VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
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Workplace Violence Prevention Policy

1. **Purpose:** It is the intent of Virginia Military Institute to provide a safe and secure environment for Institute employees, cadets, and visitors by establishing preventive measures, assessing and intervening as appropriate with potential threats, holding perpetrators accountable, and providing assistance and support to victims. This policy specifically addresses the Institute's position on the prevention, reduction, and management of violence to provide a safe working and learning environment for our cadets, employees and visitors at all Institute owned, controlled, or leased properties, including satellite locations and the New Market Battlefield State Historical Park.

2. **Policy:** Virginia Military Institute does not tolerate acts of violence or threats committed by or against employees, cadets, contractual workers, volunteers, visitors, or other third parties on Institute owned, controlled, or leased properties, or while conducting Institute business at any location, including representing the Institute at conferences or off-site meetings or riding in Institute 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 Post, and to any off-duty violent conduct that adversely impacts a VMI employee's ability to perform his or her assigned duties and responsibilities. The personal conduct of cadets involving violations occurring off Institute property will be addressed under VMI regulations if Institute officials decide that VMI interests are involved.

   It is intended that all useful management strategies be employed to identify, intervene and prevent incidents of violence on Post, and provide appropriate consequences to those who threaten or perpetrate violence. VMI managers, employees and cadets are responsible for reporting perceived threats or risks of violence, and must not be subjected to any acts of retaliation for reporting concerns. VMI's Threat Assessment Team will assess and manage threats according to state guidance and "Best Practices" on threat assessment and management at institutions of higher education. VMI will use available resources such as the Employee Assistance Program, the Office of Cadet Counseling, law enforcement officials, the Commandant's Office, the Violence Prevention Committee, and applicable personnel and cadet programs and policies in responding to alleged acts of violence and threats.

2.1 **Applicability**

This policy applies to all Virginia Military Institute faculty, staff, cadets, summer session cadets, visitors and contracted service representatives and to all property owned, leased, operated or controlled by Virginia Military Institute.

2.2 **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 VMI employees, cadets, contractual workers, relatives, acquaintances, or other third parties on VMI 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 person to extreme emotional distress
- Engaging in threatening or violent behavior based on race, ethnicity, gender, 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 e-mail, 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 cadet policies, up to and including dismissal.

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

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

2.3 **Prohibition of Weapons**

VMI's employees, cadets and volunteers are prohibited from carrying, maintaining, or storing a firearm or weapon on any VMI property unless in accordance with the Cadet Weapons Policy, included as Appendix 1 to this policy.

Parties contracting with VMI for the provision of goods or services are prohibited from carrying, maintaining, or storing a firearm or weapon on any VMI property.

Visitors and other third parties are prohibited from "open-carrying" while visiting an academic building, administrative office building, athletic facility, the Barracks, or while attending sporting, entertainment or educational events. "Open-carrying" means carrying of a weapon by a person in full or partial view.

Any such individual who is reported or discovered to possess a firearm or weapon on VMI property will be asked to remove it immediately. Failure to comply may result in arrest, employee disciplinary action and/or arrest, or referral to the Commandant's Office and/or arrest.

The prohibition against storage includes any weapon in a personal vehicle on VMI property.

2.4 **Authorized Exceptions to Prohibition on Possession of Firearms or Weapons**

An employee, cadet or approved student may possess a firearm or weapon in specified locations if it is:

- Used by a cadet, employee or approved student connected with firearms training/instruction at the North Post Baffled Range Facility;
- Used by an employee who is a certified law enforcement officer employed by the VMI Police Department;
- Required as part of the employee's job duties with the Commonwealth of Virginia;
- Connected with training received by the employee in order to perform the responsibilities of his/her job with VMI;
- An ROTC employee engaged in military training involving weapons; or

Employees and cadets 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 cadet recreational purposes approved by the Commandant. Permitted use and storage of VMI issued weapons (rifles, bayonets and sabres) by cadets will be governed by the Commandant's Office, and shall not constitute a violation of this policy.

VMI Rifle Team weapons will be stored at the Rifle Range and will not be transported to Barracks or any other location on Post.

Rules for the Skeet Club and any other club using weapons will be developed by the Office of Cadet Life and approved by the Commandant. The Commandant will ensure the rules for storage of these weapons in the barracks are consistent with the overall intent of this policy.

Rules for the Marksmanship Club and any other shooting event sponsored by the Director of Marksmanship will be approved by the Commandant. The Director of Marksmanship will ensure the rules for storage of firearms in the North Post Baffled Range Facility are consistent with the overall intent of this policy. Cadet and employee personally owned weapons are only authorized on the North Post Baffled Range Facility and will be stored at the range or removed from VMI property upon completion of the shooting event. All personally owned weapons will be transported to and from the NPTA range via Jordan's Point entrance (Saunders Road); if that entry way is closed the most expeditious route to the Range Facility will be utilized and stops on Post are prohibited.

Employees who are occupants of VMI quarters may store rifles, shotguns, handguns, knives, bows and other legal weapons in their quarters.

Exceptions to this policy may be granted only by the Office of the Superintendent. Requests for exceptions must be in writing. A request should include:

- a description of the event that requires the exception
- a detailed description of the number and types of weapons that will be on the VMI Post
- the duration (from and to dates and times
- a list of individuals who will have weapons, or in the case of an non-employee event (for example a historical reenactment), the individuals responsible for the event and the VMI point of contact

2.5 **Violence Prevention and Threat Assessment**

The 2008 General Assembly of Virginia amended Section 44-146.18 of the Code of Virginia by adding a section that mandates the establishment of a Violence Prevention Committee and Threat Assessment Team at institutions of higher education.

As part of a larger and Institute-wide commitment to a safe Post and workplace environment, VMI is committed to the development of preventative measures, including educational programming, publicizing behavioral health resources for cadets and employees, ongoing dialogue and assessment of Violence Prevention Strategies through the Violence Prevention Committee, and assessment and management of threats according to national and regional best practices by the Threat Assessment Team.

The Deputy Superintendent for Finance, Administration and Support will chair a Post-wide Violence Prevention Committee, and a sub-set of that Committee comprised of legal, medical, mental health, law enforcement, student affairs, and human resources professionals charged with assessing and managing threats of violence. This Threat Assessment Team will be responsible for:

- Receiving reports of persons who have engaged in threatening behaviors or done something that raised serious concern about their well-being, stability, or potential for violence or suicide;
- Assessing and managing threats according to national and regional best practices;
- Conducting an annual review to identify potential or existing threats, including gathering and analyzing data to identify high-risk departments, activities, or locations;
- Communicating internally with employees and cadets; and
- Developing and maintaining working relationships with local and state law enforcement and mental health agencies which may be called upon for assistance in managing threats on Post.

2.6 **Identifying and Reporting Risks**

All individuals are encouraged to be alert to the possibility of violence on the part of employees, former employees, cadets, customers, and strangers. Employees and cadets 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 VMI 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 cadets 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.

See Appendix 2, "Workplace Violence/Hostility: Employee Guidelines and Procedures," for guidelines on general security practices and coping with threatening of violent individuals

2.7 **Responsibilities**

It is the responsibility of every administrator, faculty member, staff member, and cadet 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 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 VMI Police Department will coordinate all VMI action in case of a violent incident on Post or in the work place, establish and publish procedures for Post and workplace violence prevention and threat assessment, and investigate threats or incidents of violence in accordance with applicable emergency action plans. Only the VMI Police or other law enforcement agencies should attempt to apprehend the alleged offender.

The Human Resources Office will coordinate employee-related preventive measures, including coordinating employee training and communications programs, conducting criminal conviction checks in accordance with VMI policy, advising employees and managers, and coordinating with other VMI and community resources to support victims of violence.

The Office of Cadet Counseling will coordinate cadet-related preventive measures including training for professionals and cadets through educational programming. The Office of Auxiliary Services will develop and coordinate the VMI's emergency response plan, advise departments on the development of unit plans, and provide templates to support the development of departmental plans.

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 VMI community should call the VMI Police.

General questions about the Workplace Violence Policy should be directed to the Human Resources Office.

3.2 **Support for Victims of Violence**

VMI shall make efforts to provide a 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. VMI shall accommodate these requests and needs whenever possible and appropriate.

4. **Definitions: VMI property** is defined as any location, either permanent or temporary, owned or leased by VMI. This includes, but is not limited to, the buildings, grounds, and the surrounding perimeters, including the parking lots, field locations, classrooms, Barracks, alternate work or class locations, McKethan Park, and the New Market Battlefield State Historical Park.

   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, telephone calls to the employee or cadet, and correspondence with the employee or cadet, whether by public or private mail, e-mail, interoffice mail, or fax.

   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. Firearm means any handgun, shotgun, or rifle that will or is designed to or may readily be converted to expel single or multiple projectiles by action of an explosion of a combustible material.

   Handgun means any pistol or revolver or other firearm originally designed, made and intended to fire single or multiple projectiles by means of explosion of a combustible material form one or more barrels when held in one hand.

   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 VMI, employees, cadets, 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.

Third Parties are individuals who are not state employees or cadets, 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 to one's self or to others. 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.

Violence includes, but is not limited to, threats of physical harm, physical attack, domestic violence or property damage 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 VMI owned or leased vehicles.

FOR THE SUPERINTENDENT:

Jeffrey H. Curtis
Colonel, USAF (Ret.)
Chief of Staff

DIST: E

OPR: FAS

Appendix 1

Cadet Weapons Policy -- Extract from VMI Regulations Part III

CHAPTER 3 – Weapons

SUMMARY

- **Cadets will keep positive control over VMI issued weapons at all times**
- **Cadets are not authorized to bring personal weapons to VMI, with the exception of the Skeet Club**
- **Skeet Club members allowed to bring weapons to VMI must follow authorized storage procedures as described in the Skeet Club permit**
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1. VMI ISSUED WEAPON

a. Cadets are responsible for the security, accountability and maintenance of their assigned weapon and bayonet at all times.

b. Loss of a weapon or bayonet is a serious offense and must be reported, through the Cadet chain of command, to the Assistant Commandant S4.

c. Bayonets are only drawn from scabbards for cleaning and maintenance, or as directed at parades and formations.

d. Cadets must:

(1) Not bang rifles on the ground or stoop.

(2) Keep weapons on Post at all times unless participating in an approved VMI activity.

(3) Turn in issued weapons to the armory when directed.

(4) Inform the armory when a weapon has been damaged.

2. PRIVATELY OWNED WEAPONS

Cadets are not authorized to bring personal weapons onto VMI. The only exception to this policy is for cadets who are current members of the Skeet and Marksmanship Clubs. The registration, storage and handling procedures of weapons belonging to Skeet Club members are described in the Skeet Club permit. The registration storage and handling of personally owned weapons at the North Post Baffled Range must be approved by the Director of Marksmanship IAW the Range SOP and Marksmanship Club Permit. Any other cadet or group of cadets wishing to bring a privately owned weapon to VMI for official business must submit a permit to the Superintendant through the Commandant's office.

3. VIOLATION OF WEAPONS POLICY

Cadets found to be in violation of the weapons policy are subject to a penalty ranging from dismissal to a number 5.

4. The Assistant Commandant S1 is the point of contact for this chapter.

Appendix 2

Workplace Violence/Hostility: Employee Guidelines and Procedures

While VMI endeavors to provide employees with a safe and secure workplace, VMI recognizes that crime and violence sometimes can spill over into the workplace. We are providing you with these guidelines so you can be better prepared to handle violent and threatening situations. This document summarizes actions you should and should not take to deal with threatening or violent situations. Taking a few moments to familiarize yourself with these guidelines is an important part of being prepared for workplace emergencies.

General Security Practices

- Never hesitate to call the police if confronted with a potentially violent situation. It is better to have called the police unnecessarily than not to have the police available when a threatening situation turns violent.
- Never attempt to physically restrain or physically remove a threatening or violent individual by yourself. Doing so puts you in danger and leaves you and VMI vulnerable to possible lawsuits.
- **Always report violent, threatening, or harassing behavior to your supervisor and the VMI Police. Alert your supervisor or the VMI Police to the presence of strangers in your work area or the presence of any suspicious packages.**
- In the event of armed robbery, comply with the robber's demands, including demands for VMI money or property.
- VMI employees who have a protective order or restraining order which covers them at work should notify their supervisor and provide a copy of the order to the VMI Police Department

Coping With Threatening or Violent Individuals

Effective handling of threatening or violent individuals requires you to use good judgment and common sense and rely on your own assessment of the particular situation. Nevertheless, you might be able to resolve or cope with many types of threatening or violent situations by following the guidelines below:

- When confronted with an angry or hostile individual:
    1. Stay calm.
    2. Listen attentively.
    3. Maintain eye contact.
    4. Be courteous and patient, but try to keep the situation under control by expressing a willingness to sit and calmly discuss the matter with the individual.
- When confronted with a person shouting, swearing, threatening violence, or engaging in bizarre or dangerous behavior:
    1. Stay calm.
    2. Be courteous and patient, but maintain your distance from the individual.
    3. Signal a co-worker or supervisor that you need help. Do not call for help yourself if the individual is directly confronting you.
    4. Have the co-worker or supervisor call the security guard or the local police.
- When confronted by someone with a gun, knife, or other weapon:
    1. Stay calm.

2. Never try to grab the weapon.
3. Quietly signal a co-worker or supervisor that you need help. Do not call for help yourself if the individual is directly confronting you.
4. Have the co-worker or supervisor call the police.
5. Be courteous and patient. Keep talking, but follow the instructions from the person who has the weapon. Stall for time, but do not risk harm to yourself or others.
6. Watch for a safe chance to escape to a safe area. Take direction from the VMI Police personnel once they arrive on the scene.