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**Subject: Campus and Workplace Violence Prevention Policy**

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## **1. Purpose**

It is the intent of Virginia Polytechnic Institute and State University to provide a safe and secure environment for university employees, students, and visitors by establishing preventative measures, holding perpetrators accountable, and providing assistance and support to victims. This policy specifically addresses the university's position on the prevention, reduction, and management of violence to provide a safe working and learning environment for our students, employees, and visitors at all university owned, controlled, or leased properties, including satellite locations. In implementing this policy, the university is guided by the Commonwealth of Virginia's Policy 1.80 Workplace Violence and Policy 2.30 Workplace Harassment.

The conduct of students is covered, in depth, by the [University Policies for Student Life](#). The Division of Student Affairs, Office of Judicial Affairs is responsible for the implementation of the UPSL. Nothing in this policy amends the University Policies for Student Life.

## **2. Policy**

Virginia Tech does not tolerate acts of violence or hostility committed by or against employees, students, contractual workers, temporary employment agency workers, volunteers, visitors, or other third parties on university owned, controlled, or leased properties, or while conducting university business at any location, including representing the university at conferences or off-site meetings, or riding in university owned or leased vehicles.

This policy applies to the personal conduct of an employee while functioning in the course and scope of employment, whether on or off-campus, and to any off-duty violent conduct that adversely impacts a university employee's ability to perform his or her assigned duties and responsibilities. The personal conduct of students involving violations occurring off university property will be addressed under University Policies for Student Life if university officials decide that university interests are involved. Student employees, including graduate students with assistantships, may also be covered under relevant employee policies.

It is intended that all useful management strategies be employed to identify and prevent incidents of workplace and campus violence, reduce the effects of violence on victims, and provide consequences to those who threaten or perpetrate violence. University managers, employees, and students are responsible for reporting indications of possible hostile behavior, and must not be subjected to any acts of retaliation for reporting concerns. The university will use available resources such as the [Employees Assistance Program](#), law enforcement offices, the university's Women's Center, relevant offices within the Division of Student Affairs, and applicable human resources and student programs and policies in responding to alleged acts of violence.

## 2.1 Prohibited Conduct and Sanctions

Violence includes, but is not limited to, intimidation, threats, physical attack, domestic and dating violence, stalking, or property damage, and includes acts of violence committed by or against university employees, students, contractual workers, temporary employment agency workers, customers, relatives, acquaintances, or other third parties on university facilities.

Prohibited conduct includes, but is not limited to, intentionally:

- Injuring another person physically;
- Engaging in verbal or physical behavior that creates a reasonable fear of injury to an identifiable person;
- Engaging in verbal or physical behavior that subjects an identifiable individual to extreme emotional distress;
- Engaging in threatening or violent behavior based on race, ethnicity, gender, sexual orientation, or other protected status;
- Defacing or damaging property;
- Threatening to injure an individual or to damage property;
- Committing injurious or threatening acts related to sexual assault, stalking, dating or domestic violence or sexual harassment;
- Brandishing a weapon or firearm; and
- Retaliating against any individual who, in good faith, reports a violation of this policy.

Verbal behavior also includes use of any method of communication such as email, comments posted on websites, or other paper or electronic media.

A violation of this policy shall be considered unacceptable conduct and subject to the disciplinary actions under the appropriate faculty, staff, and student policies, up to and including dismissal.

- University staff and classified employees are subject to disciplinary action as outlined in the *Commonwealth of Virginia Standards of Conduct and Performance Policy 1.60*.
- University faculty members are subject to disciplinary review as outlined in the [Faculty Handbook](#) or [Research Faculty Handbook](#).
- Hourly and wage employees, including adjunct faculty, are "at will" employees and may be disciplined or dismissed.
- Undergraduate and graduate students are subject to disciplinary actions as outlined in the [University Policies for Student Life](#).

Individuals who violate this policy may also be subject to arrest for trespass and/or violation of the appropriate state criminal statute, and/or may be barred from campus.

For employees, an act of off-duty violent conduct may be grounds for disciplinary action, up to and including dismissal per applicable personnel policies.

## 2.2 Prohibition of Weapons

The university's employees, students, and volunteers, or any visitor or other third party attending a sporting, entertainment, or educational event, or visiting an academic or administrative office building, dining facility, or residence hall, are further prohibited from carrying, maintaining, or storing a firearm or weapon on any university facility, even if the owner has a valid permit, when it is not required by the individual's job, or in accordance with the relevant University Policies for Student Life.

Any such individual who is reported or discovered to possess a firearm or weapon on university property will be asked to remove it immediately. Failure to comply may result in a student judicial referral and/or arrest, or an employee disciplinary action and/or arrest.

## 2.3 Authorized Exceptions to Prohibition on Possession of Firearms or Weapons

An employee may possess a firearm or weapon if it is:

- Used by an employee who is a certified law enforcement officer employed by the Virginia Tech Police Department;
- Required as a part of the employee's job duties with the Commonwealth of Virginia; or
- Connected with training received by the employee in order to perform the responsibilities of their job with the university.

Employees and students may possess and use appropriate tools, such as saws, knives, and other such implements, necessary for the performance of their job duties or school work, or for student recreational purposes approved under University Policies for Student Life. Certain agricultural workers have been authorized to use firearms, and hunting on university property may be authorized by the appropriate university officials. Some employees reside in university-owned houses and are permitted to keep personal firearms on these premises; however, this exception does not extend to employees living in university residence halls.

As stated in The University Policies for Student Life, students may not possess, use, or store firearms or weapons on university property; however, firearms and other weapons may be stored with the Virginia Tech Police Department to be checked out for use off-campus. Organizational weapons of the Virginia Tech Corps of Cadets, approved by the Commandant, are not prohibited by this policy.

Other exceptions must be approved by the Vice President for Administrative Services, in consultation with appropriate university offices.

## 2.4 Prevention, Risk Assessment, and Response

As part of a larger and institution-wide commitment to a safe campus and workplace environment, the university is committed to the development of preventative measures, including a campus and workplace violence prevention and risk assessment committee, security planning for at-risk individuals, pre-employment screening, and general programs to increase employee and student awareness.

The Vice President for Administrative Services will chair a campus-wide Workplace Violence Prevention and Risk Assessment Committee, which will be appointed by the President, and will be responsible for:

- Conducting an annual review to identify potential or existing risks, including gathering and analyzing reports and data to identify high-risk departments, activities, or locations;
- Recommending and implementing employee and student awareness and training programs on campus and workplace violence;

- Implementing plans and protocols for responding to credible threats and acts of violence (crisis management plan);
- Reviewing and developing threat assessment and response policies and procedures;
- Reviewing periodic summary reports from Student Affairs, Campus Police, Human Resources, and other offices;
- Communicating internally with employees and students; and
- Evaluating the effectiveness of the university's workplace/campus violence prevention programs.

#### **2.4.1 Threat Assessment Team**

The President will appoint a Threat Assessment Team and its chair. The team will include representatives from the Virginia Tech Police Department, Academic Affairs, Student Affairs, and Human Resources, and a clinical psychologist from the University's Counseling Center. Legal Counsel will serve as an advisor to the Threat Assessment Team. The team is charged with developing comprehensive fact-based assessments of students, employees, or other individuals who may present a threat to the university, and is empowered to take timely and appropriate action, consistent with university policy and applicable law.

### **2.5 Identifying and Reporting Risks**

All individuals are encouraged to be alert to the possibility of violence on the part of employees, former employees, students, customers, and strangers. Employees and students shall place safety as their highest concern, and shall report all acts of violence and threats of violence. All reports of violence will be handled in a confidential manner, with information released only on a need-to-know basis within the campus community and in accordance with federal and state laws and regulations. Management shall be sensitive and responsive to the potential for fear of reprisal by employees or students who report threats or acts of violence. This policy prohibits retaliation against any person who, in good faith, reports a violation of this policy. Every effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence.

### **2.6 Responsibilities**

It is the responsibility of every administrator, faculty member, staff member, and student to take any threat or violent act seriously and to report acts of violence or threats to the appropriate authorities as set forth in this policy.

Department heads, directors, and supervisors are also responsible for communicating the policy to all employees under their supervision, ensuring that facilities are as safe as feasible, identifying and providing violence prevention training to employees as appropriate, and ensuring that all employees are aware of how to report potential threats.

The Virginia Tech Police Department will coordinate all university action in case of a violent incident on campus or in the work place, establish and publish procedures for campus and workplace violence prevention and threat assessment, and investigate threats or incidents of violence. Only the Virginia Tech Police or other law enforcement agencies should attempt to apprehend the alleged offender.

Human Resources will coordinate employee-related preventive measures, including conducting criminal conviction checks in accordance with university policy, providing awareness programs to new employees, coordinating referrals to the employee assistance program, advising employees and managers, making referrals to the Threat Assessment Team and providing case management, and coordinating with other university and community resources to support victims of violence.

Student Affairs will coordinate student-related preventive measures including training for professionals, student employees (e.g. Residence Advisors), and students through the on-call process and through other education and training methods. The Office of Judicial Affairs is responsible for responding to and adjudicating violations of the University Policies for Student Life. Student Affairs will maintain the Care Team, the goal of which is to

coordinate support services and administrative response to crises involving students, make referrals to the Threat Assessment team, and provide case management.

The Office of Emergency Management (OEM) will develop and coordinate the university's emergency response plan, advise departments on the development of unit plans, provide templates to support the development of departmental plans, and coordinate emergency preparedness training for university administrators and departments in partnership with Student Affairs, University Relations, Virginia Tech Police, Environmental Health and Safety, Human Resources, and other offices. OEM will develop a plan for awareness and training programs for employees and students.

The VT Women's Center will respond to requests for assistance from staff, student, and faculty victims of violence, or threats of violence, by providing counseling, advocacy, safety planning, and other support as needed to victims of sexual assault, rape, dating or domestic violence, or other forms of campus or workplace violence. The Center will coordinate services with on- and off-campus partners such as the VT Police Department and other law enforcement agencies, the court system, the on-campus judicial process, medical and hospital services, and shelter services.

### **3. Procedures**

#### **3.1 Reporting Incidents**

Any individual who believes there is an immediate danger to the health or safety of any member of the university community should call the Virginia Tech Police at 911.

General questions about the Campus and Workplace Violence Prevention Policy should be directed to the Office of Emergency Management or the Virginia Tech Police Department. Questions about specific issues may also be directed to:

- Occupational Safety Division (EHSS) (540) 231-5985
- Human Resources (540) 231-9331
- University Legal Counsel (540) 231-6293
- Virginia Tech Police (540) 231-6411
- Virginia Tech Women's Center (540) 231-7806
- Office of Judicial Affairs (540) 231-3790
- Dean of Students Office (540) 231-3787

#### **3.2 Support for Victims of Violence**

The university shall make efforts to provide a campus and workplace free from violence and to protect and support victims and those threatened or exposed to acts or threats of workplace violence by offering security measures and identifying appropriate resources for providing support and assistance. Victims may also need special accommodations or adjustments to their work or class schedule, location or working conditions in order to enhance their safety. The university shall accommodate these requests and needs whenever possible and appropriate.

#### **3.3 Security Planning for Potentially At-Risk Employees and Students**

Some employees can be at risk for violence/hostility because of the nature of their jobs. Other employees or students can be at risk because they are subject to violence, threats, or harassment from a current or former spouse or partner, or other non-employee. The Virginia Tech Police Department, Human Resources, the Women's Center, and other offices will work with at-risk students and employees, and their supervisors, to develop safety plans that address the specific risks they face.

### 3.4 Pre-employment Screening and Criminal Conviction Checks

Human Resources administers the university's Policy 4060 Criminal Conviction and Drivers' Records, and will work with hiring managers to ensure that sensitive positions are identified and criminal conviction checks conducted in accordance with the policy. Hiring managers are responsible for conducting pre-employment reference checks and advising Human Resources when potential problems are identified.

## 4. Definitions

An at-risk individual is defined as an employee, student, or other person who is a potential target or victim.

Assault is committed when one person 1) tries to or does physically strike another, or 2) acts in a threatening manner to put another in fear of immediate harm. Aggravated assault is defined as a completed or attempted attack with a weapon and an attack without a weapon in which the victim is seriously injured.

Campus is defined as any location, either permanent or temporary, owned or leased by Virginia Tech. This includes, but is not limited to, the buildings, grounds, and the surrounding perimeters, including the parking lots, field locations, classrooms, residence halls, alternate work or class locations.

A credible threat of violence is defined as a knowing and willful statement or course of conduct that would cause a reasonable person to believe that he or she is under threat of death or serious bodily injury. A course of conduct is any series of acts over a period of time, however short, that evidences a continuity of purpose, such as following or stalking an individual to or from the workplace/campus, telephone calls to the employee or student, and correspondence with the employee or student, whether by public or private mail, e-mail, interoffice mail, or fax.

Employee, for purposes of this policy, is defined as any salaried or wage faculty or staff member, graduate students paid on assistantships, and student workers.

Firearms are defined as any gun, rifle, pistol, or handgun designed to fire bullets, BBs, pellets, or shots, including paint balls, regardless of the propellant used.

Intimidation is engaging in actions that include, but are not limited to, stalking or behavior intended to frighten, coerce, or induce duress.

Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.

Property Damage is intentional damage to property and includes property owned or leased by the university, employees, students, volunteers, visitors or vendors.

Sexual assault is defined as any forcible sexual activity that occurs without the consent of the victim. It includes, but is not limited to, unwanted kissing and fondling, forcible vaginal, oral, or anal intercourse, and forcible penetration with an object or finger. Consent is an agreement reached without force, coercion, or intimidation between persons. Forcible sexual activity occurs when consent is not reached or when the victim is mentally incapacitated or physically helpless.

Stalking is defined as repeatedly contacting another person when the contact is unwanted. Additionally, the conduct may cause the other person reasonable apprehension of imminent physical harm or cause substantial impairment of the other person's ability to perform the activities of daily life. Contact includes but is not limited to communicating with (either in person, by phone or computer) or remaining in the physical presence of the other person.

Student is defined as any individual who has accepted an offer of admission as an undergraduate, graduate, or professional student and who has not yet graduated or officially transferred to another institution. If a student's

enrollment lapses for more than one calendar year, the student will no longer be subject to disciplinary action under this policy.

**Student employee** is defined as any work-study student, student wage employee, or graduate student paid on an assistantship on the university payroll.

**Third Parties** are individuals who are not state employees or students, such as relatives, acquaintances, contractual workers, vendors, visitors, volunteers, customers, clients, or strangers.

**Threat** is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out, and without regard to whether the expression is contingent, conditional, or future.

**University facilities** are any location, either permanent or temporary, owned or leased by Virginia Tech. This includes, but is not limited to, the buildings, grounds, and the surrounding perimeters, including the parking lots, field locations, classrooms, alternate work or class locations, and university owned or leased vehicles.

**Victim** is defined as an individual who has experienced or witnessed an act or acts of violence or threats of violence as outlined in this policy.

**Violence** includes, but is not limited to, intimidation, threats, physical attack, domestic violence or property damage and includes acts of violence committed by university employees, students, clients, customers, relatives, acquaintances or strangers against university employees in the workplace but does not include lawful acts of self-defense or the defense of others.

**Weapons** are defined as any instrument of combat, or any object not designed as an instrument of combat but carried for the purpose of inflicting or threatening bodily injury. Examples include but are not limited to firearms, knives with fixed blades or pocket knives with blades longer than four inches, razors, metal knuckles, blackjacks, hatchets, bows and arrows, nun chahkas, foils, or any explosive or incendiary device.

**Workplace** is any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, classrooms, alternate work locations, and travel to and from work assignments. It further includes university owned or leased vehicles.

## **5. References**

Virginia Tech Classified and University Employee Handbook

[Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#)

[Policy 4060, Criminal Conviction and Drivers' Record Policy](#)

[Department of Human Resource Management Policy 1.80 Workplace Violence](#)

[Department of Human Resource Management Policy 2.30 Workplace Harassment](#)

[Virginia Tech Faculty Handbook](#)

[Virginia Tech Research Faculty Handbook](#)

[University Policies for Student Life](#)

[Policy 5615, Campus Security](#)

[Policy 5600, Response to Bomb Threats](#)

## **6. Approval and Revisions**

Approved by the Board of Visitors on June 13, 2005, contingent upon review by the Office of the Attorney General.

- Revision 1

Section 2.2 revised on recommendation and approval of the Office of the Attorney General, August 23, 2005.

- Revision 2

Section 2.2: Prohibition of Weapons was revised to include dining facilities. Section 2.4 included the statement that the committee would be appointed by the President, and the name of the committee was changed. The new section 2.4.1 was added to include the appointment of a Threat Assessment Team. Responsibilities of the new Office of Emergency Management were added in section 2.6.

Approved March 19, 2008 by Sherwood G. Wilson, Vice President for Administrative Services.