

### **Purpose**

In accordance with Virginia Code 23-9.2:10, this policy addresses the university's position on the prevention, reduction and management of violence on campus in order to provide a safe environment for students, faculty, staff, contract employees and visitors.

### **Authority, Responsibility, and Duties**

- A. **Violence Prevention Council:** The Violence Prevention Council is charged with the responsibilities of developing policy; implementing violence prevention/education procedures and programs; and providing guidance to students, faculty and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the campus community and how to report it.

The Violence Prevention Council shall consist of professional representatives from student affairs, faculty and staff, law enforcement, human resources, counseling services, residence life, health services, and other constituencies as needed, including legal counsel. The Chief of Police shall act as the Violence Prevention Council Chair. Council members shall be afforded training in suicide prevention, legal implications, mental health issues, etc.

The Violence Prevention Team and the Threat Assessment Team are units of the Violence Prevention Council. Team membership shall be comprised of representatives of the Council with added representation from other departments as dictated by the specific situations. Legal Counsel will act as legal advisor to both teams. The Teams shall meet monthly, as a minimum, and as needed for specific incidents.

- B. **Violence Prevention Team:** The Violence Prevention Team is charged with education, awareness and training of the campus community as it pertains to deterrence of crime. The university shall employ all available means to educate the campus community regarding threat identification and referral to the Threat Assessment Team. Available means include, but are not limited to, online educational programs, seminars, flyers, orientations, pamphlets, bulletins, etc
- C. **Threat Assessment Team:** A Threat Assessment Team shall be appointed by the University President and shall include, as a minimum, a representative of law enforcement, mental health, faculty, staff and university counsel. Representatives from student affairs, counseling services, residence life, human resources and health services may be appointed for relevant cases. Team members working on specific cases will be limited to persons directly needed for the case. A team leader with decision-making authority shall be appointed by the President. The Team is empowered to assess and intervene in threatening situations with timely and appropriate action consistent with the judgment of the team, university policy and applicable law.

### **Definitions**

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

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- C. **Campus** is defined as any location, either permanent or temporary, owned or leased by Virginia State University. 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.
- D. 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.
- E. **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.
- F. **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.
- G. **Intimidation** is engaging in actions that include, but are not limited to, stalking or behavior intended to frighten, coerce, or induce duress.
- H. **Physical Attack** is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.
- I. **Property Damage** is intentional damage to property and includes property owned or leased by the university, employees, students, volunteers, visitors or vendors.
- J. **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.
- K. **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.
- L. **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.
- M. **Student employee** is defined as any work-study student, student wage employee, or graduate student paid on an assistantship on the university payroll.
- N. **Third Parties** are individuals who are not state employees or students, such as relatives, acquaintances, contractual workers, vendors, visitors, volunteers, customers, clients, or strangers.

- O. **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.
- P. **University facilities** are any location, either permanent or temporary, owned or leased by Virginia State University. 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.
- Q. **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.
- R. **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.
- S. **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.
- T. **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.

### **Policy Statements**

Virginia State University prohibits the use of language, behavior, or conduct that threatens unlawful physical violence and has the effect of intimidating, frightening, coercing, or provoking others. Additionally, prohibited acts include threats communicated directly to an intended victim or to third parties either verbally or nonverbally, in writing, orally, through gestures or by any other means, including electronic transmission. Violent or prohibited conduct includes, but is not limited to:

- Intimidation, threats or physical attack.
- 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
- 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
- Retaliating against any individual who, in good faith, reports a violation of this policy.

**A. Sanctions and Prohibited Conduct:**

Persons communicating threats may be subject to disciplinary action by the institution, including criminal prosecution if the behavior constitutes a violation of local, state or federal law. Persons identified as engaging in threatening language or behavior may be subject to suspension or removal from the institution.

Employees, faculty and contracted individuals who are identified as engaging in threatening language or behavior may be required, as a condition of continued employment, to participate in a mental health evaluation as part of the threat assessment process.

Students who are identified as engaging in threatening language or behavior may be disciplined under the provisions of the Student Code of Conduct and/or may be required, as a condition of continued enrollment, to participate in a mental health evaluation as part of the threat assessment process.

Mental health evaluations will be completed by a clinical psychologist or psychiatrist with training or experience in risk assessment that is acceptable to the institution. Reports of evaluation will be made to the Virginia State University Threat Assessment Team.

- B. Threat Reporting:** Threats or threatening behavior should be reported by anyone to the nearest university official, i.e. any faculty/staff member, the University Counseling Center, representatives of Student Affairs, etc., who will in turn, will report the information to the Threat Assessment Team. Threats or threatening behavior must be reported to the Threat Assessment Team as soon as the threat is identified. In emergency situations, information may be relayed directly to the university police at Carter G. Woodson Avenue in person or by calling 524-5411 or 911. Judgments about the seriousness of threats will be made by the Threat Assessment Team. The Threat Assessment Team will determine the seriousness of the threatening situation and what actions, if any, are appropriate.

Persons communicating with the Threat Assessment Team should provide all available information concerning the subject of the threat and the nature of the situation. In a health or safety emergency, no information that is necessary to protect the health or safety of others should be withheld as confidential. In non-health or safety situations, medical, mental health, employment, and academic records that are ordinarily regarded as confidential may be released under conditions determined by relevant federal and state laws.

- C. Threat Assessment Records:** The Threat Assessment Team will maintain confidential records of all cases for legal and security purposes. These records will be kept separate of a subject's academic, medical, mental health, or employment records maintained by the university. This policy does not alter any other existing policy regarding the placement of information in a subject's academic, medical, mental health, or employment records.

**References**

Virginia Code 23-9.2:10  
Virginia State University Faculty Handbook  
Virginia State University Policy 106: Serious Incident Reporting Policy  
Virginia State University Policy 1101: Prohibition of Workplace Harassment  
2005 Revised Student Handbook  
Virginia State University Coop Plan  
Protocol for Student Administrative Withdrawal for Medical, Emotional, or Psychological Emergencies  
Virginia State University Suicidal Student Protocol

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Family Educational Rights and privacy Act (FERPA)  
Health Insurance Portability and Accountability Act (HIPAA)  
Virginia Department of Human Resources Management Policy 1.05: Alcohol and Other Drugs  
Virginia Department of Human Resources Management Policy 1.80: Workplace Violence

Approval By: \_\_\_\_\_

  
President

Date: \_\_\_\_\_

12/12/11

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**Exhibit A**

**THREAT ASSESSMENT TEAM  
INCIDENT REPORT**

Please provide information about the Person of concern (presenting or making an alleged threat) or the threatening situation:

Person's Name: \_\_\_\_\_ ID Number: \_\_\_\_\_  
Last MI First

Driver's License #: \_\_\_\_\_ Vehicle Tag # \_\_\_\_\_

Phone: \_\_\_\_\_ Person's Email Address: \_\_\_\_\_

Address (if known): \_\_\_\_\_

VSU Affiliation: \_\_\_ Student \_\_\_ Faculty \_\_\_ Staff \_\_\_ Local Resident \_\_\_ Unknown

Based on your visual observation:

Gender \_\_\_ Age \_\_\_\_\_ Race/Ethnicity: \_\_\_ White \_\_\_ African/American \_\_\_ Hispanic  
\_\_\_ Asian \_\_\_ Other: \_\_\_\_\_

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Your Name: \_\_\_\_\_ Department  
Last MI First

Your Phone Number: \_\_\_\_\_ Your email Address: \_\_\_\_\_

VSU Affiliation: \_\_\_ Student \_\_\_ Faculty \_\_\_ Staff \_\_\_ Other

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

**INCIDENT INFORMATION:**

Please specify with as much detail as possible, what was said (verbatim) or done, observed and to whom it was directed:

(Please give as much information as possible, i.e. residence hall/academic building name, address). Please take any supporting documents to the VSU Police station on Carter G. Woodson Drive.

Other offices or persons this incident has already been reported to: \_\_\_\_\_

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**Exhibit B**

**Threat Assessment Team Disposition**

Date \_\_\_\_\_

Name of Person Issuing Threat: \_\_\_\_\_  
\_\_\_\_\_ Student \_\_\_\_\_ Faculty/Staff \_\_\_\_\_ External

Reason for Threat Assessment Team Review: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(See reporting form, if applicable)

Evaluation of the seriousness of the threat:

Is there imminent danger? \_\_\_\_\_ Yes \_\_\_\_\_ No  
Is the danger life threatening? \_\_\_\_\_ Yes \_\_\_\_\_ No  
Is there a documented disability? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Unsure

How does the behavior affect the community? \_\_\_\_\_

Any past documented incidents/behavior? \_\_\_\_\_ Yes \_\_\_\_\_ No Explain: \_\_\_\_\_

Where is the behavior occurring? \_\_\_\_\_

How or what does our local data inform us? \_\_\_\_\_

What systems need to be involved? \_\_\_\_\_

Who will contact these systems? \_\_\_\_\_

A check in the space below denotes the sources that were contacted for facts related to this case:

\_\_\_\_\_ For students, the following potential sources of information should be considered:

- \_\_\_\_\_ Student academic records
- \_\_\_\_\_ Observations of faculty, advisor, and other staff who know the subject
- \_\_\_\_\_ Observations of classmates, roommates, and friends of the subject
- \_\_\_\_\_ Parents Virginia law (§ 23-9.2:3 C) provides for parent notification
- \_\_\_\_\_ Online communications that used the institution's email and Internet system
- \_\_\_\_\_ Institution counseling, medical, and mental health records
- \_\_\_\_\_ Residence hall records
- \_\_\_\_\_ Student services and disciplinary records
- \_\_\_\_\_ Information from previous academic institutions

\_\_\_\_\_ For staff and faculty, the following potential sources of information should be considered:

- \_\_\_\_\_ Employment records
- \_\_\_\_\_ Observations of supervisors and co-workers
- \_\_\_\_\_ Institution employee assistance records
- \_\_\_\_\_ Observations of others familiar with the subject
- \_\_\_\_\_ Online communications that used the institution's email and Internet system
- \_\_\_\_\_ Information from previous employers

\_\_\_\_\_ Information from outside the institution should be collected when possible:

- \_\_\_\_\_ Mental health and community service board records
- \_\_\_\_\_ Law enforcement records
- \_\_\_\_\_ Employer records and observations of employers and co-workers
- \_\_\_\_\_ FERPA \_\_\_\_\_ HIPAA \_\_\_\_\_ Clergy Act

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**Threat Assessment Team Disposition (Continued)**

Preserve all evidence, including reports, of the threat:

Contact law enforcement immediately if there is apparent criminal activity or an emergency situation.

Interview witnesses and record the conversation or take verbatim notes.

Evaluation of the context and situation as well as the subject:

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Action: \_\_\_\_\_

Determination: \_\_\_\_\_

Follow Up: \_\_\_\_\_

Monitoring Plan: \_\_\_\_\_

Threat Assessment Team Members Present:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of Disposition: \_\_\_\_\_