office of Residence Life is committed to providing a safe, comfortable and educational environment. The Office oversees and reviews violations of the Student Code of Conduct and Residence Life Policies and Procedures and implements the University’s student conduct process, under the direction of the Dean of Student Development.
Student residence halls are secured at all times and may be entered only by an electronic access card. There are also students employed as desk assistants who control residence hall access to Ignatius Hall, Thomas More Hall, Campion & McHugh Halls and Kirby & Sara Tracy Halls during times of increased visitor volume.

Resident Assistants (RAs), who are selected and trained students, assist students in their development and adjustment to University life as well as monitor Student Code of Conduct violations in the residential areas.

RAs and Security Officers periodically make evening "rounds" together throughout the residence halls. This relationship helps to ensure cooperation and increases the visibility of the safety and security staff in and around the residence halls.

In addition to RAs there are also Area Coordinators who are live-in professional staff responsible for coordinating the activities and resources of the RAs. The Area Coordinators also provide assistance to the Directors of the Residence Life staff in matters involving violations of the Student Code of Conduct.

Residence hall staff members immediately notify campus Security if there is a crime or incident that requires their attention or attention of the police. The Office of Residence Life, Office of Campus Safety & Security and Dean of Student Development work together regarding situations in the residence halls that might require emergency intervention. All reports submitted by all of three offices are shared with each other and professional staff members meet weekly when classes are in session to review reports and ensure proper response. Daily collaboration between Residence Life, Campus Safety & Security and the Dean of Student Development occurs throughout the year and offices are located on the same floor to ensure steady communication.

**SEXUAL MISCONDUCT POLICY**

**PHILOSOPHY STATEMENT**

As an institution of higher education founded in the Jesuit and Catholic tradition, Wheeling Jesuit University promotes an environment and campus culture that encourages students, faculty, staff and administrators to serve others while participating in the life of the University as responsible, productive members. This includes behavior in the realm of human sexuality. Acts of sexual misconduct undermine the dignity of individuals, the principles of equality and respect for others, and violate basic human rights; these acts can cause serious harm not only to individuals, but to the entire University community. As such, Wheeling Jesuit University does not condone and will not tolerate any conduct that would constitute as sexual misconduct.

Wheeling Jesuit University seeks to promote an environment of safety and respect across campus, ensuring that all members of our University community can learn, live and work free from being subjected to inappropriate sexual behavior and sexual violence. All students are expected to read this policy and develop a clear understanding of what is and is not acceptable sexual behavior. Students exhibiting questionable sexual behavior may be charged with a violation of the Student Code of Conduct.
and will be required to take part in a conduct review process via the Sexual Misconduct Hearing Board (SMHB).

This policy outlines clear definitions of and procedures for reporting all categories of sexual misconduct allegations that may involve students or student groups. Any member of the University community may file charges against a student for violations of the Student Code of Conduct, including charges of sexual misconduct.

Through these policies and procedures the University achieves the following goals:

a. To develop a campus culture that encourages prompt reporting of sexual misconduct.
b. To provide prompt professional and support services to the alleged victims of sexual misconduct in an effort to reduce trauma.
c. To provide a fair, detailed process that informs alleged victims and accused students of their rights and services available to them.
d. To cultivate a campus community where instances of sexual misconduct are diminished through ongoing education, training and mutual respect for each other.
e. To provide a fair, comprehensive policy and conduct process that that protects the rights of both the accused and alleged victim. The accused student generally shall be free from sanction, pending the conclusion of a case. However, where the nature of the case indicates that there is a credible danger to the immediate well-being of any member of the University community, appropriate interim measures (including interim Housing and/or University Suspension) may be taken enforced by the Dean of Student Development and/or his/her designee.

The Wheeling Jesuit University community fully supports all local, state, and federal laws governing acts of sexual misconduct. It is the responsibility of all students to be aware of and adhere to these laws. Likewise, it is the University’s expectation that students will respect the rights, dignity, and personhood of others.

**USE OF POLICY**

a. Complaints Against Students

This policy applies in those instances when a member or guest of the Wheeling Jesuit University campus community alleges that s/he has been subject to sexual misconduct by a student. If a student or visitor is an alleged victim of sexual misconduct by someone other than a Wheeling Jesuit student, this policy does not apply. Please read on for further information regarding complaints against non-students.

b. Complaints Against University Employees

If a student or visitor wishes to bring forward a complaint of sexual misconduct against a University employee, the policy that applies in those situations is overseen by Wheeling Jesuit University’s Office of Human Resources. The student or visitor should follow the procedures outlined in that policy but may receive information and initial guidance via the Office of the Dean of Student Development.
c. Complaints Against Visitors or Non-Community Members

If a student wishes to bring forward a complaint of sexual misconduct against a visitor or non-community member (e.g., an alumnus or alumna, a prospective student, a guest of a student, a member of another university team, a local resident), the initial complaint should be made to Campus Safety and Security at 304-243-2486. The Director of Campus Safety & Security will immediately investigate complaints, and the University will determine the appropriate action to be taken, which may include contacting local law enforcement. The student may also receive information and guidance via the Office of the Dean of Student Development.

d. On-Campus and Off-Campus Behavior

This policy applies to conduct that occurs on any part of Wheeling Jesuit University's campus or property. It also applies when students travel off-campus as part of a University activity, team, organization, class or event. Additionally, Wheeling Jesuit University has the discretion to discipline student behavior that occurs off-campus, and/or during a time when the University is not in session but while students is identified by the University as a current or prospective student. In making these determinations, the Dean of Student Development and/or his/her designee considers whether the behavior impacts the campus environment (as would be the case, for example, if one student sexually assaults another student at an off-campus location or if a student sends another student lewd sexual electronic messages while at home during a University break period).

e. Timeframe for Making a Complaint

While there is no time limit for bringing forward a complaint, the passage of time may make an incident difficult or even impossible to investigate fairly or fully and to adjudicate within our University conduct system. Therefore, alleged victims are encouraged to make a complaint as soon as possible after the incident has occurred. A former student may make a complaint against a current student. However, the reverse is not true: the complaint of a current student against a former student is not subject to adjudication pursuant to this policy. In such cases, University officials will help the complaining student to report the allegations to the appropriate off campus authorities.

**Title IX Compliance**

Wheeling Jesuit University follows guidelines set forth in Title IX of the Education Amendments of 1972 by the Department of Education and Office of Civil Rights in regard to processing of reports of sexual misconduct committed by students during their enrollment at the University. University personnel involved in the processing of such cases are regular participants in training session and other means of information sharing offered by the Department of Education, Office of Civil Rights, the United States Department of Justice’s Office of Violence Against Women, the West Virginia Foundation for Rape Information Services, and the Ohio County Sexual Assault Response Team. Please contact the University’s Title IX Coordinator, the Senior Vice-President for Mission and Ministry for more information on the University’s ongoing efforts. Further reference to these guidelines in this policy will here after be referred to as "Title IX"
DEFINITIONS OF SEXUAL MISCONDUCT

For purposes of this policy the term "Sexual Misconduct" includes:

- Sexual Harassment
- Sexual Assault
- Sexual Exploitation
- Domestic Violence
- Dating Violence
- Stalking

Wheeling Jesuit University has further defined these categories of sexual misconduct below. Students can be charged with and processed through the student conduct process by appearing before the Sexual Misconduct Hearing Board (SMHB) for alleged violations of any of these types of sexual misconduct. Sexual misconduct of any nature is a serious violation of basic human rights and of the University's Student Code of Conduct; students found responsible for charges of sexual misconduct are subject to sanctions, which may include suspension and/or expulsion. Alleged victims also have the right to contact law enforcement to file off campus charges of sexual misconduct at any level; the Director of Campus Safety and Security is available for assistance in communicating with off-campus officials when requested.

Sexual Harassment

Federal and state laws prohibit sexual harassment, which is illegal and prohibited by Title IX of the Education Amendments of 1972. Sexual harassment can take two forms, quid pro quo and hostile environment.

a. Quid pro quo harassment occurs when submission to unwelcome sexual conduct is an explicit or implicit condition of participation in a University activity or program, or of evaluation or advancement of a student. It can also occur when a University official causes a student to believe that an educational decision will be made based on whether or not the student submits to unwelcome sexual conduct.

b. Hostile environment harassment occurs when unwelcome sexually harassing conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening or abusive educational environment. A hostile environment can be created by a University employee, another student, or a visitor.

No forms of sexual harassment will be tolerated at Wheeling Jesuit University. This includes actions that may take place in an electronic forum, including but not limited to: emails, text messages, personal blogs and social networking sites, such as message boards, tweets, status updates, and chat rooms.

Inappropriate conduct of a sexual nature that constitutes as acts of sexual harassment includes but is not limited to the following:
• Sexual remarks that relate to the gender or sexual identity of a person
• Touching of a sexual nature
• Patting, pinching, repeated brushing against the body
• Verbal, visual, or physical harassment based on one’s sexual orientation
• Unwelcomed sexual advances
• Subtle pressure and/or requests for sexual activity or favors
• Solicitation or coercion of sexual activity
• Graffiti of a sexual nature
• Displaying or distributing of sexually explicit drawings, pictures, written materials or other sexually suggestive objects.
• Sexual gestures
• Sexual or "dirty" jokes
• Touching oneself sexually or talking about one's sexual activity in front of others
• Spreading rumors about or rating others as to sexual appeal, sexual activity or performance
• Behavior with an implied or overt promise of reward or preferential treatment, or an implied or overt threat of punishment
• Verbal, physical, or visual expression of a sexual nature which would create a hostile or offensive working, learning or living environment; including but not limited to derogatory name calling of a sexual nature. This includes comments about an individual’s body, sexual activity or sexual attractiveness.
• Whistling, leering, physically trapping, or cornering
• Derogatory or demeaning comments about a particular group based on sexual orientation
• Repeated pressure for an intimate relationship after one has said "no."
• Pressure for sexual activity in return for improving grade, passing a course, getting hired, or getting a raise.
• Recording of sexual acts without expressed permission of all parties involved.

Wheeling Jesuit University does not condone student behaviors that sexually demeans or humiliates another person, even if the conduct does not violate the law. Stalking is one such behavior and can be a form a sexual harassment when the person stalked is made to feel sexually uncomfortable or vulnerable as a result of the activity.

**Sexual Assault**

Sexual assault includes any form of sexual activity without the explicit, free and full consent of both parties and is completely contrary to the values of the University and is in serious violation of the University’s behavioral expectations.

Sexual activity is any touching, however slight, of a sexual or other intimate part of a person for the purpose of gratifying sexual desire of either party. This includes coerced touching of the accused student by the alleged victim as well as the touching of the alleged victim by the accused student, whether directly or through clothing.
Sexual assault includes any forced act against one’s will where sex is the weapon. This can include, but is not limited to:

- Sexual Battery: the unwanted touching of an intimate part of another person for the purpose of arousal by the accused student
- Sodomy: forced anal intercourse
- Oral Copulation: forced oral-genital contact
- Rape by a Foreign Object: forced penetration by a foreign object including digits (fingers and toes)
- Rape: penile-vaginal intercourse against a person's will and without consent

Whether or not specifically stated, it is an element of every sexual assault that the sexual act was committed without consent of the victim.

**Sexual Exploitation**

Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own benefit or to benefit someone other than the individual being exploited, and that behavior does not otherwise constitute a violation of sexual assault as defined above. Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (without consent or exceeding the bounds of consent watching another undress, use the bathroom or engage in sexual acts)
- Non-consensual video, photography or audio taping of sexual activity
- Exceeding the boundaries of consent, without consent of all involved allowing others to watch consensual sexual activity, this may or may not be by such means as hiding in a closest, webcam, etc.
- Knowing openly engaging in sexual activity with another while knowingly being infected with human immunodeficiency virus (HIV) or another sexually transmitted disease (STD) without informing the other person of the infection
- Prostitution or promoting prostitution
- Administering to another person without their knowledge or consent alcohol or drugs (to include "date rape" drugs) for the purpose or with the effect of having sexual contact or attempting sexual contact with that person
- Hazing as outlined in the Student Code of Conduct, which involves any type of sexual overtones

**Domestic and/or Dating Violence**

Domestic and/or dating violence includes physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur among heterosexual or same-sex couples, whether cohabitating or not, and does not require sexual intimacy. Domestic and/or dating violence can vary in frequency and severity, can occur on a continuum, and can include acts of physical violence, sexual violence, threats of physical or sexual violence, or psychological or emotional violence. Psychological or
emotional violence is a broad term that results in trauma to a victim caused by acts, threats of acts, or coercive tactics, and can include acts of humiliation, intimidation, isolation, stalking, and harassment.

Stalking

Stalking refers to a person’s deliberate and repeated following, observing, contacting and/or communicating with another person when the other has not consented to the activity and/or does not wish for the activity. Stalking includes, but is not limited to, repeatedly engaging in contact, face-to-face communication, telephone calls or messages, text messages, emails or online communication, letters, the giving of unwanted gifts, threatening or obscene gestures, surveillance, following, trespassing and/or vandalism.

Stalking behaviors often lead to emotional distress for the alleged victim because of a reasonable fear for the person’s safety or safety of others, and serves no legitimate purpose. An overt threat of death or bodily injury need not be made to be considered stalking behavior.

Definitions of Consent

Consent

Consent is permission. It is clear, given knowingly and voluntarily, either by actions or by words by someone capable of giving it. It must be explicit and not implied. It is the responsibility of all parties involved to make certain the other has consented to any form of sexual activity before such activity occurs. Consent to some sexual activity (i.e., kissing, fondling) cannot be presumed as consent for other sexual activity (i.e., intercourse). A past relationship or prior consenting sexual activity does not constitute consent for future sexual activity. Silence on the part of an individual and/or failure to resist does not constitute his or her consent.

Incapacitation

Incapacitated persons cannot give consent. A person may be incapacitated as a result of alcohol or drugs (voluntary or involuntary), as a result of being unconscious, unaware of his/her surroundings and/or disoriented so as to not understand what is happening, if he/she is mentally incompetent, if he/she is asleep, or if he/she is unconscious for any reason. Such a person is physically helpless and therefore incapable of giving consent.

Withdrawal of Consent

Consent may be withdrawn by an individual at any time during sexual activity. This withdrawal of consent may be through words, actions or a combination of both. When such an individual indicates that he or she does not want the activity to continue, the other participant must stop the activity immediately.

Legal Age of Consent
In the state of West Virginia, 16 years old is the age of consent; persons under the age of 16 years old cannot consent to sexual activity. Sexual contact with a person under 16 years old is a crime as well as a violation of this policy, even if the person under the age of consent wanted to engage in the sexual act. This law is meant to protect teenagers under the age of 16 from being manipulated or forced into sex with older people. In West Virginia, persons can legally consent to sexual intercourse when they become 16 years old.

**Further Clarification**

The following clarifications may be of assistance in helping persons to understand consent:

- Sexual contact includes any intentional touching of another person’s private areas either directly or through clothing using any body part or other object without the consent of that person.
- Saying "No" means "No."
- Failure to resist or to be silent does not mean consent has been given.
- Consent means words or overt actions by a person competent to give consent.
- Acquaintance assault or "date rape" is a form of sexual misconduct.
- Being under the influence of drugs or alcohol does not diminish or relieve personal responsibility of an assaulter. A person who is under the influence of drugs/alcohol is unable to give consent. Any misuse of such an individual is abuse.
- Non-consensual electronic recording of sexual activity is a form of sexual violence.
- Language barriers, real or perceived, do not diminish or relieve personal responsibility of an accused student.
- Prior sexual activity or relationship does not, in and of itself, constitute consent.

**Reporting Behaviors**

**Overview**

Wheeling Jesuit University strongly encourages victims and/or witnesses of sexual misconduct to report these incidents to the proper authorities. Reports of sexual misconduct can be made to any University employee who will then report the case to the Dean of Student Development; however, the process works most effectively when initial reports are made to one of the following offices/individuals:

- Campus Security at 304-243-2486 or the Swint Annex or Swint 209 (Director's Office)
- Residence Life staff in the residence halls (Resident Assistant and Area Coordinator staff) or in the main office in Swint 201 or at 304-243-2257
- Dean of Student Development at 304-243-2350 or Swint 209.
- Title IX Coordinator - at 304-243-2484 or NTTC 4th Floor Senior Vice-President for Mission and Ministry.

Upon receipt of the initial report, the reporting person will be asked to provide information; it is important that reporting persons provide as much information as possible. Wheeling Jesuit University
will promptly, impartially and thoroughly investigate all claims sexual misconduct in a focused attempt to act justly, prevent future incidents and remediate the effects of the misconduct.

The alleged victim may request the support of an off-campus victim advocate; upon such a request, the University will work with the local Sexual Assault Help Center to coordinate investigative meetings when a victim advocate can be present.

In most instances, students will contact residence life staff (either their building Area Coordinator (AC) or their floor Resident Assistant (RA) or a campus Security Officer for immediate assistance in filing a report of the incident and/or obtaining medical and/or psychological treatment. Residence Life and Security personnel cannot present an anonymous report of a sexual misconduct incident given their roles within the University; upon receipt of a report, such staff will complete a Sexual Misconduct Incident Report Form (SMIRF) and return the form to the Dean of Student Development as soon as possible, no later than 24 hours after the initial report.

If a student feels that s/he is in immediate danger and/or are in need of medical care, they are encouraged to contact Campus Security at 304-243-2486 or dial 911. Whenever possible, it is best to notify Campus Security before dialing 911 so Security Officers can assist in directing responding emergency services personnel to student(s) campus location. Students may elect to seek medical care at local hospital without notifying anyone at the University.

Students may also choose to file a report without the assistance of University staff by completing the "Sexual Misconduct Incident Report Form" (SMIRF) and returning the form to the Office of the Dean of Student Development. The SMIRF is available online at wju.edu, or via the following campus offices: Dean of Student Development (Swint 209), Residence Life (Swint 201), Campus Safety & Security (Swint Annex or Swint 209 for Director's Office).

CAMPUS INVESTIGATION
Upon receipt of an allegation of sexual misconduct, the University will initiate an investigation and take actions deemed necessary to protect the emotional well-being of the individuals involved, as well as the educational environment of the University community. These actions may include, but are not limited to:

- relocating residence hall or class assignments
- restricting access to certain campus buildings or rooms
- prohibiting contact between the alleged victim, the accused student, or witnesses through a no-contact order
- suspending the accused student from campus and/or campus housing pending the hearing.

In cases where off campus law enforcement is involved, the University will comply with all investigative efforts and will resume its own investigation of the case when doing so does not interfere with off-campus investigations (if applicable)

NO RETALIATION POLICY
The University prohibits retaliation for filing a complaint, for being named as an accused student in a complaint and/or for participating in an investigation or inquiry. No one shall be subject to any form of reprisal, discrimination, adverse treatment, or retaliation because s/he has acted in good faith to report sexual misconduct, file a complaint, respond to a complaint, or participate in an investigation or hearing.

**Amnesty Policy**

Students who initiate or who are named in reports of alleged sexual misconduct will not necessarily be formally charged with a violation of the Wheeling Jesuit University Code of Conduct related to alcohol and/or other drug use. Such students may not be formally charged with a violation of the Wheeling Jesuit University Code of Conduct related to alcohol and/or drug use, provided that the student subsequently completes an assessment and any other recommended treatment from the Dean of Student Development and/or his/her designee when deemed necessary for the student's safety. The Alcohol Amnesty policy does not excuse or protect students who repeatedly violate the University’s Student Code of Conduct, in which case the University reserves the right to take conduct action on a case by case basis regardless of the manner in which the incident was reported. Additionally, the University reserves the right to adjudicate any case in which the violations are flagrant violations of the Student Code of Conduct and put the University community at risk.

**Confidentiality Policy**

The University prohibits students involved in sexual misconduct cases from spreading opinion, gossip and slander during the processing of the case; this includes online fora. Reports of such conduct will be processed separately via an alleged violation of the Student Code of Conduct for actions committed with disregard of possible harm to others and/or acts which create an intimidating, hostile or offensive environment. Students and employees involved in campus investigations will be asked to sign a Confidentiality Statement in regard to their participation in the case.

**Anonymous Reporting**

Students seeking anonymous medical and counseling services as a result of an incident of sexual misconduct may contact the following offices:

- Health Services at 304-243-2275 or in Swint 208
- Counseling Services at 304-243-2081 or Suite 101, Whelan Hall

Both of these offices can provide students with any necessary medical (health center) and psychological (counseling center) services. Professional staff in these offices can also help students report incidents of sexual misconduct by completing the Sexual Misconduct Incident Report Form (SMIRF) without identifying the alleged victim.

An anonymous SMIRF completed by the Health Center or Counseling Center does not constitute a security incident report, a Residence Life or a police report. This form is strictly for Jeanne Cleary Act disclosure purposes and will not necessarily initiate an investigation, per the alleged victim's wishes. This person will not be contacted by anyone outside of Health Center or Counseling Center unless he/she so desires. The Dean of Student Development will communicate with the anonymous alleged victim via the Health Center or Counseling Staff filing the SMIRF to ensure the student is well aware of
his/her rights and options within the Sexual Misconduct Policy and to also to determine if it may be necessary for the University to pursue investigation notwithstanding the student’s wishes and/or to take action when there is a risk to the safety of the campus community or when otherwise legally obligated to do so. In these cases, the well-being of the alleged victim and the safety of the campus community are a priority.

**SEXUAL MISCONDUCT INCIDENT REPORT FORM (SMIRF)**

Persons filing reports of sexual misconduct can do so by completing the "Sexual Misconduct Incident Report Form" (SMIRF) and returning the form to the Office of the Dean of Student Development. The SMIRF is available online via the Student Handbook at wju.edu/studenthandbook or directly at http://www.wju.edu/about/hr/policies/attachments/SMIRF.pdf

The form is also available via the following campus offices: Dean of Student Development (Swint 209), Residence Life (Swint 201), Campus Safety & Security (Swint Annex or Swint 209 for Director’s Office).

An individual may also file an official report regarding sexual misconduct at any time, 24 hours a day, and seven days a week with Campus Security located in the Swint Annex or Swint 209 (Director’s Office). The report could include the alleged victim’s name, as well as the accused student, if known. A preliminary investigation will be conducted by Campus Security, which may include notifying the local law enforcement agency and may include multiple private interviews with both the alleged victim and the accused student(s). The Campus Security report will be forwarded to Dean of Student Development, who will follow the procedures outlined in this policy.

Upon receipt of a SMIRF, the Dean of Student Development will follow-up in a timely fashion with information to the University community of incidents that are considered to be a threat to other students and/or employees. Safety considerations will be balanced with the privacy interests of alleged victim and others involved in such incidents.

After a report is filed, if the alleged victim does not wish for the investigation to continue, the University will give due consideration to the alleged victim’s request. However, it may be necessary for the University to pursue the investigation notwithstanding the student’s wishes and to take action when there is a risk to the safety of the campus community or when otherwise legally obligated to do so.

The University will comply with the Clery Act by providing anonymous statistics on the occurrence of sexual misconduct on campus. Incident reports of sexual misconduct will be used to provide these statistics. The Director of Safety and Security will report all such statistics on the Uniform Crime Report to the West Virginia State Police. Students are encouraged to report sexual misconduct violations to Safety and Security and may report the incident anonymously. Members of the community (other than the alleged victim) are also encouraged to report the offense to Campus Safety and Security and may do so anonymously as well.

The University will also comply with all applicable federal laws and acts in attempting to prevent, report, and investigate sexual misconduct offenses that occur on campus, this includes Title IX legislation.
Criminal Reports
A person who has been the victim of sexual misconduct is strongly encouraged to contact local law enforcement directly by dialing 911 or with the assistance of Campus Security at 304-243-2486. Filing an official police report is different than filing an incident report at Wheeling Jesuit University. Wheeling Jesuit University does not automatically report alleged incidences of sexual misconduct to local law enforcement for their review; however, reporting persons will be informed of the option to contact local law enforcement and provided with campus assistance if s/he chooses to do so. When a sexual misconduct report is filed with local law enforcement a criminal investigation is initiated and that investigation is often transferred to either the Wheeling Police Department or the Ohio County Sheriff’s Office for further investigation. A determination will be made if the case will be prosecuted following a criminal investigation.

A criminal investigation into allegations of sexual misconduct does not end the University's' duty to investigate and resolve complaints reported on campus promptly and equitably. If a report is made at the same time to University and local law enforcement, then the University will allow the police investigation to take precedence. After the police have completed their initial evidence gathering phase of their investigation in appropriate cases, Wheeling Jesuit University will proceed with its own fact-finding investigation and procedures under this policy. The University does not have to wait for the completion of any civil or criminal case before proceeding with campus conduct procedures, although the University may slightly delay a campus investigation should a criminal investigation proceed at the same time.

Anonymity
Wheeling Jesuit University understands that a student who has been the victim of sexual misconduct may wish to talk about the incident with the assurance that their identity will be kept anonymous and the discussion will be kept confidential. Most University employees, including Resident Assistant student staff, are mandated reporters who are legally and ethically obligated to report acts of sexual misconduct to University officials when such acts come to their attention; such employees are required to confidentially report alleged cases of sexual misconduct and to notify University officials of names of alleged victims. Students are encouraged to consult with staff in the Health Center and Counseling Center for confidential emotional support that can remain anonymous. A discussion with Health Center and Counseling Center staff will not necessarily result in the sharing of the name of an alleged victim or in action being taken by the University to respond to the incident. An alleged victim and/or reporting student who wants emotional support while remaining anonymous should contact the confidential health and counseling resources noted above.

The University endeavors to respect and follow the wishes of an individual who brings forward a sexual misconduct concern. However, Wheeling Jesuit University may have ethical and legal obligations to investigate, attempt to resolve or adjudicate alleged incidents of sexual misconduct that come to its attention. Therefore, it may not be possible for a conversation with personnel in the Division of Student Development, or other administrators, to be kept in confidence and in an anonymous way (or, said another way, for these individuals simply to listen without taking action).
Also see "Anonymous" information in 6.0 Reporting Procedures.

**When Alleged Victims Do Not Want to Pursue Student Conduct Action**

If the alleged victim chooses not to pursue student conduct actions, the University will document its conclusion of the investigation, and ask him/her to sign a statement acknowledging that s/he concurs with the University's conclusion and that no further action may be taken. This statement will indicate that s/he understands that his/her choice not to pursue student conduct actions may prevent the University from pursuing the complaint to resolution.

The alleged victim may still choose to pursue the case through the off-campus courts since University proceedings are separate and different from off-campus proceedings.

In all cases, the University may still conduct an investigation and follow-up in the following ways:

- Evidence may be gathered from third party witnesses and a hearing may be held without testimony of the alleged victim.
- The University can pursue other conduct violations that may have occurred during the incident that led to the allegation of sexual misconduct.
- The University may require the accused student to attend counseling to explore attitudes about men, women, and sexuality; the University can also require that the accused student participate in other types of educational or awareness raising experiences. The University’s Title IX Coordinator is the ultimate authority in deciding whether the University will pursue action when the alleged victim does not wish to be involved.

**Additional Information**

For detailed procedures outlining the Student Conduct Process, including information about the Sexual Misconduct Hearing Board, Hearing Procedures, Sanctions, Student Rights, the Appeals Process, and On and Off-Campus Resources to assist students, please see the detailed Wheeling Jesuit University Sexual Misconduct Policy available online at www.wju.edu/studenthandbook or http://wju.edu/about/hr/policies/cl_harassment.asp.

A hard copy of the Sexual Misconduct Policy is also available upon request to the Office of the Dean of Student Development (Swint 209) or Campus Safety & Security (Swint Annex).

**Authorization**

The Dean of Student Development and Senior Vice-President for Mission and Identity, in collaboration with the Title IX Committee, reviews and updates the Sexual Misconduct Policy annually.

**Harassment and Discrimination Policy (Faculty, Staff and Administrators)**

**Purpose**
Wheeling Jesuit University is dedicated to fostering the dignity of each person and is committed to providing an environment and workplace that is free from all forms of harassment and discrimination.

**POLICY STATEMENT**

**Prohibited Harassment**

Wheeling Jesuit will not tolerate any form of harassment, intimidation, ridicule, or insult based upon the following protected classes:

- Sex
- Gender
- Sexual Orientation
- Race
- Color
- Religion
- National Origin
- Ancestry
- Age (40 and above)
- Disability
- Familial Status
- Protected Activity
- Genetic Information

**DEFINITIONS**

- "Harassment" may take many forms, including verbal, written, graphic or physical conduct based upon the protected classes noted in 2.1 where such conduct is:
  - Sufficiently severe, persistent or pervasive that it affects an individual's ability to perform his / her job functions and/or academic pursuits or creates an intimidating, threatening or abusive work / academic, or extracurricular environment; or
  - Has the purpose or effect of substantially or unreasonably interfering with an individual's work, academic, or extracurricular performance; or
  - Otherwise adversely affects an individual's employment, academic or extracurricular opportunities; or
  - Causes disruption to the University community.

- "Sexual harassment" may include unwelcome sexual advances, requests for sexual favors, unwanted physical contact, sexual assault, visual displays of degrading sexual images, sexually suggestive conduct, offensive remarks of a sexual nature, derogatory remarks directed toward a person because of his / her sex and other inappropriate conduct of a sexual nature where:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, instruction, or participation in an activity at the University; or
Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or in making academic or educational decisions affecting an individual, such as evaluation or advancement decisions; or

Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance, academic performance, living conditions, extracurricular participation or otherwise has the purpose or effect of creating an intimidating, hostile or offensive environment or causes disruption to the University community.

- "Consensual Relationships" include dating and sexual relationships willingly undertaken by both parties.
- "Protected Activity" is defined as opposing a practice made unlawful by one of the employment discrimination statutes or filing a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under the applicable statute.
- "Sexual violence" refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

**Coverage**

This policy applies to all individuals employed by the University in any capacity, contractors, vendors and others providing services to the University and visitors to the campus, as well as students and faculty. The coverage area includes the campus itself as well as any place where a University employee works or performs work activities as well as sponsored activities and events both on and off campus, and all satellite work sites including NTTC’s Virginia offices.

**Consensual Relationships**

- The respect and trust students accord professors, coaches, mentors, club moderators or other employees of the university in a similar capacity, as well as the power exercised by a University employee in an academic or evaluative role, renders such voluntary consent suspect in light of the power differential that exists. Therefore, sexual and romantic relationships between employees and students are prohibited by the University and can lead to dismissal of the employee.
- The University realizes that situations may arise where consensual relationships develop between consenting employees. Because of the potential for conflicts of interest, exploitation, favoritism and bias, the University prohibits this type of relationship between a supervisor and a subordinate. The individual in the position of greater authority bears the primary burden of accountability and must ensure that he/she does not exercise any supervisory or evaluative functions over the other person in the relationship. When a romantic or sexual relationship exists between a supervisor and a subordinate, the University reserves the right to take appropriate action, in its discretion, to protect the interests of the University, which may include transfer, alternative supervisory or evaluative arrangements or dismissal of both parties. Should
the university seek to employ the spouse of a current employee, the two cannot work within the same department and cannot be in a reporting relationship to each other.

**REPORTING RESPONSIBILITY**

- Any student or employee who feels that he / she is being harassed should first inform the offending party that the conduct or behavior is unwelcome and / or unappreciated and, second, that the behavior must stop. The student or employee should note the date the individual was so informed and any subsequent instances. If the harassing behavior is severe or pervasive, the employee or student should report the harassment immediately to the appropriate parties to secure personal safety (proceed to b. below).

- If the harassing behavior continues unabated, employees should promptly report the matter to the Human Resource Department; students should promptly report the matter to the Office of Student Development. The individual receiving the report will insure that it reaches the appropriate individual at the Director or Executive level within the respective department / office for prompt investigation.

- Allegations of sexual violence should be reported immediately to the appropriate parties designated in b. above. The University is primarily concerned with the safety of individual students and employees. Consequently, any incidents of sexual violence that may be connected with violations of other University policies (Ex: Drug and Alcohol Policy) will be addressed separately from the alleged violent act since such violations are never an acceptable excuse to commit an alleged violent act. Instances of sexual violence that result in bodily injury or battery should also be reported immediately to campus security and, subsequently, to local law enforcement.

**COMPLAINT PROCEDURE / INVESTIGATION**

- It is the University’s policy to investigate complaints regardless of whether they conform to a particular format or are made in writing. Students and employees are strongly encouraged to report harassment or discriminatory conduct. Students should contact the Office of Student Development with questions about this process; employees should contact the Human Resource Department with questions about this process.

- Students or employees who wish to file a complaint should access the Harassment Reporting form (located on the HR Website) to assist in prompt, timely, investigations. Individuals may elect to complete the Harassment Reporting form themselves or report the harassment directly to the appropriate party noted in 2.5 (b.) above in a face-to-face meeting.

- The information noted on the Harassment Reporting Form should be completed (by the individual or in conjunction with appropriate party noted in 2.5 (b.) above in a face-to-face meeting), specifying the names of both the individual filing the complaint (Complainant) and individual alleged to have engaged in harassing behavior (Respondent). This information is necessary to initiate an investigation.

- The Director of Human Resources will document, record and evaluate all employee complaints and, if necessary, immediately initiate a formal and impartial investigation. The Dean of Student
Development will document, record and evaluate all student complaints and, if necessary, place in the appropriate forum for impartial investigation. While complete confidentiality can never be guaranteed, the University will endeavor to protect confidentiality to the extent possible. Information and records will be treated as "Private / Confidential" per the Information Protection policy. If the complaint is ultimately investigated as a Title IX Complaint, the Complainant and the Respondent will not be brought together and, in all other instances, the University will endeavor to avoid bringing the two parties together.

- Investigations of alleged employee harassment will be carried out per existing University policies and procedures; investigations of alleged student harassment reported to the Office of Student Development will be carried out per the policies and procedures noted within the Student Handbook.
- The University may pursue interim measures during the investigation to protect the complainant.
- If it is determined that harassment has occurred, the University will take immediate and appropriate corrective action. Both the Complainant and the Respondent will be advised in writing of the findings of the investigation and their rights to appeal such findings.

**FINDINGS**

Every investigation will be closed within sixty (60) days of report date with one of the following:

- No determination of harassment or misconduct can be made; or
- The Respondent engaged in harassment or other prohibited discriminatory conduct. Should the findings be closed as noted in "b", the University will:
  - Undertake corrective actions including possible suspension or termination of the Respondent.
  - Undertake remedial or protective actions with the Complainant deemed necessary to make the Complainant whole or protect the Complainant from the Respondent.

**RETALIATION**

The University will not tolerate any adverse treatment of or a retaliatory action against any individual who, in good faith, reports harassment or violence, provides information related to complaints of harassment or violence, or provides information in conjunction with an investigation of harassment, violence or other discriminatory behavior.

**FALSE OR MALICIOUS ALLEGATIONS**

Any individual who knowingly makes false reports, allegations or accusations of harassment or violence recklessly, in bad faith or with malicious intent will be subject to disciplinary action, up to and including expulsion for students and possible termination for employees.

**EXTERNAL REPORTING**

Unlawful harassment is prohibited by state and federal law. In addition to the internal resources described above, individuals may pursue complaints directly with the government agencies that deal
with unlawful harassment and discrimination claims, e.g., the US Equal Opportunity Commission (EEOC), the Office for Civil Rights (OCR) of the US Department of Education, the West Virginia Human Rights Commission and the Virginia Human Rights Council. Contact information for these agencies and information about the time frames for filing external charges are readily available in the internet. A violation of this policy may exist even where the conduct in question does not violate the law. Acts of sexual violence may be criminal in nature and individuals may pursue complaints with local law enforcement in addition to the internal resources described above. Pending the results of an internal investigation, and assuming the alleged sexual violence has not been reported to local law enforcement, the University retains the right to notify local law enforcement of its findings.

**Authorization**

The Director of Human Resources provides annual review and edits to the Workplace Practices: Harassment Policy. The detailed policy is available online at

The Harassment Complaint Form can be found at  
http://test.wju.edu/about/hr/policies/attachments/complaintform.pdf.

**Sexual Offender Registration**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Watterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies to make this list available. West Virginia’s registry can be reviewed at https://apps.wv.gov/StatePolice/SexOffender. The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

**Violence Against Woman Reauthorizations Act of 2013 (VAWA)**

The President signed the VAWA (Public Law 113-4) on March 7, 2013. Among other provisions, this law amended Section 485(f) of the Higher Education Act of 1965. The statutory changes require institutions to compile statistics for instances of sexual assault, domestic violence, dating violence and stalking that are reported to campus security authorities or local police agencies. Additionally, institutions will be required to include certain policies, procedures and programs pertaining to these crimes in their Annual Security Reports. Violations of the sexual misconduct policy are serious and although there are no standard sanctions outlined for violations of this policy, suspension and/or expulsion from the University for students and disciplinary action up to and including termination for faculty, administrator and staff members are likely outcomes. Professional standards and business conduct policies for all faculty, staff and administrators are provided in the Workplace Practices: Harassment Policy, available online at http://www.wju.edu/about/hr/policies/hr_harassment.asp and in section 18 above. The University’s Student Sexual Misconduct Policy is provided in section 17 above; the detailed
policy can be found online in the Student Handbook at www.wju.edu/studenthandbook or http://www.wju.edu/about/hr/policies/cl_harassment.asp.

CRIME STATISTICS

The following definitions are to be used for reporting the crimes listed in 34 CFR sec. 668.46 (previously 668.47) in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

- Arson - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- Criminal Homicide - Manslaughter by Negligence is the killing of another person through gross negligence.
- Criminal Homicide - Murder and Non-negligent Manslaughter - The willful (non-negligent) killing of one human being by another.
- 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.
- Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed. This category also includes “assault with disease” when a perpetrator knowingly infects another with a deadly disease.
- Burglary - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a theft or felony; breaking and entering with intent to commit a theft housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.)
- Weapon Law 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.
- Liquor Law Violations - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
- Drug Law Violations - 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 can be made for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs).

- **Sex Offenses** - Definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.
  - 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.
    - 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.
    - Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Sex Offenses-Non forcible - Unlawful, non-forcible sexual intercourse.
    - Incest-Non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - Statutory Rape-Non forcible sexual intercourse with a person who is under the statutory age of consent.

These new categories have been added to the Report at the direction of the Department of Education:

- **Domestic Violence**: Domestic violence includes felony or misdemeanor crimes 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 cohabiting with or has cohabitated 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 Maryland, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic violence laws of Maryland.

- **Dating Violence**: Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

- **Stalking**: Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveys, threatens, or communicates to or about, a person, or interferes with a person’s property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or
other professional treatment or counseling. Reasonable persons mean a reasonable person under similar circumstances and with similar identities to the victim.

**CRIME REPORTING AREAS**

For the purpose of reporting statistics, institutions of higher education need to distinguish, by means of separate categories, criminal offenses that occur on campus; in or on a non-campus building or property; on public property; and in dormitories or other residential facilities for students on campus. These newly established geographic areas are defined as:

a. **Campus - Residence and Non-residence**
   a. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and
   b. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor).

b. **Non-campus Building or Property**
   a. Any building or property owned or controlled by a student organization that is officially recognized by the institution (no such buildings exist at Wheeling Jesuit University); or
   b. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

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

**HATE AND BIAS CRIME REPORTING**

We report hate crimes that fall into one of these criminal categories; homicide, sex offences, robbery, aggravated assault, burglary, motor vehicle theft, arson, and any other crime involving bodily injury reported to local law enforcement agencies or a campus security authority. Evidence that the victim was intentionally selected because of the perpetrator's actual or perceived bias towards a disability, ethnicity, gender identity, national origin, race, religion, or sexual orientation will be assessed. Revised regulations added the crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property to the list of crimes that must be reported in the hate crime statistics. The FBI’s Uniform Crime Reporting Hate Crime Collection Guidelines will continue to be the source for definitions. Student Bias reporting can be made through the Office of Campus Safety & Security.

Wheeling Jesuit’s faculty, administrators, staff and students are responsible for helping to create and maintain an environment characterized by high standards of ethical behavior and compliance with federal, state and local laws and University policies. A reminder to Faculty, staff and administrators...
relative to the purpose of Ethics Point Reporting is posted on the University Internet twice each year on the Human Resources website under Compliance/Mission & Charter.

FAMILY EDUCATION RIGHTS TO PRIVACY ACT (FERPA) OF 1974

The University abides by the Family Education Rights to Privacy Act of 1974 that contains guidelines for the handling and confidentiality of student records. FERPA gives students certain basic rights. To review the University's policy concerning FERPA, consult the Undergraduate Catalog.

Employees can also find Wheeling Jesuit’s policy relative to FERPA online at Workplace Practices: Family Education Rights and Privacy Act (FERPA) of 1974, http://www.wju.edu/about/hr/policies/FERPA.asp.

The Wheeling Jesuit University Undergraduate Catalogue also outlines the University’s FERPA and Student Records Policy and can be found online at: http://wju.edu/academics/catalogs/under14_15/under14_15.pdf.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a conduct or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

ANNUAL FIRE SAFETY REPORT

PROCEDURES AND POLICIES

General fire evacuation procedures include the following directions for occupants of any University building. If the fire alarm system is activated Campus Security will respond to all fire alarms and emergency situations. They will notify the Wheeling Fire Department (WFD) if any fire alarm is activated. Occupants of all floors will immediately evacuate the building at the sound of the fire alarm system. Follow all the instructions below:

In the event you discover a fire:

1. Remain calm and go to the nearest stairwell, walk on the right side. Walk, do not run. Do not use elevators they will not be in service during a fire alarm condition. Exit out of the building.
2. Pull the nearest red manual pull station (usually on the wall near stairwells and exits). This will activate the building’s fire alarm system.
3. Report the fire (regardless of size) to Campus Security at x2486 once you are out of the building. Give the following info:
   a. Your Name
b. Location of fire (Building name, Apt, Room # or area) c Number of injured people (if any)

4. Assist in the evacuation of the building. Give any disabled occupant information to Campus Security or the WFD upon exiting.

5. Close all doors when leaving rooms. If your room/apt door is hot to the touch and smoke is beginning to filter into your room; place a wet towel under the door or seal it with tape. Wave a sheet or large garment out the window. Wait for assistance from the WFD.

6. Keep low and crawl in any smoke filled areas.

7. Do not re-enter the building until the all clear has been announced, this occurs after the WFD gives their all clear and Campus Security has completed a survey.
   a. Residence Halls: Campus Security and the Residence Life Staff will assist in the complete evacuation of the building and control the occupants in the assembly area until the emergency has been abated (see specific building evacuation procedures).
   b. Academic Buildings: Campus Security and any designated fire personnel present in the building will assist in the complete evacuation of the building and control the occupants in the assembly area until the emergency has been abated.

FIRE SAFETY REPORT

All residence halls at Wheeling Jesuit University are equipped with a fire alarm system and sprinklers. Fire drills are held at least once a year in all residence halls.

Policies on portable electrical devices, use of kitchens and smoking inside residence halls are found in the Student Handbook; a summary of these policies is provided in the Firearms and Fire Safety Policies section of this report.

In the event of a fire, the University expects all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system as they leave. Once safely outside the building, it is appropriate to contact 911 and the Department of Campus Safety at 304-243-2486. In the event a fire alarm sounds, University policy is that all occupants must evacuate from the building closing doors as they leave. No training is provided to students or most employees other than fire extinguisher training in firefighting or suppression activity. Do not delay in exiting from any building in case of an alarm or fire.

Wheeling Jesuit University is required to annually disclose statistical data on all fires that occur in on-campus housing facilities. Listed below are NON-EMERGENCY numbers to call to report fires already extinguished in on-campus housing;

Director of Campus Safety 304-243-4453
Director of Housing 304-243-2341

The following policies in regard to use and/or possession of portable electronic appliances, smoking and the use/presence of open flames in student housing facilities and evacuation procedures to be followed in the case of a fire are outlined in the Wheeling Jesuit University Student Handbook,
Residence Life Policies section. These policies are reviewed regularly by Resident Assistants with the students who live in the residence halls:

- **APPLIANCES**: Wheeling Jesuit University prohibits the use of some electrical appliances that contain exposed heating elements in residence halls. Some of these prohibited items may include, but are not limited to: electrical hot plates, space heaters, electric frying pans, George Foreman grills, deep fat fryers, halogen lamps, UL approved extension cords, and some popcorn makers and some coffeepots with an exposed burner and those that do not have an automatic shut-off. Residents are advised to see their Resident Assistants or Area Coordinator to know if their appliance is permitted; residence life staff conduct health and safety inspections on a regular basis to ensure appliances do not pose a fire hazard.
  - Only two portable refrigerators, with a maximum 4.5 cubic feet capacity (1.7 capacity is recommended), are permitted in each residence hall room. To practice good stewardship and power conservation, it is strongly recommended that one refrigerator be shared by roommates whenever possible. Large appliances, portable air conditioning units and electric amplifiers for musical instruments are not permitted in the halls.
- **BICYCLES**: Residents may store bikes in their rooms and may not ride bikes in the halls. Bicycles may not be stored in public hallways or stairwells. Permission to temporarily store a bicycle in a lounge must be obtained from the Area Coordinator of the building in question. On occasion, bicycle storage areas may be available in the halls; the building’s Area Coordinator can tell you if any such option exists in their particular building.
- **CANDLES/INCENSE**: Candles (with or without wicks) and incense are prohibited in the residence halls.
- **CARE OF ROOMS**: Students are responsible for the cleanliness and care of their rooms. Each student will be accountable for any deterioration/damage of the room or its contents beyond normal wear and tear, and will be charged for such damages (see DAMAGES). Housekeeping will regularly clean and remove trash from public bathrooms and public areas. Residents of Kirby, Ignatius, and Thomas More halls are expected to clean and remove trash from their private bathrooms.
- **CEILING COVERINGS**: Due to fire code concerns, ceilings in residential rooms are not allowed to be covered in any way.

**Fire Alarm Procedures**

When a fire alarm sounds:

a. Close windows, turn off lights and electrical equipment, and close door(s) if time allows.

b. **DO NOT** use an elevator during an alarm.

c. Walk; do not run, to the nearest exit. If the closest exit is blocked by fire or smoke, find an alternate exit. If smoke is in the exit path get down as low as possible (crawl).

d. After exiting, move 100 feet from the building and follow instructions from the Residence Life staff, Security Officers, and/or Fire Department officials.

e. **DO NOT** re-enter the building unless permitted to do so by authorized fire officials.
Tampering with fire prevention equipment is expressly forbidden. If such actions cannot be attributed to an individual(s), those living in the residential area will each be charged a communal damage fine for the cost of repairs and/or replacement of the equipment. Deliberate false alarms that cannot be attributed to a particular individual(s) may result in a minimal fine up to $100 to each resident of the section and the cost of repairs and replacement of the equipment. Failure to exit a building during an alarm (false or otherwise) will result in student conduct action.

Failure to evacuate a residence hall during a fire alarm or re-entering a residence hall before being permitted by a University official, member of the fire department or a security officer is prohibited. Interference with or not adhering to emergency evacuation procedures in a residence hall is prohibited.

- **FIRE REGULATIONS:** Residents should be familiar with their residence hall and aware of the nearest exit and alternate exits.

- **FURNITURE, PERSONAL:** Residents may bring personal furniture such as chairs, bookcases, etc. Waterbeds are not permitted. The Director of Residence Life or his/her designee, may prohibit any personal furnishings considered too large or potentially dangerous (fire hazard etc.) for any residence hall room. University provided furniture cannot be removed from the room in any circumstance unless approved by the Office of Residence Life.

- **HEALTH AND SAFETY INSPECTIONS:** Health and Safety inspections will be conducted by the Residence Life staff on a regular basis in each residence hall, at a time posted and announced 48 hours in advance. Inspections are to insure residents are maintaining safe furniture placement and equipment in accordance with fire code and that the room is a clean and healthy environment. Other violations found during Health and Safety Inspections will be addressed in appropriate manner i.e. through the university judicial process. Residents have 24 hours to rectify any health and safety concerns discovered and communicated to residents by the Residence Life Staff. Repeat health and safety violations may result in conduct sanction. Room inspections may occur during Health and Safety Inspections without resident(s) present; when applicable, room search procedures may be implemented if a policy violation is suspected.

- **KITCHENS - USE OF & COOKING:** Cooking is only permitted in the designated kitchens in the residence halls and comes with great responsibility. For reasons of fire safety, no cooking/grilling, etc. is permitted in student rooms, hallways, or balconies/rooftops, etc. Students who are cooking in the designated kitchen are to never leaving their cooking food unattended; students who leave their food unmonitored may lose cooking privileges. Students are responsible to clean any mess made while cooking. While using the microwave, students should never place foil or metal in the microwave. While using the stove, students should turn on the exhaust fan when starting to cook, and off once completed. After cooking is completed, ensure the stove/oven is turned off when leaving the room. Students should also use a limited amount of cooking oil while cooking - no more than ½ cup per meal is recommended to limit oil residue left in the cooking area and students cooking with oils will need to ensure the kitchen is properly cleaned for the next user. Kitchen facilities in the residence halls are not adequate for regular, daily use by the same student; this facility is intended for individual periodic shared use by all residents of the building. Likewise, the storage of food in public refrigerators is to be limited to periodic use so ample space is available for other residents to use; if needed, the Office of Residence Life may place restrictions on the amount
of food stored in public refrigerators to ensure access for all students and to keep the refrigerator clean.

- **LOFTS:** Self-constructed lofts are not permitted for safety and security purposes.
- **MAXIMUM OCCUPANCY:** The University recognizes the need for student interaction and the need to build a strong residential community. In the interest of safety however, the University allows only eight (8) people/residents per double occupancy residence hall rooms and four (4) for single occupancy rooms that are smaller in size. No more than twenty-four (24) people are permitted within the entire Thomas More quad (including the bedrooms, lounge, bathroom, and hallway) at any given time. These restrictions are set in place per advisement of the local and state fire authorities for purposes of safety in the event of a residence hall fire.
- **SMOKING:** Smoking in the residence halls is prohibited. Students must be beyond 25 feet from the outside of the residence halls to smoke; this is a state requirement. See Smoking Policy in the Student Handbook.
- **TRASH:** Disposing of trash in unauthorized areas, including leaving trash in lounges or hallways is prohibited.
- **WINDOWS:** Unless in the event of building evacuation for safety and security reasons, at no time are students or guests/visitors to use windows in the residence halls to gain entry into or to exit from the residence hall. This activity is considered an unlawful entry into a campus building and is a major breach of campus safety and security procedures. Residents are also not permitted to remove window screens for any reason, except in the case of a necessary emergency exit. All cases will be processed through the Student Conduct system and the student will be charged to replace the screen.

Additionally, the Student Code of Conduct, found within the Wheeling Jesuit University Student Handbook, outlines the following violations in regard to fire safety:

- **M:** Possession and/or use of firearms, explosives, ammunition, fireworks, and/or weapons. Weapons may include, but are not limited to: metallic knuckles, slingshots, bows and arrows, switchblade knives, non-cooking knives with blades more than three inches in length, paintball, BB or pellet guns, taser and/or stun guns, or other deadly weapons or dangerous chemicals. Unmodified toy guns are permissible only at the discretion of the residence life and/or security staff and when possession does not infringe on the rights of others or the perception of safety on campus.
- **N:** Actions that cause or attempt to cause a fire or explosion; falsely reporting a fire, an explosion or an explosive device; tampering with fire safety equipment; failure to evacuate University buildings during a fire alarm.

**FIRE DRILLS**
During any given calendar year there are several fire drills conducted and documented.

**Fall 2013 Fire Drills Report - September 17,2013 Testing**
Fire Drills were conducted in all residence halls at Wheeling Jesuit University on the above date.
Kirby/Sara Tracy Halls  Alarm – 6:40pm  
Simplex Call – 6:42pm  
Evacuated – 6:44pm

Ignatius Hall  Alarm – 6:54pm  
Simplex Call – 6:59pm  
Evacuated – 6:59pm

Thomas More Hall  Alarm – 7:06pm  
Simplex Call – 7:08pm  
Evacuated – 7:09pm

Campion/McHugh Halls  Alarm – 7:17pm  
Simplex Call – 7:19pm  
Evacuated – 7:22pm

Steenrod Apartments  Alarm – 7:35pm  
Simplex Call – 7:35pm  
Evacuated – 7:37pm

No issues to report. Most students exited through correct doors. Alarms were audible throughout all buildings.

**Spring 2013 Fire Drills Report – Testing [need this info from Steve H]**

**POLICIES ON PORTABLE ELECTRICAL APPLIANCES, SMOKING AND OPEN FLAMES**
As is stated above, smoking, candles and open flames are prohibited in Wheeling Jesuit University residence halls. No portable electrical appliances, hot plates, fireworks, firearms, electric heaters, or halogen lamps are allowed in housing.

**STUDENT HOUSING EVACUATION**
A policy involving the mandatory evacuation of each residence hall upon fire alarm activation is in effect. Residence Assistants are trained and review fire safety procedures with their residents at floor meetings.

**FIRE SAFETY EDUCATION**
Various training and educational seminars are conducted during the summer orientation sessions with students. Residence Assistants, and professional residence life staff in are the first group of students to undergo annual fire safety training. Residence Assistants review fire safety procedures with their residents at floor meetings.
CONTACT POINTS FOR REPORTING FIRES
There are several methods in which a student, faculty, staff or other person within WJU’s community can report a fire. If you wish to report that a fire has occurred please contact one of the following individuals or departments;

- Director of Campus Safety x4453
- Campus Security x2486
- Director of Residence Life x2390

FIRE STATISTICS (RESIDENCE HALLS):
1. For the time period of January 1, 2013 through December 31, 2013 the statistics found in the table below summarize the number of fire incidents for each on-campus housing facility.
2. No arsons were reported for the year of 2013, therefore no arsons need to be reported in the crime statistics

DESCRIPTION OF RESIDENCE HALL FIRE ALARM SYSTEMS:
All residence halls are equipped with stand-alone fire alarm systems that are then connected to Simplex, who notify the Fire department and Campus Security when an alarm sounds. These fire alarm systems are also backed up with battery power at each building, and contain all monitoring of sprinkler, suppression, detection and relay devices. There are smoke detectors in nearly every room (minimum of one smoke detector per apartment) and 24/7 monitoring that meets, or in most cases exceeds the National Fire Alarm Code requirements.

FIRE LOG:
The fire log is an easily understood report that identifies actual fires that have occurred on our campuses. The log is maintained by the Campus Security Department and is visible to the public.

For Further Information
Write or call:
Wheeling Jesuit University
316 Washington Ave.
Wheeling, WV 26003  304-243-2484
Title IX Coordinator / VP for Mission
Fr. William Rickle
Campus Safety & Security/Student Development
Steve Haburksy, Director
Dr. Christine Ohl-Gigliotti, Dean
304-243-4453/304-243-2350
## Wheeling Jesuit University Crime Statistics

<table>
<thead>
<tr>
<th><strong>Type of offense</strong></th>
<th><strong>Year</strong></th>
<th><strong>Campus Property</strong></th>
<th><strong>Residential Facilities (2)</strong></th>
<th><strong>Non Campus Property (3)</strong></th>
<th><strong>Public Property (4)</strong></th>
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Hate Crimes (5) - There were no crimes reported.
2013 – None Reported.
2012 – None Reported.
2011 – None Reported.

Footnotes for the Main Campus of Wheeling Jesuit University

1. The statistics reflect a 2013 University population of approximately 1200 undergraduate students, 300 graduate students, and 300 employees.
2. The residential facilities statistics are duplicative. They are included in the campus statistics and reflect that portion of the campus statistics that occurred in residence halls or other residential facilities for students on campus.
3. Presently Wheeling Jesuit University does not have any property in this category.
4. The statistics listed in “public property” include incidents which took place off campus, on public property immediately adjacent to and accessible from the campus, but not on the property of Wheeling Jesuit University.
5. Hate crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived bias towards another’s disability, ethnicity, gender identity, national origin, race, religion, or sexual orientation. Hate crimes are reported for the crimes of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, and any other crime involving bodily injury, as well as, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism.
6. The Clery Act definition of motor vehicle thefts includes golf carts, motor scooters, and other “non-traditional” vehicles.
7. Statutory changes require institutions to compile statistics for instances of domestic violence, dating violence, and stalking in the 2013 reporting year.
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<th>Residence Hall</th>
<th># of Fires</th>
<th># of Deaths</th>
<th># of Injuries</th>
<th>Value of Property Damage</th>
<th>Date(s)</th>
<th>Explanation</th>
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<td>4/14/13 &amp; 10/26/13</td>
<td>Burned Food Stovetop</td>
<td>Meeting with Students, discussed unattended cooking &amp; use of stove</td>
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</tr>
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</table>

## 2012 - Wheeling Jesuit University - Residence Halls Fire Statistics

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th># of Fires</th>
<th># of Deaths</th>
<th># of Injuries</th>
<th>Value of Property Damage</th>
<th>Date(s)</th>
<th>Explanation</th>
<th>Corrective Action(s)</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
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</tr>
<tr>
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## 2011 - Wheeling Jesuit University - Residence Halls Fire Statistics

<table>
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<th># of Fires</th>
<th># of Deaths</th>
<th># of Injuries</th>
<th>Value of Property Damage</th>
<th>Date(s)</th>
<th>Explanation</th>
<th>Corrective Action(s)</th>
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<tr>
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